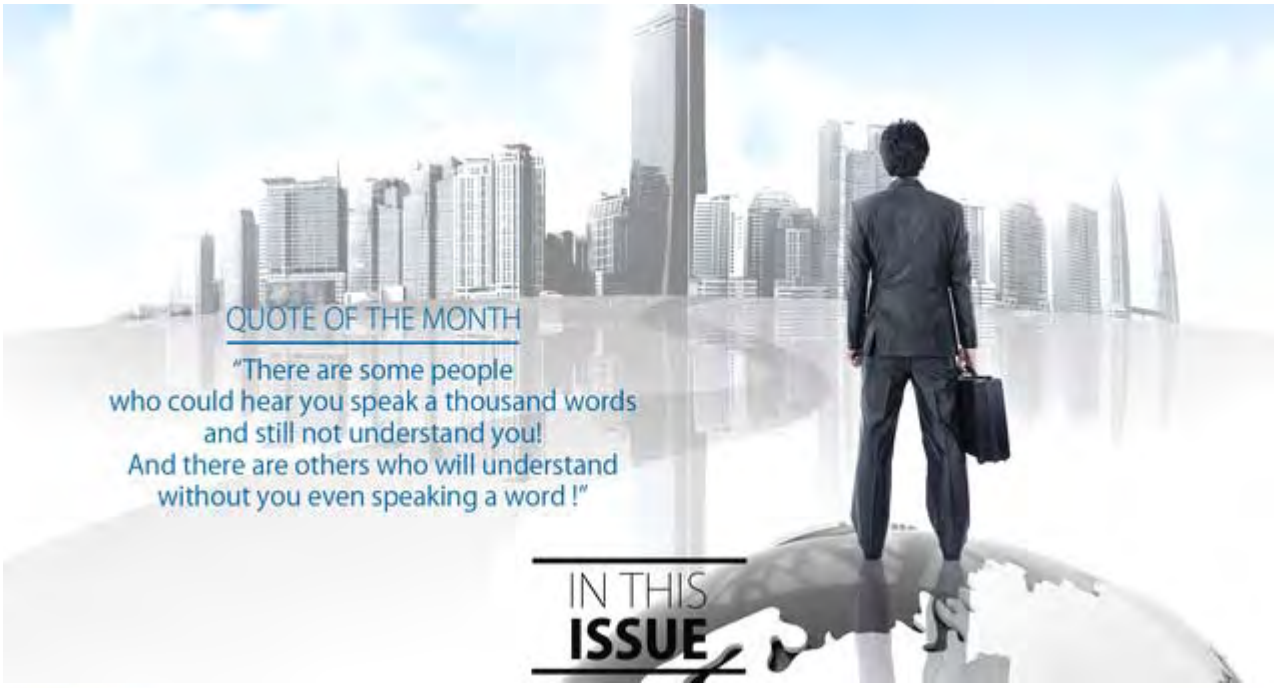
THE indian arbitrator

THE INDIAN ARBITRATOR

News magazine of the Indian Institute of Arbitration & Mediation

Volume 9, Issue 2, March | April 2017

www.arbitrationindia.org



PUBLISHER: Indian Institute of Arbitration & Mediation, G-254, Panampilly Nagar, Cochin 682 036, India

www.arbitrationindia.org | Tel: +91 484 4017731 / 6570101

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Editor's Note

As discussed in the previous edition, this is the year of the Global Pound Conference series, happening all over the world! GPC is the only conference which allows the participants to express their views, concerns, opinions and ideas about the way justice is delivered and as to how it could be improved. So as an Indian professional, academician or business person, GPC is an opportunity to make a real impact in helping to shape the future of commercial dispute resolution! If you have never been to India, GPC India is a great opportunity to visit one of the world's most ancient surviving civilizations. A country which is so vast and brimming with activities, GPC is an option to meet with professionals, business groups and institutions! GPC India is happening in May 2017.

Welcome to GPC India!

Anil Xavier

VIEW POINT

MEDIATION OF INTELLECTUAL PROPERTY DISPUTES : TACTICS AND STRATEGIES

HESHA ABRAMS

Mediation and negotiation of IP matters is more like a chess game. Grandmasters have the ability to think 10 moves ahead, seeing the entire game board and looking at all the machinations and possible outcomes. In copyright, trademark, and trade-secret cases, timing is crucial. Coming to the table early rewards a party with nimble positioning options and potential business solutions. Mediation of IP disputes can be very similar to the resolution of other types of complex litigation. However, there are a number of important distinctions specific to IP cases that concern timing and strategy of case resolution.

