

WIPO Neutrals

 wipo.int/amc/en/ neutrals/index.html



The WIPO Center has a strong commitment to the time and cost effective conduct of cases. In its selection process as well as in the administration of the case, the WIPO Center makes every effort to ensure that its appointed neutrals share this commitment.

Parties in WIPO ADR proceedings can draw upon a growing database of over 2,000 independent WIPO arbitrators, mediators and experts from more than 90 jurisdictions. The members of the WIPO List of Neutrals range from highly specialized practitioners and experts with specialized knowledge in the areas of patents, trademarks, copyright, designs, trade secrets, data or other form of intellectual property that is the subject of the dispute, to seasoned commercial dispute resolution generalists. Their geographical diversity suits the international character of many of the disputes before the WIPO Center.

The WIPO List of Neutrals is not made available as such to the public. However, the WIPO Center does publish a separate, more narrowly focused, list of WIPO Domain Name Panelists. Although the WIPO List of Neutrals includes many more neutrals who are specialized in other areas of intellectual property, the list of WIPO Domain Name Panelists can give interested parties an indication of the kind of information maintained by the WIPO Center on candidates included in the general WIPO List of Neutrals. (The WIPO List of Neutrals also includes the members of INTA's Panel of Trademark Mediators.)

The respective WIPO Rules contain detailed provisions regarding the appointment of neutrals. Where the WIPO Center is called upon to appoint a neutral in a procedure under the WIPO Rules, the WIPO Center, taking into account the specific characteristics of the dispute, makes available to the parties detailed database profiles of suitable candidates. These dispute characteristics include:

- Dispute resolution method (i.e. arbitration, mediation, expert determination)
- Governing law
- Nationality and/or identity of parties and their representatives
- Area of intellectual property law
- Technical or business area
- Language of proceedings
- Venue of the proceedings
- Other considerations (e.g. availability)

In view of the need for the neutral and the WIPO Center to preserve their impartiality and independence, the WIPO Center does not make unilateral recommendations to only one party (without the other party's consent). Where the "list procedure" for the selection of a mediator, a sole or presiding arbitrator, or an expert is involved under the WIPO Rules, the WIPO Center makes the profiles available to both parties.

Following their appointment, WIPO neutrals remain in contact with the WIPO Center to ensure the expeditious conduct of the proceedings.

How to become part of the WIPO List of Neutrals?

The quality of the appointed neutral is paramount to the success of ADR proceedings.

The inclusion of arbitrators, mediators and experts in the WIPO List of Neutrals may take place on the WIPO Center's initiative or by application by candidates. The application process normally includes the following steps:

- The applicant contacts the WIPO Center requesting the inclusion in the WIPO List of Neutrals
- If not provided by the applicant, the WIPO Center requests the applicant to complete the WIPO model profile

- Applications are considered by the WIPO Center Neutrals Committee. Consideration notably includes the following factors:
 - Legal or technical qualifications
 - Professional experience, including:
 - areas of intellectual property law
 - technical or business areas
 - Professional experience in dispute resolution, including court litigation, arbitration, mediation, expert determination
 - Publications
 - Professional memberships
- The applicant receives a communication from the WIPO Center:
- Inviting the applicant to join the WIPO List of Neutral (and to confirm their edited profile), or
- Rejecting the application and suggesting that additional training or experience is required

For additional information on WIPO Neutrals arbiter.neutrals@wipo.int

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