

REGIMENT OF THE CENTER FOR DISPUTE RESOLUTION, MEDIATION AND ARBITRATION IN INTELLECTUAL PROPERTY OF THE BRAZILIAN INTELLECTUAL PROPERTY ASSOCIATION (CSD-ABPI)

CHAPTER I PURPOSES

Art. 1 The Center for Dispute Resolution, Mediation, and Arbitration in Intellectual Property (CSD-ABPI) is a body of the Brazilian Intellectual Property Association - ABPI whose purpose is the control and management of alternative dispute resolution procedures, including those related to Internet domain names, along with mediation and arbitration procedures.

CHAPTER II ORGANIZATION

Art. 2 The CSD-ABPI will be represented by a President, managed by a Board of Directors and, with the help of a General Secretary, will coordinate, in the form of the present Regiment, the following Chambers, among others that may be created: (a) Domain Name Dispute Resolution Chamber (CASD-ND); (b) Mediation Chamber (CMed-ABPI); and (c) Arbitration Chamber (CArb-ABPI).

Paragraph 1 The President and the other members of the CSD-ABPI Board shall be elected by the ABPI Board of Directors, with a term of office of four (4) years, and they can be re-elected. The ABPI Board of Directors meeting for the election of members must be convened by the month of August prior to the end of the ABPI President's term of office. It is noted, however, that the first term of the CSD-ABPI Board members will end on December 31, 2015.

Paragraph 2 - The CSD-ABPI Board will be composed of up to 7 (seven) members, including the Center's President.

Paragraph 3 - The activities of the President, of the members of the CSD-ABPI Board and of the Directors of the respective Chambers will not be remunerated.

Paragraph 4 - The President and the other members of the CSD-ABPI Board, except for the Directors of the respective Chambers and the Deputy Directors, are not obligatorily associates of the ABPI.

Paragraph 5 - The CSD-ABPI will have its own budget. The Board of the CSD-ABPI must suggest the amounts charged for the procedures of each of the Chambers for approval by the ABPI Board of Directors, and the income from them must be reinvested in the CSD-ABPI itself.

Paragraph 6 - The Dispute Resolution Chamber on Domain Names, the Mediation Chamber, the Arbitration Chamber, and the other Chambers that may be created shall be organized according to their own individual regulations, subsidiary to the present Regiment, and approved by the ABPI Board of Directors.

Paragraph 7 - The Chambers will be represented and coordinated by a Director, with the assistance of an Deputy Director and an Executive Secretary. The Directors of the Chambers, including the Deputy Directors, will not need to be members of the CSD-ABPI Board.

Art. 3 - The President of the CSD-ABPI will be chosen by the members of the ABPI's Board of Directors, based on indications from any of the members of the Board of Directors themselves, in successive ballots in which the candidate with the lowest vote will be excluded, and the election will continue with the remaining candidates until the final round, with only two candidates, whereby the President will be the one who obtains the simple majority of valid votes.

Art. 4 - With the exception of the Directors of the Chambers, including the Deputy Directors, who will be elected as per Article 5 below, the other members of the Board of Directors of the CSD-ABPI will be chosen by the ABPI's Board of Directors, based on indications from any of the members of the Board of Directors themselves, in successive ballots in which the candidate with the lowest vote will be excluded, and the election will continue with the remaining candidates until there remain a number corresponding to the vacancies established in the statutes.

Art. 5 - The President and the Board of the CSD-ABPI will indicate the names of the Directors of the Chambers, including the Deputy Directors, as well as a General Secretary who, after approval by the ABPI Board of Directors, will act in the form of their respective Regiments. The General Secretary will coordinate all the proceedings of the CSD-ABPI and will be the secretary for the activities of the Directors, Deputy Directors, Specialists and other persons who may be involved in the proceedings as provided in these Regiment. He may be removed from office at any time by decision of the CSD-ABPI Board.