Mediation of Intellectual Property (IP) disputes can be very similar to the resolution of other types of complex litigation. However, there are a number of important distinctions specific to IP cases, and patent cases in particular, that concern timing and strategy of case resolution. Naturally, achieving optimum case efficiency and a resolution for your client's maximum benefit are the primary (and obvious) desired outcomes. I've written this chapter in a more conversational style to invite the reader into the strategic world of deal mediation.

Simplistically, in any mediation, defendants want to get out as cheaply as they can, while plaintiffs want to extract as much as they can. This is not a pretty, touchy-feely, win-win problem-solving picture, but it is realistic and a pragmatic view of the pond in which we swim.

Interestingly, in over 30 years of mediating, I have found that logic, reason, and rationale are usually the poorest choices you can use as negotiating or mediating strategies. This is counterintuitive and sounds absurd, but it is a typical human reaction.

All parents think that their child is the smartest, most athletic, or best looking child in school and . . . that's not usually the case. Will you ever convince them of that? It's a fool's errand. You're not going to

convince people that their analysis is wrong, that their position is misplaced or unfounded, or that they have failed to consider or weigh a particular piece of prior art (i.e., prior patents or technology) correctly. This is particularly so in IP matters, where you have extremely bright counsel, who often have advanced degrees in highly technical areas.

The most enjoyable part of my work is being able to interact with the brightest of the bright. Since there are plenty of 5–4 decisions by the U.S. Supreme Court and 2–1 decisions by the Federal Circuit, what makes one view right? Victors write the history, and flawed analysis can certainly become law. The Supreme Court has had a recent history of reversing the Federal Circuit on several occasions. While clearly the judges of the Federal Circuit have more patent knowledge and experience, the law and/or standards are changed nonetheless. Being right on an issue does not necessarily mean you will win.

We soldiers in the trenches of IP resolution deal in the realm of the possible, not the optimum. I once had the president of a large manufacturing plant tell me that “best is the enemy of better.” That is, unfortunately, a truism and can act as a barrier to a creative or pragmatic resolution.

Of Chess, Strategy, and Timing

I prefer to think of mediation and negotiation of intellectual-property matters as more of a chess game. It begins with a move, then a countermove, and then a move once again. Smart chess players think three moves ahead, with each move designed to provoke a particular move from their opponent. Grandmasters have the ability to think 10 moves ahead, seeing the entire game board and looking at all the machinations and possible outcomes.

“Strategy requires thought, tactics require observation,” says Dutch Chess Grand Master Max Euwe. Taking the time to just observe reveals a treasure trove of information that can be strategically beneficial in the mediation game. There are several tactical moves you can make in devising a beneficial strategy to move the case where you want it to go.

Timing is an important factor. There are several time vortices where case resolution has optimal value. The first is in the pre-litigation stage. Depending on venue and declaratory judgment issues, it can be very advisable to meet with your opponent to ferret out the response to various respective positions and damage models, in order to see what potential business goals may be available. The goals are very fluid at this stage, and a lot of shaping can happen with the right mix of personalities, strategies, and creative-mediator suggestions and tactics.

I have settled a number of extremely complex matters very early in the game when it was tactically beneficial for the parties to do so. When spaghetti sauce drops on the counter, we can easily wipe it up with a sponge. If left overnight, we’re scraping it off with a spatula! There are a myriad of opportunities available while the spaghetti sauce is still wet. Early in the game, positions have not hardened, business alliances may be possible before mortal enemies are declared, and whole-is-greater-than-the-sum-of-its-parts options can be devised by clever mediators and counsel.

Business people like making business deals. Once something becomes “legal,” it hardens, and joint projects, acquisition of assets, sales and collaboration become more difficult. Particularly in copyright,

trademark, and trade-secret cases, timing is crucial. Coming to the table early rewards a party with nimble positioning options and potential business solutions. This can be invaluable in structuring a deal. Patent cases can take advantage of this early exploration as well, but it is affected by the greater complexities involved and the disparities in expectations of perceived value. The mix of personalities heavily influences this early solution exploration process.

