



ARBITRATION IN CONTEXT SERIES

International Intellectual Property Arbitration

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Wolters Kluwer
Law & Business

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Law & Business

List of Abbreviations

AAA	American Arbitration Association
AAA/ICDR	AAA's International Centre for Dispute Resolution
ADR	Alternative Dispute Resolution
BBMC	Brussels Business Mediation Centre
CEDR	Centre for Effective Dispute Resolution
CEPANI	Belgian Centre for Mediation and Arbitration
CIETAC	China International Economic and Trade Arbitration Commission
CMAP	Centre de Médiation et d'Arbitrage de Paris
DIS	German Arbitration Institution
EPC	European Patent Convention
EPO	European Patent Office
HKIAC	Hong Kong International Arbitration Centre
IBA	International Bar Association
IBA Rules on Evidence	IBA Rules on the Taking of Evidence in International Arbitration, 2010
ICC	International Chamber of Commerce
ICSID	International Centre for Settlement of Investment Disputes
IAs	International Investment Agreements
IMI	International Mediation Institute
IP	Intellectual Property
IPRs	Intellectual Property Rights
JAMS	Judicial Arbitration and Mediation Services
LCIA	London Court of International Arbitration
Model Law	UNCITRAL Model Law, 1985
NAFTA	North American Free Trade Agreement

List of Abbreviations

New York Convention	Convention on the Recognition and Enforcement of Foreign Arbitral Awards, 1958
PCT	Patent Cooperation Treaty
Rome Convention	Rome Convention on the Law Applicable to Contractual Obligations, 1980
SCC	Stockholm Chamber of Commerce
SIAC	Singapore International Arbitration Centre
Swiss Rules	Rules of Arbitration of the Swiss Chambers of Commerce, 2006
UNCITRAL	United Nations Commission on International Trade Law
UNCITRAL Rules	UNCITRAL Arbitration Rules, 1976
WIPO	World Intellectual Property Organization
WIPO Center	WIPO Arbitration and Mediation Center
WTO	World Trade Organization

Preface

This we believe is the first book in the English language to be dedicated to the subject of intellectual property arbitration, and in particular international intellectual property arbitration. We hope that it will serve to dispel some of the mystique that surrounds the subject and assist in bridging the gap between two different and somewhat recondite specialisms within the law – that of intellectual property lawyers on the one hand and of international arbitration practitioners on the other. We also hope that it will contribute to the development of arbitration as a way of resolving intellectual property disputes, especially on a multi-jurisdictional basis.

We thank our colleagues at Bird & Bird LLP who have assisted us with this book. In particular we thank Jane Player, who together with Claire Morel de Westgaver (who also co-wrote Chapter 9) wrote Chapter 11 on the subject of the mediation of IP disputes. We also thank Ignacio de Castro at the WIPO Arbitration and Mediation Center, who has encouraged us in this endeavour, as has Lucy Reed of Freshfields as editor of this series. We also thank Ignacio's colleagues at the WIPO Arbitration and Mediation Center, in particular Sarah Theurich, who assisted us by the provision of anonymized case summaries. The mistakes and omissions in this book are however ours alone, and we would very much appreciate readers telling us of them, or of other shortcomings in the book, at trevor.cook@twobirds.com.

Trevor Cook
Alejandro I. Garcia
London, 11 June 2010

Preface

After we handed over this book's manuscript to our publisher, Kluwer Law International, some developments in the international arbitration field have taken place. On 25 June 2010, UNCITRAL adopted a revised version of the UNCITRAL Arbitration Rules, which came into force on 15 August 2010. All references in this book to the UNCITRAL Arbitration Rules relate to the 1976 version of those rules. In addition, SIAC issued the fourth edition of its arbitration rules, effective from 1 July 2010. All references in this book to the SIAC Rules relate to the third edition (2007) of such rules.

The Authors

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