CHAPTER III THE PRESIDENT

Art. 6 - The President will represent the CSD-ABPI and will present annually, or in another periodicity defined by the ABPI Board of Directors, a general report of activities to the Board, indicating, at least, the accounting situation and the number of cases submitted to each of the Chambers of the CSD-ABPI.

CHAPTER IV THE BOARD OF DIRECTORS

Art. 7 - The President of the CSD-ABPI will be the Chairman of the Board and will attend all meetings, voting only when the voting of the CSD-ABPI Board members is tied, except when he is impeded, in which case the quorum for voting must be an odd number.

Paragraph 1 - The meetings and votes may be held remotely, establishing, if necessary, a time limit for each Board member to present his or her vote.

Paragraph 2 - All the impediment criteria of these Regiment apply to the President and Board members.

Paragraph 3 - The Chamber Directors, including Deputy Directors, may be invited to attend Council meetings.

Art. 8 - The CSD-ABPI Board of Directors is responsible for

- I. To appoint the Directors of the Chambers, including the Deputy Directors, for approval by the ABPI Board of Directors;
- II. To organize the list of Experts from the different Chambers of the CSD-ABPI, for approval by the ABPI Board of Directors;
- III. To suggest alterations to these Regiment and to the Regiments and Regulations of the Chambers to the ABPI Board of Directors;

Intellectual Property Dispute Resolution, Mediation and Arbitration Center

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- IV. Establish and modify, when appropriate, the general guidelines for the operation of the CSD-ABPI;
- V. Resolve doubts about these Regiment and the Regiments and Regulations of the Chambers;
- VI. Decide cases of suspicion and impediment; and
- VII. Approve the removal of Specialist from the list of Specialists accredited to the respective Chambers, as provided in Article 13 of these Regiment.

CHAPTER V THE SPECIALISTS

Art. 9 - Each of the CSD-ABPI Chambers will have its own expert body, which includes specialists, arbitrators, and mediators, formed from the experts registered according to the Regiment of this Center, as well as from the respective Chamber (Specialist).

Paragraph 1 - The Specialist must indicate the Chambers to which he/she intends to become a member and submit the personal and professional information for the knowledge of the CSD-ABPI and of the future Parties at the time of registration, which may be supplemented at a later date by the Specialist himself/herself or as a result of a request from the CSD-ABPI or the Parties to a certain proceeding.

Paragraph 2 - Failure to complete personal or professional information within the timeframe requested by the CSD-ABPI will result in the temporary or permanent exclusion of the Specialist.

Art. 10 - Except as expressly provided in paragraphs 2 and 3 of this Article 10, any member or non-member of ABPI, with an unblemished reputation, high moral standing, renowned technical or legal knowledge, resident or not in the country, without restrictions regarding nationality and citizenship, who are not prevented under the terms of this Regulation, approved by the Executive Committee or Board of Directors of ABPI under the terms of art. 8, II, may be Specialists, signing, for this purpose, a specific declaration of non-impediment before any procedure that they undertake before each of the Chambers.

Paragraph 1 - For the purposes of meeting the notorious technical or legal knowledge requirement, the Specialist candidate must have a college degree and have worked in the intellectual property area for at least 10 (ten) years, unless otherwise provided for in the respective Chamber's regiment.

Paragraph 2 - The Parties may, by consensus, appoint a Specialist who is not a member of the ABPI, nor a member of the board of Specialists of the respective Chamber, as long as it is foreseen in the respective Chamber's Regiment or Regulation and subject to the payment of the applicable fees, including the Repass Fee. In this case, the Director of the respective Chamber will be exclusively responsible for approving the candidate, if the requirements foreseen in the Chamber's Regiment and Regulation are met.

Paragraph 3 - Persons who are not associates of the ABPI may make up the staff of Specialists if they prove to be professionals of recognized competence, incurring, when acting in cases submitted to the Chambers, a Repass Fee.