The Markman Opportunity

The second time vortex is after the suit is filed and initial *Markman* briefs have been exchanged, (or in a copyright, trade-secret, or trademark action, after initial discovery). You might surmise that after infringement contentions have been exchanged in a patent case, it would be a beneficial settlement moment. However, this is not usually the case. Often, at this time there is a shortage of information and party emotions run high, negatively impacting pragmatic settlement discussions. There are, of course, always exceptions to the rule, based on circumstances and personalities, which should be explored. After the *Markman* briefs are filed, and after the *Markman* hearing or ruling, the aperture of the case necessarily becomes narrowed.

Deciding to mediate early in the case, after *Markman* briefs, after the hearing, or after the ruling is a tricky matter. Frankly, it depends as much on the personality of counsel and the decision-making of the client as the hard facts of the controversy.

In my 30 plus years of mediating, I state one clear, unequivocal observation: Take the exact same facts and change the human beings around the table, and you have an entirely different game. Even in the highly sophisticated and intellectual world of IP litigation, human beings control the decisions, and we are psychological creatures.

Even though a very high percentage of matters are reversed at the Federal Circuit on claim construction, it is still a very expensive ticket to ride all the way to the Federal Circuit after a trial to get that review. So the aperture of the lens of a patent case, good, bad, or indifferent, is basically fixed for that trial after *Markman*.

Based on whichever party thinks they won *Markman*, the positions of the perceived winner will harden. Then, often extreme creative legal reasoning, i.e., *cirque du soleil* contortions, can occur from the "non-winner" of the *Markman* (i.e., better than "loser of the *Markman*" because no one ever thinks they lost the *Markman*). Once these hardened positions or contortions have occurred, it is very hard for strong personalities to step back from the brink.

It can be preferable to try for a mediation opportunity pre-*Markman* ruling. In a complex case where the judge is an unknown, we might need the hearing first. Where there are less complex issues or where the judge is more of a known quantity, mediation after the briefs are exchanged may be sufficient.

Post-Discovery and Expert Report Exchange

The third time vortex comes after fact discovery, if anything meaningful was unearthed. The fourth one occurs after expert reports have been exchanged. By this point the aperture of the case is even more narrowed; the parties realistically understand their respective positioning. Summary judgments are being teed up, the damage models are revealed, and the money trail, or lack thereof, becomes is clarified.

"*Filthy lucre*"— Money. Ultimately, in most IP matters, there are issues of both the sword and shield. There are times when a settlement can be very creative and include nonmonetary options, but often it's simply more money, or less money, that drives a deal.

In patent, copyright, and trade-secret cases, the damage models are clarified once the expert reports are exchanged. In other commercial matters, the months and weeks leading up to trial may provide a perfect storm in which meaningful settlement discussions can occur. However, in IP cases, this is often not the case. The cost to prepare the case and prep the witnesses for trial causes IP counsel to hunker down, dig in their heels, and prepare their trench for war. Once this occurs, it is harder for either side to offer an olive branch. Yet meaningful discussions are still possible especially if something surprising occurs. Discussions can also happen after post-trial motions and before appeal to the Federal Circuit.

All parties at mediation have constituencies to which they must report. In-house counsel reports to business units, CEOs report to boards, partners report to their managing committee. Even solo entrepreneurs often have venture capitalist funding, an executive staff, or a spouse, to which they feel accountable. Seen or unseen, these entities are part of the deal. They create a shadow-boxing effect. In a contingency fee matter, while the ethical rules are clear that the clients' best interests always control, counsel has a clear stake in the outcome and is a full partner at the table, psychologically, if not in reality.

Politics. There's a client culture that each client representative must abide. It's never a clean black or white issue. It can be dependent on internally driven issues, at a company outside the logical parameters of the content of a case. Looming IPOs, mergers, shifts in the chain of command, a new policy on "toughness," and a new policy on getting cases moved are a few, but the list is not exhaustive. Decision makers of organizations are employees who would like to stay employed. Being attuned to those internal politics is critical in creating movement toward a workable deal with proper optics. Good diagnosis is paramount. If the diagnosis isn't correct, then the actions taken will be solving the wrong problem.

These issues have deep relevance based on the decision-making apparatus of the client. A good mediator should have keen diagnostic abilities in order to help bring laser clarity to work through the thorny field of unrealistic expectations and unreasonable positions. Those diagnostic abilities also help mediators ferret out unrealized possibilities for a deal or a solution. Mediators need to encourage the parties to explore significant issues such as timing, deal options, settlement parameters, and creative structures that will work within the given dictates of each group. Sometimes is the effort is subtle, sometimes overt, depending on the politics and dynamics of the situation. A gentle or firm hand is critical based on the personalities and needs of the individuals.

