

Mediation Success

It is crucial for businesses to be able to resolve disputes quickly and at low costs, especially in these economic headwinds.

Two parties who were embroiled in four trade mark disputes at IPOS have managed to do just that. One party is a major food & beverage business in Singapore, while the other is a relatively well known UK entertainment outfit.

In addition to the dispute before IPOS, these parties were also ensnared by disputes across different jurisdictions. Happily, this did not deter the parties from settling their disputes with the facilitation of their Singapore based mediator, a respected IP lawyer himself. The parties chose to mediate under the auspices of the WIPO Arbitration and Mediation Center, which is an international institution with a panel of about 1,500 neutrals. It is noteworthy that despite a foreign party being involved, distance was not a hurdle and amicable settlement was reached within a day. The broad-based settlement was achieved with the use of video conferencing facilities, without the UK party having to travel half way across the globe to Singapore, saving some time and costs. All present at the mediation were also bound by confidentiality obligations.

What are the costs, you ask?

The administration fee and mediator's services only added up to S\$3,450.20, split equally between the two parties. Further, the good news is that parties had the benefit of funding (under the Mediation Promotion Scheme or MPS), and these costs were fully subsidized.

What about cost savings as compared to full blown litigation at IPOS?

Each party saved about S\$15,000 (or about 75%) compared to if they had opted for the full opposition proceedings culminating in a substantive hearing.

The result? Two gratified users.

Both parties indicated that they were satisfied with the mediation process, that they were likely to use it again, and that they would also recommend it to others. The UK party commented that "... we would still use the mediation service if we thought it could assist us in settling a dispute in a cost-effective and timely manner even if funding is not available" and topped it off with the following compliment:

*We are **very happy** with the **service** we received and the **result of the mediation**.*

Need we say more?

Come and try mediation for yourself. Especially with the availability of funding under MPS, there is nothing to lose and potentially lots to gain.