Sharing Experiences and Best Practices

WELCOME

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ECTA Roundtable

WIPO Mediation and Arbitration

A. INTRODUCTION TO WIPO ARBITRATION & MEDIATION PROCEEDINGS

Erik Wilbers

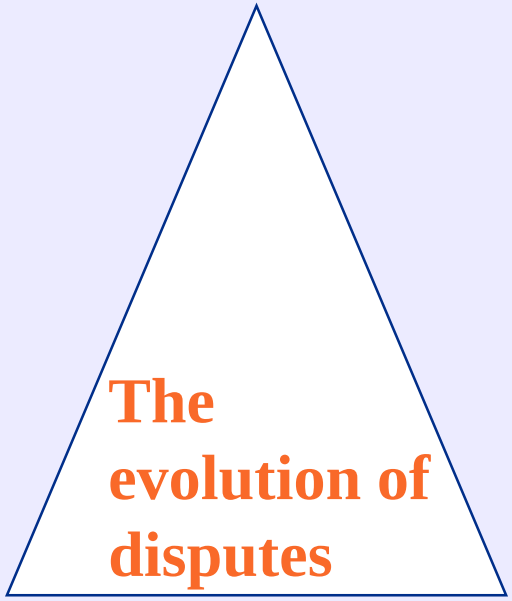
B. DOs and DONTs IN WIPO ARBITRATION AND MEDIATION

Peter Moody - Pierre Kobel - Jacques de Werra

C. WIPO ARBITRATION AND MEDIATION – ACTUAL CASES

Adam Rattray

The conflict
(according to Gerhard Schwarz)



CONSENSUS
COMPROMISE
DELEGATION
SUBORDINATION
DESTRUCTION
ESCAPE

WIPO Mediation and Arbitration

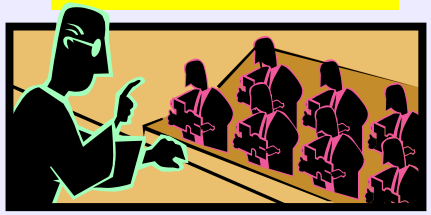
Life

Interests

Quis quid a quo
qua causa

Case

Positions



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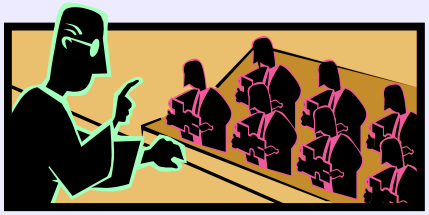

- The one having a claim is right (this is even just!)
- There exists an objective truth (which must be found)
- The conflict must end with a winner and a looser
- The truth lies in the past
- Resolution is best delegated (parties are out of control)

ergo: neglection of many conflict-relevant criteria

Erik, let‘s start !