Optics. The visuals of a deal are usually more important for defendants, but can also be important for plaintiffs, who want to preserve the structure of a licensing program, or set parameters for other deals in the future.

The Federal Circuit, Congress, and even the Supreme Court have all been wading into the intellectual-property waters in a more activist way than in the past. The landscape is constantly changing, especially since the lifespan of an IP case can be longer than the average commercial case. Things can change during the interim, giving parties an opportunity for motions for rehearing, motions for en banc rehearings, and petitions for Supreme Court review, all of which can impact the case midstream.

Pledge to Mediate

Recognizing that the empowerment to resolve disputes amicably and voluntarily is an expression of civil maturity, IIAM along with India International ADR Association has formulated "Pledge to Mediate" among companies and organisations as part of promoting best governance and speedy justice. By becoming signatory of the Pledge, you make a public, policy statement indicating your commitment to the promotion of amicable settlement of disputes. The pledge is cost-free and not legally binding. Organisations stand to benefit from various vital outcomes, including Expression of Corporate Governance, Goodwill Generation, etc.

Become a signatory to the "Pledge to Mediate" –For details log on to www.arbitrationindia.org/pledge.html or contact IIAM Director at dir@arbitrationindia.com for details.

Mathematics may not teach us, how to add happiness, or how to minus sadness...
But it does teach one important thing....
Every problem has a solution

Israeli psychologist Daniel Kahneman, who won the 2002 Nobel Prize in Economics, has extensively studied the psychology of judgment, decision making, behavioral economics, and hedonic psychology. He proved that most people respond to the loss of a given amount of money about twice as strongly as they react to a similar gain. In other words, it hurts twice as much to lose something, in contrast to the pleasure derived from an equal gain. His work demonstrated how the human decision-making process works specifically regarding that loss aversion. For example he explained why many people fail to make money in the stock market over the long term. People lack the fortitude to sell shares when down, because they are unable to fathom taking a loss; rather, they will watch their investment plummet with the hope that one day it will rise again.

Kahneman established a cognitive basis for common human errors that arise from heuristics and biases. I see this in operation every day. Predicting outcomes is extremely difficult. By definition one side will be wrong, not necessarily in what the outcome "should have been," but in what the outcome actually becomes. After Decca Records rejected the band "The Beatles" with the comment, "Guitar groups are on the way out, Mr. Epstein," George Martin signed the group to EMI's Parlophone label. The rest, of course, is history.

Human beings are much more failure-avoidant than success-driven. In fact, our whole compensation system rewards little successes and punishes big failures. A good mediator can counter this with options outside the box, if they that tap into the internal needs of each party while designing the structure of a deal around these parameters with workable optics.

I have been a warrior most of my career, starting out in the early 1980s doing oil and gas litigation, securities fraud, complex tort, and business litigation. I think it takes an old warrior to know how to be an effective peacemaker. Some of the nice "win-win" problem-solving bromides are not particularly effective in complex commercial litigation, much less IP litigation, where the smartest of the smart play.

The best tools to achieve results?

Think far outside the box—but still within the standards of the game.

Be attuned to the optics and politics of the parties and the need to not be seen as "not losing."

Come armed with a heavy dose of patience and a relentless pursuit of a solution.

AUTHOR:
Hesha Abrams, Esq. is a US based acclaimed attorney–mediator. She has successfully mediated for thousands of parties, and was an innovator in the mediation field, serving on the legislative task force that drafted the landmark Texas ADR law. She has worked in the UK, China, Mexico, Thailand and India and with parties from all over the globe. For further information, see www.HeshaAbramsMediation.com.

Article

ICC'S EXPEDITED PROCEDURE RULES
: MORE POWER TO THE 'COURT'?

GLADWIN ISSAC

For long, the ICC has been actively exploring techniques to reduce time and costs in international arbitration. On the 1st of March 2017, the ICC introduced the latest amendment to the ICC Arbitration Rules an "Expedited Procedure", allowing parties to avail a faster and more cost-effective adjudication of claims. However, as much as it promotes efficiency, the recently Expedited Procedure Rules clearly limit party autonomy. Author analyses the effect of the new Rules.

