

SINGAPORE

A World Class Venue for IP & Technology Dispute Resolution

For enterprises looking to resolve their intellectual property (IP) and technology disputes worldwide, Singapore stands out as the trusted venue with unique, compelling advantages.



8 REASONS FOR SUCCESSFUL OUTCOMES

Trusted legal system

- Neutral, transparent, stable.
- Quality judgments and awards which are enforceable under various regimes.

Strong IP regime

- Singapore consistently ranks highly in innovation rankings.
 - 1st in Asia-Pacific, 5th in the world in the Global Innovation Index 2023.
 - 2nd in the Bloomberg Innovation Index 2021.

IP specialists

- IP judges in the Supreme Court.
- Arbitrators, mediators and experts in the field of IP and Technology on the panel of the World Intellectual Property Organization (WIPO) Arbitration and Mediation Center, whose only office outside Geneva is sited in Singapore.

Full suite of IP and technology dispute resolution mechanisms

- Litigation at the Singapore International Commercial Court (SICC).
- Arbitration at the Singapore International Arbitration Centre (SIAC).
- Mediation at the Singapore International Mediation Centre (SIMC).

Open regime for international litigation, arbitration and mediation

- Foreign lawyers may register to represent parties to SICC proceedings in offshore cases.
- Parties are free to engage lawyers and arbitrators of any nationality and use any governing law in arbitration in Singapore.
- Parties are also free to engage mediators of any nationality in mediation in Singapore.

IP insurance

Parties can take out IP insurance for legal fees and costs awards relating to IP infringement proceedings and disputes between licensor and licensee.

Strong pool of dispute resolution practices

A significant number of top international law firms have a presence in Singapore.

World-class infrastructure

Maxwell Chambers is the world's first integrated dispute resolution complex, housing both international dispute resolution institutions and practices, and state-of-the-art physical and e-hearing facilities.



5 UNIQUE ADVANTAGES FOR LITIGATION

Designed for international technology disputes

The SICC is designed to deal with international technology disputes, with a specialised Technology, Infrastructure and Construction (TIC) List. SICC procedures are flexible and may be tailored to suit parties' preferences. A case on the TIC List benefits from case management features suited to the resolution of technically complex disputes.

Jurisdiction over IP disputes

The SICC can hear in personam IP disputes.

Specialist International and Singapore Judges in the SICC

The SICC has specialist international and local judges to hear IP and technology cases.

Specialised IP/IT List in High Court

There are 7 specialist Singapore judges who hear IP and IT cases in the High Court.

Litigation-Mediation-Litigation Protocol (LML Protocol)

The SICC and SIMC have collaborated to establish the LML Protocol to promote the amicable resolution of international commercial disputes. Disputes commenced in the SICC can be referred to the SIMC for mediation. If the parties settle their dispute through mediation, they can have the settlement terms recorded as an order of court.

3 UNIQUE ADVANTAGES FOR ARBITRATION

Most preferred seat in the world

Singapore is the most preferred seat of arbitration in the world (together with London) and the SIAC has become the most popular arbitration institution in the Asia-Pacific region, ranking second in the world.

IP disputes are arbitrable and enforceable

This has been clarified in the International Arbitration Act 1994 and Arbitration Act 2001.

Arbitral awards are enforceable in over 170 countries

Singapore is a party to the 1958 New York Convention (on recognition and enforcement of foreign arbitral awards).



3 UNIQUE ADVANTAGES FOR MEDIATION

Premier international mediation services

SIMC offers professional dispute resolution services tailored to the evolving needs of businesses. This includes a panel of highly experienced and effective local and international mediators with IP expertise.

Mediation Act 2017

This legislation provides an expedited mechanism for parties to enforce their mediated settlement agreements by recording the settlement agreement as a court order.

Singapore Convention on Mediation and Singapore Convention on Mediation Act 2020

- Singapore Convention on Mediation (“the SCM”) entered into force on 12 September 2020.
- Singapore is a party to the SCM and has enacted the Singapore Convention on Mediation Act 2020 (“the Act”) to implement its obligations under the SCM.
- An international mediated settlement agreement can be efficiently enforced or invoked in Singapore courts, once conditions and requirements under the Act are met.



3 ADDED ADVANTAGES FOR ARBITRATION AND MEDIATION CASES

Wide choice of expertise

Parties can choose their arbitrators, mediators and counsel from around the world.

Work Pass exemption

Non-resident arbitrators and mediators are exempted from needing a work pass to perform arbitration and mediation services in Singapore, for up to 90 days in a calendar year. Only a Short-Term Visit Pass (issued on arrival in Singapore) and an e-notification to the Ministry of Manpower is needed.

Arb-Med-Arb Protocol

The SIAC-SIMC Arb-Med-Arb Protocol is a unique hybrid process where parties attempt mediation after the commencement of arbitration proceedings. If the parties settle their dispute through mediation, their mediated settlement may be recorded as a consent arbitral award that is enforceable under the New York Convention.



DISPUTE RESOLUTION CLAUSES

Institution

Hyperlinks / QR Codes

SICC | SINGAPORE INTERNATIONAL
COMMERCIAL COURT



[SICC Model Clauses](#)

SIAC
Singapore International Arbitration Centre



[SIAC Model Clause](#)



SINGAPORE
INTERNATIONAL
MEDIATION CENTRE



[SIMC Model Clause](#)

Multi-mode Dispute Resolution



[SIAC - SIMC](#)
Arb-Med-Arb Clause



[SICC - SIMC](#)
Lit-Med-Lit Clause



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MINISTRY OF LAW
SINGAPORE

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Information correct as of May 2023