

Section 337 Mediation Survey

1. How would you characterize the size of the company you represent?
 - Small (< 50 employees)
 - Medium (50 – 250 employees)
 - Large (>250 employees)

2. How did you initiate your participation in the mediation program?
 - Agreement between parties
 - Via settlement conference
 - Ordered by the ALJ

3. What source(s) did you use to select the mediator? (Check all that apply)
 - 337 Mediation program roster
 - Other mediation service(s) (for example, JAMS)
 - Prior experience with this mediator
 - Recommendations of other regarding this mediator
 - Other:

4. The alleged unfair act(s) associated with this case include: (Check all that apply)
 - Patent Infringement
 - Trademark Infringement
 - Copyright Infringement
 - Gray Market Trademark
 - Trade Secret
 - Trade Dress
 - Unfair Competition
 - False Designation of Origin
 - Other:

5. Please indicate the stage in the investigation when mediation took place:
 - Immediately after institution
 - Before discovery was completed
 - After discovery was completed
 - After the filing of trial briefs
 - Immediately before trial
 - After trial but before issuance of Final ID on Violation
 - After issuance of Final ID
 - Before issuance of Commission Notice Regarding Review

6. In what city did this mediation take place?

7. This mediation resulted in the investigation being
 - Settled
 - Terminated by other than settlement
 - Modification or clarification of alleged unfair acts
 - No change

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8. Number of claims before/after mediation: (if "Patent Infringement" chosen in #4)

Before

After

9. Do you believe participation in mediation was helpful?

- Yes
 No

Please explain:
(Optional)

10. Did the mediation in your view contribute to later resolution or settlement? If so, how long after the mediation did that occur? (Optional)

11. Do you believe participation in mediation should be mandatory? (Optional)

12. Are there/have there been cases where you believe mediation would have been used effectively but was not? What could have been done to encourage the use of mediation in those cases? (Optional)

13. How can the Commission encourage more frequent use/increase the effectiveness of the 337 Mediation Program? (Optional)

14. Please leave any additional comments you have on Section 337 Mediation: (Optional)