On the 1st of March 2017, the International Chamber of Commerce ("ICC") introduced the latest amendment to the ICC Arbitration Rules ("ICC Rules") an "Expedited Procedure", allowing parties to avail a faster and more cost-effective adjudication of claims brought under the auspices of the ICC Court of Arbitration ("the Court"). Under the revised ICC Rules, all claims with amounts in dispute below US$ 2 million will be automatically governed by the Expedited Procedure Rules contained in Article 30 of the ICC Rules and Appendix VI.

For long, the ICC has been actively exploring techniques to reduce time and costs in international arbitration. Long back in 2003, the ICC released the Guidelines for Arbitrating Small Claims under the ICC Rules of Arbitration. Though not binding, it forms an integral part of the modern day arbitral practice. This string of new measures has been brought in to preserve the legitimacy of the arbitral process, a process whose key benefits like speed, cost and efficiency have been sacrificed at the altar of convenience, over time. More specifically, as Alex Mourre, the President of the ICC Court of Arbitration, the world's leading arbitral institution, puts it, this "new offer" brings the ICC in line with other key arbitral institutions like the Stockholm Chamber of Commerce ("SCC") Singapore International Arbitration Centre ("SIAC") and the Hong Kong International Arbitration Centre ("HKIAC"), and reflects the rising demand for faster and cheaper arbitrations.

According to ICC's Statistics, 32 percent, i.e. roughly one-third of the new cases filed in 2015 with the Court involved claims with an amount in dispute below US$ 2 million. Further, during the last ten years, between 39.6 percent (2006) and 32 percent (2015) of the ICC's new cases involved amounts in dispute below US$ 2 million. This led to the introduction of rules in order to administer these small claims cases to be resolved in a more cost-efficient manner and a shorter period of time.

However, the Expedited Procedure will not be available if (i) the arbitration agreement predates 1st March, 2017, i.e., it was entered into before 01 March 2017, (ii) the parties have agreed to opt out of it, or (iii) the ICC Court decides – either as a result of a motion from one party or of their own accord – that the expedited procedure is not appropriate for that particular case.

In brief, the Expedited Procedure Rules will provide for the following key changes, as compared to a non-expedited arbitration:

Appointment of a Sole Arbitrator

The Rules provide that even where the arbitration agreement provides for three arbitrators, the Court may appoint a sole arbitrator, thus bringing down the cost significantly.

Case Management Conference

Terms of Reference, one of the traditional hallmarks of ICC Arbitration have been dispensed with under the Expedited Procedure Rules. Instead, a Case Management Conference shall be held which must take place within 15 days of the transfer of the file to the arbitral tribunal.

Streamlined Procedures

The tribunal will have the discretion to adopt such procedural measures as it considers appropriate. In this regard, it shall have the authority, subject to consultation with the parties, to decide whether document production is required or not, to limit the length and scope of submissions and factual or expert evidence. It may also decide whether to hold any hearings via telephone or video-conference, or to base its decision on the written submissions of the parties alone.

Six Month Time Limit

The tribunal will be required to render its award within six months of the case management conference. However, the tribunal can grant extensions in circumstances which are, according to the Court, "limited and justified".

Fees

The arbitral tribunal fees and the administrative costs will be calculated on the basis of a new scale. As such, the overall costs of using the expedited procedure is low, resulting in a forty percent reduction as compared with non-expedited cases.

Opt-In Provisions

Arguably one of the most innovative and challenging provisions, the ICC Rules also provide for the possibility that the Expedited Procedure Rules may be employed on an opt-in basis for even arbitrations exceeding the US$ 2 million limit set by the ICC provided the parties consent to the same.

However, as much as it promotes efficiency, the recently Expedited Procedure Rules clearly limit party autonomy. The crucial decision of the parties with regard to the number of arbitrators is of immense significance and the parties' choice to tailor the proceedings according to their convenience seems appropriate. Nonetheless, it is also to be noted that by virtue of submitting their disputes to be governed by the ICC Rules, the parties have consented to the ICC Court's powers. This party autonomy is further respected by the fact that the Expedited Procedure Rules will only be applicable to arbitration agreements concluded after 1st March 2017. Moreover, as stated before, if the parties wish to have a three-member tribunal, they can opt out of the Expedited Procedure Rules in their arbitration agreement. Therefore, while it may seem that the Court's unbridled powers may contravene the principle of party autonomy, it is to be noted that the expedited rules are effective when parties cannot mutually agree to expedite the arbitration with small claims.

