

Da Presidenza CNF <presidenza@consigionazionaleforense.it>

Oggetto **Oggetto messaggio: MINISTERO DELLA GIUSTIZIA - Interpello per la  
posizione di Direttore del Centro di Mediazione e Arbitrato del Tribunale  
Unificato Brevetti (TUB)**

15/01/2024 10:21:49

A coa <coa@consigionazionaleforense.it>

Ill.mi Signori

PRESIDENTI DEI CONSIGLI DELL'ORDINE DEGLI AVVOCATI

OGGETTO : MINISTERO DELLA GIUSTIZIA - Interpello per la posizione di Direttore del Centro di Mediazione e Arbitrato del Tribunale Unificato Brevetti (TUB).

Ill.mi Signori Presidenti ,

per incarico del Presidente del Consiglio Nazionale Forense, Avv. Francesco Greco, e come richiesto dal Ministero della Giustizia, si trasmette alla Vostra c. a. il bando per la posizione in oggetto, ai fini della più ampia diffusione tra gli iscritti.

Si chiede di far pervenire quanto prima, riscontrando la presente, le dichiarazioni di disponibilità, che dovranno essere accompagnate da CV in lingua inglese, nonché dal modulo distribuito dal TUB (in allegato), che dovrà essere compilato dagli interessati.

Con i migliori saluti,

Oscar De Tommasi

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Consiglio Nazionale Forense

Presidenza

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**Prot. 355/2024 del 15/01/2024**

Da Presidenza CNF <presidenza@consiglionazionaleforense.it>

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**3 allegati:**

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Job Description\_Director PMAC\_EN\_final.pdf (530.4 KB)

Questionnaire\_Director PMAC\_EN.pdf (641 KB)

**Job description for the Post of  
Director of the Patent Mediation and Arbitration Centre  
of the Unified Patent Court**

- full-time post –
- 5-year term –
- based in Lisbon and/or Ljubljana –

Distribution date  
1 December 2023

Closing date  
1 February 2024

The Unified Patent Court (UPC) is a new supranational court specialised in patent litigation, based on the Unified Patent Court Agreement (herein after “UPCA”), signed by the following 24 Member States of the European Union: AT, BE, BG, CY, CZ, DE, DK, EE, EL, FI, FR, HU, IE, IT, LU, MT, NL, LT, LV, PT, RO, SE, SI, SK. The unitary patent system and the UPC were launched on June 1, 2023. Under Article 35 UPCA a Patent Mediation and Arbitration Centre (PMAC or the Centre) is established to provide facilities for the mediation and arbitration of patent disputes falling within the scope of the Agreement. The Rules of Operation of the Mediation and Arbitration Centre were adopted on July 8, 2022. The PMAC, seated in Lisbon and Ljubljana, is a part of the UPC and has a key function in the new European patent dispute settlement system. It operates independently with regard to its mission of mediation and arbitration, but carries out its administration in close contact and cooperation with the Court and its Committees.

The objective of the Centre includes in particular:

- to make available institutional support for the mediation and arbitration proceedings,
- to provide mediation and arbitration rules, fee schedules, model clauses for use in mediation and arbitration and other regulations,
- to coordinate the building/providing of an IT (infrastructure case management system) suitable for the needs of the Centre,
- to provide facilities which the parties can use to carry out mediation and arbitration proceedings,
- to promote and to organize the training of mediators and arbitrators in cooperation with the UPC training scheme and if appropriate other institutions.

The Centre shall conduct information events, maintain a website linked to the UPC website, develop and distribute publications in the field of patent mediation and arbitration. The Centre may develop any other activities within its competence, which will contribute to efficiency and efficacy of the UPC.

The director represents the Centre and performs all duties not exclusively assigned to another organ. The director shall carry out the duties at the seats or where necessary or appropriate elsewhere. The director is independent in his functions and is responsible for the complete operational and organizational structure of the Centre including financial, secretarial and staffing issues.

The main responsibilities of the director will include

- ensure that the facilities of the Centre are available,
- ensure availability of an IT infrastructure for the centre,
- distribute the workload of the Centre including the fair distribution of cases to a specific seat,
- take the necessary decisions attributed to the Centre by the mediation and arbitration rules, including the appointment and removal of arbitrators and mediators - after consulting the expert committee - except if the circumstances of the decision to be taken would make such consultation not feasible,
- promote the Centre publicly,
- approve and maintain a list of arbitrators and mediators in cooperation with the expert committee,
- appoint such staff as necessary for the efficient running of the Centre with the assistance of the expert committee,
- develop the annual draft budget of the Centre,
- prepare an annual financial statement and a report on the activities of the Centre,
- propose possible changes to the Centre's structure, functioning or other aspects of the Centre including its rules and regulations in cooperation with the expert committee,
- promote the training of potential mediators and arbitrators and cooperate with the UPC training Centre or other institutions.

The director may be tasked with other duties to be performed in consultation with the Registrar.

Candidates shall be nationals of one of the Member States of the European Union, party to the UPCA. To be appointed as director, the successful candidate shall have a university degree or equivalent experience. He or she shall have a good command of at least one official language of the European Patent Office (English, French or German), while proficiency in more than one official EPO languages is regarded as an asset.

