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AMERICAN INTERNATIONAL COMMERCIAL
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ADDITIONAL REGULATIONS OF THE AMERICAN INTERNATIONAL COMMERCIAL ARBITRATION COURT IN THE FIELD OF ACTIVITIES OF THE AICAC PATENT CHAMBER

1. Patent Chamber of the AICAC is a structural subdivision of the Court specializing on consideration of commercial disputes related to the copyright and the intellectual property (within the framework of the general international legal competence of the AICAC).
2. The AICAC Patent Chamber considers the disputes specified in par. 1 and arising from international commercial contracts or related to such contracts.
3. Official arbitration procedure, used by the Patent Chamber when considering the disputes specified in par. 1, is provided in the AICAC Regulations.
4. The Patent Chamber is functioning in full compliance with the rules of international law on intellectual property protection and commercial arbitration, as well as the current Regulations, rules and provisions of the AICAC.
5. The arbitration tribunals, formed by the parties to consider the disputes in the framework of activities of the Patent Chamber, can include arbitrators from the general official list of the AICAC arbitrators (these persons have the special qualification in the field of copyright - the required level of the relevant knowledge and skills). Upon the request of the interested parties to the commercial disputes, the AICAC will provide the full lists of the Court's authorized "patent arbitrators".
6. In the framework of activities of the AICAC Patent Chamber the list of the main mechanisms of copyright and intellectual property protection includes the following legal procedures:
 - 6.1. Recognition and restoration of copyright and related rights;
 - 6.2. Recognition of a right to use copyright and the subject matter of copyright;
 - 6.3. Recognition of facts of violation of copyright and related rights;
 - 6.4. Claiming the subject matter of copyright illegally possessed by another person;
 - 6.5. Imposition of a prohibition against actions violating copyright and related rights;
 - 6.6. Fining the violator of copyright and related rights, and claiming in favor of the rightholders: the corresponding amounts of damage suffered, profits illegally gained by the violator of the right, as well as the penalty, debts and the moral losses.
 - 6.7. Consideration of disputes related to the priority right and the established priorities.
7. Mechanisms of protection of copyright and related rights, specified in par. 6, are applied by the arbitration tribunals of the Patent Chamber separately or as the complex of measures - depending on the specificity of legal relations between the parties to the dispute, peculiarities of copyright and the stated claims.
8. In the framework of activities of the AICAC Patent Chamber the main types of legal regimes of the copyright and intellectual property protection include the following legal procedures:
 - 8.1. Protection of copyright and related rights registered by the authorized bodies of certain states;
 - 8.2. Protection of copyright and related rights, which have automatically arisen in the moment of completion of a work in the material form or the first publication;
 - 8.3. Protection of copyright and related rights, which have been collectively established and verified in the course of the professional expertise;
 - 8.4. Protection of copyright and related rights, which have arisen from the contracts.
9. In the framework of consideration of commercial disputes related to copyright and intellectual property, as well as the special regimes of protection of copyright and related rights, any kinds of innovative results of a person's creative work (regardless of their form, the fact of state patent

registration or the possibility to carry out such registration) are considered by the AICAC Patent Chamber to be the objects of such rights.

10. In the course of consideration of the corresponding disputes by the Patent Chamber, the AICAC arbitral tribunals take into account any objective and reliable facts able to prove the novelty, priority, innovative nature and practical applicability of results of creative work, as well as absence of these patentability criteria.

11. Appealing against the decisions made by arbitral tribunals of the AICAC Patent Chamber:

11.1. Awards made by arbitral tribunals of the AICAC Patent Chamber can be appealed against and reconsidered because of the "newly discovered facts" upon requests of the persons concerned within 3 (three) years since the award was made.

11.2. If the person concerned has been informed about the corresponding award of the arbitration tribunal of the AICAC Patent Chamber more than three years after it had been made, such decision may be appealed against during additional 3 (three) calendar months since the day this information was received.

11.3. Compulsory conditions of appealing against and reconsidering the awards made by the arbitration tribunal of the AICAC Patent Chamber because of the "newly discovered facts":

1) The interested person must prove that the award made by the arbitration tribunal of the AICAC Patent Chamber violates his/her copyright or related rights;

2) Providing objective and reliable proofs that at the moment the decision was made by the arbitration tribunal (of the AICAC Patent Chamber) there have been certain facts unknown to the tribunal and able to put in question the legality and validity of such award.

11.4. In order to appeal against the award made by the arbitral tribunal of the AICAC Patent Chamber the interested person should submit the relevant application and request the reconsideration of the decision made by the arbitral tribunal of the AICAC Patent Chamber because of existence of the newly discovered facts. The specified application submitted by the interested person shall contain all information and references necessary and sufficient to substantiate the claims listed in the application and reconsider the corresponding award. If the applicant submits convincing evidence substantiating his/her claims, the AICAC Secretariat shall accept the request for reconsideration of the award made by the arbitral tribunal of the Patent Chamber and initiate the arbitration proceedings.

11.5. The award made by the arbitral tribunal of the AICAC Patent Chamber is to be reconsidered during 1 (one) calendar month since the moment of registration of the application (submitted by the person concerned) by the AICAC Secretariat. The award shall be reconsidered by the same tribunal (the one which made this award earlier). If the reconsideration of the specified award by the same tribunal is objectively impossible, the AICAC President will appoint an arbitrator to reconsider the award solely in the remote regime on the basis of the submitted documents.

11.6. When submitting the application on reconsideration of the award made by the arbitral tribunal of the AICAC Patent Chamber, the interested person must pay the arbitration fee. It is equal to the arbitration fee paid by the parties to the case (dispute) in the course of its initial consideration. The person concerned, requesting the reconsideration of the award made by the arbitral tribunal of the AICAC Patent Chamber, can also request the transfer of the obligation to pay the arbitration fee – to the party, which has deliberately and unreasonably gained benefit from the corresponding arbitral award.

12. If the AICAC Patent Chamber, represented by the arbitral tribunal consisting of a sole arbitrator, considers the disputes specified in par. 1 in the remote regime (on the basis of the submitted documents), the total sum of arbitration fees cannot exceed USD 3 500.0 – regardless of the sum in dispute. The total amounts of arbitration fees are established in every case by the corresponding arbitration tribunals, taking into account the complexity of the issues under consideration.

13. This document is an annex to the AICAC Regulations. It has the status of an integral part of the AICAC Regulations. It covers the specific issues of consideration of commercial disputes related to copyright and intellectual property.

14. Provisions of the Additional Regulations cannot contradict the provisions of the AICAC Regulations. If such contradictions arise, provisions of the AICAC Regulations take precedence.
15. If certain aspects of consideration of disputes in the AICAC Patent Chamber are not directly covered by these Additional Regulations, such aspects will be regulated in accordance with the provisions of the AICAC Regulations and, if necessary, taking into account the general principles of international law in the field of commercial arbitration and intellectual property protection.