



PREPARATION FOR IT MEDIATIONS

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1. PRINCIPAL STAGES IN MEDIATION PREPARATION

- » Assessing Benefits
- » Persuading the Other Party to Mediate
- » Reference to Mediation
- » Selecting a Mediator
- » Mediation Agreements and Groundwork

2. PRINCIPAL STAGES IN MEDIATION PREPARATION

- » Mediation Plan
- » Working with the Mediator
- » Selecting the Right Team
- » The Party Statement
- » Preparation for the Meeting

3. ASSESSING THE BENEFITS OF MEDIATION

- » Resolve Own Dispute
- » Preserve Relationship
- » Avoid Precedents
- » Creative Solutions
- » Transnational
- » Non-Binding

4. PERSUADING THE OTHER PARTY TO MEDIATE

- » Benefits
- » Pledges
- » Contractual Provisions
- » Court Assistance

5. REFERENCE TO MEDIATION

- » Know the Rules
- » Communication with the Provider
- » Identify the Dispute

6. SELECTING A MEDIATOR

- » Your Choice
- » Lists
- » WIPO Selection
- » Co-Mediation
- » Who will the Other Party Listen to?

7. MEDIATION AGREEMENT AND GROUNDWORK

- » Dates and Timing
- » Documents
- » Facilities
- » Confidentiality

8. MEDIATION PLAN

- » BATNA / WATNA
- » Mediation Goals
- » Lines of Principle
- » Possible Outcomes
- » Possible Options

9. WORKING WITH THE MEDIATOR

- » What Type of Mediator
- » Developing Trust
- » Sharing Information
- » Initial Telephone Conferences and Contacts

10. GETTING THE RIGHT TEAM

- » Who should be present?
- » Allocation of Roles
- » Levels of Authority
- » Technical Expertise

11. THE PARTY STATEMENT

- » Setting the Tone
- » Making Sure the Other Party Listens
- » Facts and Background
- » What You Want from the Mediation
- » What You Want the Mediator to do
- » Setting the Agenda

12. PREPARING FOR THE MEDIATION MEETING

- » Understanding the Process
- » Re-Assessing Options and Outcomes
- » Reality Testing and Realism
- » Planning
- » Rehearsal

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