In addition, the ideal candidate will have:

- relevant experience, preferably with alternative dispute resolution and in management,
- experience in a legal field, especially in the field of intellectual property law,
- strong leadership qualities and the capacity to guide the staff of the PMAC,
- strong analytical and organisational skills,
- initiative, high degree of commitment and self-motivation and a proactive approach to provide support necessary for ensuring efficiency and high quality of proceedings at the PMAC,
- well-developed written and verbal communication skills, as well as interpersonal skills,
- the capacity to work in a multinational and multilingual environment.

Salary and benefits:

The UPC offers attractive salaries, allowances, social benefits and a pension scheme comparable to that offered at other international courts.

The gross monthly salary of the Director is EUR 10593. The net, post-tax monthly salary of the Director is EUR 7650. Subject to conditions under the Staff Regulations, additional benefits may apply.

Process and timeline:

The successful candidate will be selected on the basis of qualifications and relevant experience, supplemented by an interview. It is aimed for the appointment of the Director to take place as early as possible, preferably in the first quarter of 2024.

**Member States are asked, according to Rule 10 paragraph 2 of the Rules of Operation of the Patent Mediation and Arbitration Centre, to propose suitable candidates, and this by 1 February 2024.**

**Member States should provide the information in accordance with the questionnaire annexed to this job description, addressed to the Secretariat of the UPC Administrative Committee, at the following email address: [contact@unifiedpatentcourt.org](mailto:contact@unifiedpatentcourt.org).**

ANNEX

QUESTIONNAIRE TO BE FILLED OUT BY CANDIDATES FOR THE POST  
OF THE DIRECTOR OF THE PATENT MEDIATION AND ARBITRATION  
CENTRE

1. General information:

I. **Personal details:**

Name, surname: \_\_\_\_

Gender: M/F

Date and place of birth: d\_\_/m\_\_/y\_\_, City (Country)\_\_\_\_

Nationality: \_\_\_\_ (please specify one of the nationalities of the Signatory Member States); Other nationality (ies): \_\_\_\_

Current function: \_\_\_\_; since when do you hold this function: d\_\_/m\_\_/y\_\_;  
in which organisation/institution/firm: \_\_\_\_

II. **(1) Are you willing to relocate for the purposes of a full-time employment at the PMAC?**

- ☐ Yes
- ☐ No

If your answer if no, please explain: \_\_\_\_

**(2) Are you willing to travel frequently for the purposes of employment at the PMAC?**

- ☐ Yes
- ☐ No

If your answer if no, please explain: \_\_\_\_

III. **Language skills:**

**(1) Mother tongue:** \_\_\_\_

**(2) Language skills in the three official UPC languages; please indicate competences on a scale from 1 to 5 (with the scale 1- basic, 5- excellent)**

- ☐ English oral:\_\_\_\_; written:\_\_\_\_
- ☐ French oral:\_\_\_\_; written:\_\_\_\_
- ☐ German oral:\_\_\_\_; written:\_\_\_\_

(3) Other language(s): (Please indicate competences on a scale from 1 to 5 (with the scale 1- basic, 5- excellent)

(4) Languages regularly used at work: \_\_\_\_\_

(5) How did you acquire your language skills? In case you have followed training the following language(s), please indicate the duration and type of courses.

English: \_\_\_\_\_

French: \_\_\_\_\_

German: \_\_\_\_\_

other language(s) if applicable:

(6) Have you lived, studied or worked in a country where this is the predominant language, and if so, where and for how long?

English: \_\_\_\_\_

French: \_\_\_\_\_

German: \_\_\_\_\_

#### IV. IT skills:

What computer programs do you use in your work?

- ☐ Word
- ☐ Excel
- ☐ PowerPoint
- ☐ Other (please specify): \_\_\_\_\_

Have you used any finance and budgeting software in the context of your work? If yes, please specify:

Have you used any data management software in the context of your work? If yes, please specify:

## 2. Education:

V. Please indicate all completed post-secondary education:

VI. Please indicate any other relevant qualifications/trainings/internships you have completed:

### 3. Work Experience:

**VII. Please describe any administrative and/or managerial functions that you have held or are currently holding. Please indicate your title, organisation and duration of service:**

**VIII. Please describe any alternative dispute resolution experience that you may have, indicating the organisation, function and duration of service.**

**IX. Legal experience: Please describe, in the appropriate category below, any legal experience that you may have, by indicating the organisation, function and duration of service. Please make sure to highlight any experience in the field of intellectual property law.**

a) Judicial function: \_\_\_\_

b) Non-judicial legal functions (for instance, experience as attorney-at-law): \_\_\_\_

c) Legislative, academic, administrative functions: \_\_\_\_

**X. Other relevant experience:**

**Please describe any other relevant experience for this post:**

\_\_\_\_\_

### 4. Other:

**XI. International experience:**

**(1): Have you worked abroad? Alternatively, have you held positions involving frequent interaction with other nationalities/cultures?**

☐ Yes

☐ No

If your answer is yes, please specify (organisation, function, and duration of service):

\_\_\_\_\_

**(2) Have you received training abroad or in an international context? This includes internships, study visits, etc.:**

☐ Yes

☐ No

If your answer is yes, please specify: \_\_\_\_



**(3): Do you participate regularly at international conferences (on average, over 5 days per year)?**

- ☐ Yes
- ☐ No

**XII. Other relevant information, including information on contribution to UPC-related topics (e.g. participation in UPC-related conferences, workshops, training events or expert panels; writing of position papers or lecturing on UPC-related topics): \_\_\_\_\_**

☐ I hereby certify that I have no criminal record and that no charges are pending against me.