



Hrvatska komora
patentnih zastupnika i
zastupnika za žigove

Panel Conclusions

“Mediation in the World of Patents, Trademarks and Copyright”

March 23rd, 2026
Hotel International, Zagreb

Panel Participants

Ljiljana Kuterovac, Director General of the State Intellectual Property Office

Panelists:

Mladen Vukmir, Attorney-at-law, Mediator and Mediation Trainer

Srđan Šimac, President of the Croatian Mediation Association and Judge of the High Commercial Court of the Republic of Croatia

Marija Šiša Hrlić, Head of the Section for Copyright and Related Rights and Enforcement of Intellectual Property Rights at the State Intellectual Property Office

Albina Dlačić, Attorney-at-law and Mediator

Panel Conclusions

The panel clearly confirmed that disputes in the field of intellectual property today transcend traditional legal frameworks and constitute *complex business conflicts* that affect market position, reputation, innovation potential, and the long-term sustainability of business relationships. In this context, mediation is increasingly establishing itself as a *strategic tool for risk management* and for preserving the economic, market, and reputational value derived from intellectual property and business relationships, value that may be significantly undermined by lengthy and fragmented court proceedings.

The participants emphasized that the key strength of mediation lies in *restoring control to the parties, preserving confidentiality, and enabling structured and constructive communication*, which is particularly important in disputes where the legal outcome is not the sole or decisive interest. Unlike litigation and arbitration, which are inherently adversarial, mediation enables a *collaborative approach to dispute resolution* and creates space for interest-based solutions,

including models of market coexistence, licensing, cross-licensing, and long-term business arrangements.

The importance of *specialization among mediators in the field of intellectual property* was emphasized, given the technical and market complexity of such disputes, as well as the need for continuous education of judges, attorneys, and business professionals regarding the actual scope and advantages of mediation. The role of attorneys and legal representatives was recognized as highly important—not only in representation, but also in guiding parties toward rational and sustainable dispute resolution methods in a timely manner, particularly in the early stages of conflict.

The institutional framework in Croatia demonstrates clear development potential through both court-annexed and out-of-court mediation, as well as through the activities of competent authorities and professional organizations. International experience, including models developed by *World Intellectual Property Organization (WIPO)*, *European Union Intellectual Property Office (EUIPO)*, and, in the future, *the Unified Patent Court (UPC)*, confirms the effectiveness of institutionalized and specialized mediation in the field of intellectual property.

The panel concluded that further development of mediation in this area requires systematic awareness-raising among both professional and business communities, strengthened inter-institutional cooperation, and the continuous building of trust in mediation as an equally valid and effective method of dispute resolution. The number of disputes resolved through mediation is not the sole criterion of success; rather, the key value of mediation lies in *fostering dialogue, managing conflict, and creating space for sustainable solutions* that both *protect business relationships and promote innovation*.

Panel Organizers:

- Croatian Mediation Association (HUM)
- Croatian Chamber of Patent Attorneys and Trademark Attorneys
- State Intellectual Property Office