Art. 11 - The Specialist(s) appointed for a given procedure must be and remain independent from the Parties of the claim, performing their function with unquestionable impartiality, independence, competence, diligence, discretion and secrecy, and within the time limits required by the respective Regulation.

Art. 12 - A person may not be a Specialist in a given proceeding if he is impeded or suspected of partiality, which shall be deemed founded when it implies, without excluding other hypotheses that may be assessed by the Board of the CSD-ABPI or contemplated in the Regiment of the respective Chamber, in any of the following circumstances:

- I. if you are a close friend or enemy of any of the Parties, or of their administrators, agents, partners, shareholders or quotaholders
- II. if it is a creditor or direct debtor of any of the Parties or whose spouse or direct or collateral relatives up to the third degree are creditors or debtors of any of the Parties
- III. if you are a heir, donee, employer or employee of either Party
- IV. if it has a mediate or immediate interest in the adjudication of the dispute in favor of any of the Parties and/or third parties related to them
- V. if you have acted as an attorney, expert, retained expert, agent, proxy, mediator or conciliator for any Party to the dispute, unless the Parties expressly agree otherwise; and/or
- VI. if you have personally provided professional services to one of the Parties to the conflict within the last two (2) years.

Paragraph 1 - The members of the CSD-ABPI Board are not prevented from acting as Experts, but, like the Directors and Deputy Directors, they may not participate in the administration, counseling and voting when dealing with cases in which they act or have acted as Specialists or, further, as attorney, expert, retained expert, agent, proxy or conciliator of any of the Parties to the controversy.

Paragraph 2 - If any reason of impediment or suspicion occurs, it is up to the Specialist to refuse his or her nomination or resign at any time, before the occurrence or knowledge of the fact that prevents him or her from continuing his or her duties, through correspondence sent to the Secretariat of the CSD-ABPI. The Specialist will be exclusively responsible for compensating for losses and damages of any nature caused by non-compliance with this duty.

Paragraph 3 - Any of the Parties may, for good cause, request substitution of the Specialist indicated who is in cases of impediment or suspicion, by means of express communication to the CSD-ABPI Secretariat within thirty (30) days from the date of knowledge of the fact, or another term as provided for in the Regulation or Regiment of the respective Chamber.

Paragraph 4 - It will be up to the CSD-ABPI Board, within ten (10) working days of receiving the communication, to decide on the cases of suspicion and impediment, and if applicable, to determine the replacement of the Specialist.

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Paragraph 5 - Should any of the causes for impediment or suspicion occur during the dispute resolution procedure or should any of the Specialist die or become incapacitated, they will be replaced in the manner described above.

Art. 13 - The Specialist who does not meet the requirements and deadlines set forth in these Regiment and/or in the Regulation of the respective Chamber may be removed from the list of CSD-ABPI Specialists, upon approval by the CSD-ABPI Board.

CHAPTER VI BASIC RULES OF THE SECRETARIAT

Art. 14 - The request for the initiation of any procedure must indicate the Chamber to which it is addressed and the intended procedure, contain the reasons, documents, and proof of payment of the relevant fees, as provided for in the Regiments and/or Regulations applicable to the respective Chamber.

Art. 15 - The communication between the Parties shall be made through the Secretariat of the respective Chamber, or in its absence, the Secretariat of the CSD-ABPI. Eventual agreement between the Parties must be communicated to the respective Secretariat, according to the applicable Regulation.

Art. 16 - All notifications, documents, and communications must be received, physically or electronically, at the CSD-ABPI Secretariat between 09:00 a.m. and 5:00 p.m.; those received after that time will be considered received on the next business day.

Art. 17 - No authentication of copies of documents is required.

Art. 18 - All lawyers, Specialists, and Parties must keep their contact information with the CSD-ABPI Secretariat updated.

CHAPTER VII GENERAL AND TRANSITORY PROVISIONS

Art. 19 - The present Regiment will come into force on the date of their approval by the ABPI Board of Directors.

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Version approved by the ABPI Board of Directors on 12/10/2024.