



International Chamber of Commerce

The world business organization

ICC Dispute Resolution Services – ADR

4th ICC International Commercial Mediation Competition – 3rd Session

R & S

GENERAL FACTS

Corporation R owns confidential information relating to the development and use of unique software capable of many applications in the wine industry world-wide.

R is a transnational corporation. R has established a uniform licensing program with respect to its confidential information. It has been R's policy and unvarying practice for years to grant licenses under its intellectual property rights on standard terms and conditions. These terms and conditions cannot be altered.

R's CEO has reached agreement with a potential licensee, S Vineyards. S's proprietor has expressly agreed in principle, but broadly, to a license. No writing memorializes any aspect of the agreement.

S Vineyards is one of the small premier producers of Bordeaux wines.

R's Vice President - Licensing, together with an R in-house lawyer, are to meet with S's representatives. S's representatives are an S administrator who is a software expert and a sole practitioner lawyer retained by S.

The mediator knows nothing about the parties, their representatives or the subject matter of the mediation – other than the information set out above.

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