While is true that the recent amendments to the ICC Rules are a welcome change, only time will tell whether it would deliver the desired result. In light of issues regarding the enforceability of awards passed by a sole arbitrator where parties have agreed to three arbitrators, and awards passed on the basis of documents-only arbitrations, this move is a brave attempt to achieve the greater goal of efficiency in the arbitral process. In principle, the Expedited Procedure Rules strives to keep a check on all stakeholders: the parties, their legal representatives, the arbitral tribunal and the ICC Court itself, allowing a greater number of small value claims to be resolved quickly and cost-effectively. However, it remains to be seen how the ICC will approach more complex cases under the US$ 2 million threshold insisting on a sole arbitrator.

AUTHOR:

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Out of the Box

THINK ABOUT IT...

The story is told of a woman who bought a parrot to keep her company, but she returned it the next day. “This bird doesn’t talk,” she told the owner.

“Does he have a mirror in his cage?” he asked. “Parrots love mirrors. They see their reflection and start a conversation.”

The woman bought a mirror and left. The next day she returned; the bird still wasn’t talking.

“How about a ladder? Parrots love ladders. The happy parrot is a talkative parrot.” The woman bought a ladder and left. But the next day, she was back.

“Does your parrot have a swing? No? Well, that’s the problem. Once he starts swinging, he’ll talk up a storm.” The woman reluctantly bought a swing and left.

When she walked into the store the next day, her countenance had changed. “The parrot died,” she said.

The pet store owner was shocked. “I’m so sorry. Tell me, did he ever say anything?” he asked.

“Yes, right before it died,” the woman replied. “In a weak voice, it asked me, ‘Don’t they sell any food at that pet store?’”

Sometimes we forget what’s really important in life. We get so caught up in things that are good while neglecting the things that are truly necessary.

Take a moment to do a “priority check”, and strive for what is most important today. Don’t wait for the parrot to die.

Brain Teasers

I inserted seven doughnuts to a rope and tied the two ends of it. I wanted to eat a doughnut without cutting the rope or breaking doughnut. How?

[Answer at Page 17]

A lady manager of a big reputed office asked a newly recruited man to come into her office.

"What is your name?" was the first thing she asked the new guy.

"John," he replied.

She scowled, "Look… I don't know what kind of a namby-pamby place you worked before, but I don't call anyone by their first name. It breeds familiarity and that leads to a breakdown in authority. I refer to my employees by their last name only … Smith, Jones, Baker …that's all. I am to be referred to only as Mrs. Robertson. Now that we got that straight, what is your last name?"

The new guy sighed, "Darling…… My name is John Darling."

"Okay John, the next thing I want to tell you is …"

Not ALL rules can be followed!!!

PROMOTING STUDENT AUTHORS

With a view to promote and support students in developing the qualities of legal research and presentation, IIAM is providing opportunity to law students to publish original, innovative and thought provoking articles on arbitration, mediation, conciliation, dispute resolution and similar topics and critiques on judgments relating to the same topics. Selected articles will be published in the "Indian Arbitrator". From amongst the submitted articles, every year one student author will receive the "Best Young Author" certificate from IIAM.

GLOBAL POUND CONFERENCE INDIA MAY 12-14, 2017 AT CHANDIGARH

The Global Pound Conference ("GPC") Series is an unprecedented year-long international initiative designed to create a dialogue on commercial dispute resolution between users, advisors and providers.

The GPC Series has been organized in homage to the thoughtful contributions of Dean Roscoe Pound, Chief Justice Burger, Professor Sander, and others present at the 1976 Pound Conference who laid the foundation for the growth of ADR internationally.

The goal of the GPC Series titled "Shaping the Future of Dispute Resolution & Improving Access to Justice," is to stimulate and continue conversations about forms of commercial dispute resolution and how they are practiced throughout the world. GPC is happening in approximately 40 cities in 31 countries.

The goal of the GPC series is to create a conversation about what can be done to improve access to justice and the quality of justice around the world in civil and commercial conflicts. The idea is to convene all stakeholders in dispute resolution – commercial parties, chambers of commerce, lawyers, academics, judges, arbitrators, mediators, policy makers, government officials, and others – at conferences around the world and discuss about the existing tools and techniques, stimulate new ideas and generate actionable data on what corporate and individual dispute resolution users actually need and want, both locally and globally.

