

ECTA Round Table on WIPO Mediation and Arbitration

DOS AND DON'TS IN WIPO ARBITRATION AND MEDIATION

GENEVA - 19 OCTOBER 2018

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Preparation for Mediation - How to Succeed

- ▶ Getting Ready to Mediate
- ▶ Preparing the Client for Mediation
- ▶ Preparing the Mediation Case
- ▶ Preparing the Mediator
- ▶ Top Tips for Successful Mediation

Getting Ready to Mediate

- ▶ Changing Mindsets
- ▶ Understanding the Rules
- ▶ Planning for Success
- ▶ Realism

Preparing the Client for Mediation

- ▶ Explaining the Process
- ▶ Exploring Interests
- ▶ Identifying Goals
- ▶ Choosing the Team

Preparing the Client for Mediation

- ▶ Risk Analysis
- ▶ BATNA and WATNA
- ▶ Possible Options and Outcomes
- ▶ The Mediation Plan

Preparing the Mediator

- ▶ Types of Mediators
- ▶ Contacting Your Mediator
- ▶ Setting the Agenda
- ▶ Mediation Ground Rules

Top Tips for Successful Mediation

- ▶ Preparation Pays Off
- ▶ Let the Other Side Choose the Mediator
- ▶ Avoid Surprises
- ▶ Make Sure the Other Party Listens
- ▶ Keep an Open Mind

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