The GPC India will take place over a period of three days from 12 to 14 May 2017 in Chandigarh, India. Join in the conversation and make your mark in improving access to justice by attending this unique event! The Global Pound Conference is your opportunity to be part of history!

For more information about GPC India and to register, log on to:
http://chandigarh2017.globalpoundconference.org/

INDIA BECOMING HUB OF INTERNATIONAL ARBITRATION

Chief Justice of India J.S Khehar said India is becoming a hub of international arbitration and the potential for international arbitration is increasing due to foreign investment. The Chief Justice was speaking at a two-day seminar 'Engaging Asia Arbitration Summit'. He said, "At the highest level of planning in Indian government, efforts are on that neither the government nor its agencies will have interference in international arbitration process. The zero interference by the government will give room for foreign traders in India that the process here is neutral. It will promote further confidence of traders in arbitration in the country."

LEGAL AID FOR FAMILY MEDIATION TO CONTINUE AFTER 2018 IN UK

The government has publicised its commitment to supporting family mediation as a major route to resolving family conflicts without the need to go to court, by confirming that legal aid will be extended after 2018. New legal aid contracts to provide family mediation services will be offered to eligible firms, upon submission, in April 2018, and the government has said that it does not envisage making significant changes to the way the service is delivered currently. The government will maintain key quality standards, which must be met by all firms offering legal aid for family mediation.

LAWYERS WILL BE FORCED TO SUGGEST MEDIATION IN IRELAND

Solicitors and barristers will be obliged to advise their clients to consider using mediation to resolve disputes under a new Bill to be published in 2017. Tánaiste and Minister for Justice and Equality Frances Fitzgerald will bring the Mediation Bill to the Cabinet. It will introduce an obligation on solicitors and barristers to advise parties to disputes to consider using mediation as a means of resolving them. In addition, when court proceedings are launched, it will also oblige the parties to confirm to the court they have been advised about the mediation option, and have considered it.

COMMERCIAL MEDIATION TRAINING PROGRAM 29 MAY - JUNE 02, 2017

Are you interested to become a Commercial Mediator or a specialist Dispute Resolution Practitioner? With the rise in the volume of business, dispute resolutions and enforcement have also increased. Mediation has become an undeniable part of the legal landscape. Domestic and international business community is increasingly incorporating mediation as the primary method of dispute resolution. A trained mediator / professional helps in assisting the parties in identifying and clarifying shared interests, shared needs, individual interests and individual needs. The mediator guides the parties toward solutions that are workable and longstanding. Effective conflict resolution skills is the key to prevent destructive conflict, enabling lawyers and consultants to better assist their clients in business deals and disputes. Mediation has become a truly global profession, earning international recognition. The IIAM Mediation Training Program combines the theory of ADR through highly interactive, skill-based courses in negotiation and mediation.

As per IIAM Mediator Accreditation System, a candidate having successfully completed Mediation Training Program is categorised as Grade B Mediator. The program will be for 40 hours | 5 days, during 29 May to 02 June, 2017 (Monday to Friday) at Cochin, Kerala, India.

For further details log on to www.arbitrationindia.org/events.html

CERTIFICATE IN DISPUTE MANAGEMENT (CDM)

CDM is an ongoing distance learning course of IIAM, valid for six months from the date of enrolment. You can enroll at any time of year and you study entirely at your own pace, submitting your assignments when you are ready. Your tutor will be available to mark your assignments and give feedback on your progress for a period of six months from the date of enrolment. You will be sent four 'reading and study assignments' with your course materials, and these form an essential part of your distance learning course. They are designed to help you to work through the course manual and understand the concepts. The course will provide a good basic knowledge of ADR – Negotiation, Mediation & Arbitration – in theory and practice. On successfully completing the assignments included in the course a certificate will be awarded.

For further details log on to www.arbitrationindia.org/cdm.html

Brain Teaser (Answer): By untying the knot!

BECOME A MEMBER OF IIAM

Empower yourself with the techniques of Alternative Dispute Resolution. Apart from being elected to the Governing Council, also become part of Expert Committees and Users Committees to give expert advice / opinions to the Governing Council on the improvement of ADR in India.

Your association will provide the necessary inspiration for the endeavours of IIAM.

Choose from the different category of memberships.
For details. see: www.arbitrationindia.com/membership.html
or mail to dir@arbitrationindia.com