

GOWLING WLG IP MOOT

COMPETITION RULES AND REGULATIONS

Introduction

1. **Goals.** The Gowling WLG IP Moot (the “**Competition**”) is intended to stimulate interest in mooting, and to create awareness of this mode of dispute resolution. Furthermore, being an Intellectual Property (“**IP**”) moot, and the first of its kind domestically, the Competition is intended to increase interest and awareness in this area of law. The Competition is designed to be educational, with a parallel objective of promoting oral advocacy skills.
2. **Organiser and Sponsor.** The Competition is organised by the National University of Singapore (“**NUS**”) Mooting and Debating Club (the “**MDC**”), and sponsored by Gowling WLG (“**the firm**”), in partnership with the Intellectual Property Office of Singapore (“**IPOS**”).
3. **Eligibility.** The Competition is only open to all law students who have not graduated with a L.L.B. or its equivalent.

General Provisions

4. **Language.** The Competition shall be conducted only in the English language.
5. **Venue.** The oral hearings of the Competition will be held at the Faculty of Law, NUS. Details on the conduct of the oral hearings are set out in Section D below.
6. **Interpretation of Rules.** MDC's and the firm's decision(s) as regards the interpretation of rules shall be final. MDC's and the firm's decision(s) on any matter relating to the conduct of the Competition which is not expressly provided for in the Rules shall be final as well.
7. **Amendments to Rules.** MDC and the firm reserve the right to modify, amend or change any of the Rule(s), at any time, without prior notice to any party, as may be deemed expedient and/or necessary for the conduct of the Competition. Any modification, amendment or change of any Rule(s) will be communicated to each Participant by MDC via email.

Penalties

- 8.1 MDC and the firm reserve the right to take any action that they deem appropriate for the breach of any of the Rule(s) by any Participant. MDC and the firm also

reserve the right to take any action that they deem appropriate against any Participant who has been found by MDC and the firm to have committed any unethical and unprofessional conduct in the course of the Competition.

- 8.2** Registration for the Competition will close on **Friday 19th January 2018, 2359**. Subsequently, any participant who wishes to withdraw must provide good reasons for their withdrawal which the firm will be notified of. The firm retains the sole discretion to decide if a participant may be permitted to withdraw. MDC also reserves the discretion to blacklist any participant who is unable to provide satisfactory reasons for withdrawal. Participants on the blacklist will not be allowed to participate in any future MDC-organized moots or advocacy competitions.
- 9. The Problem.** The Competition involves a legal problem based on a hypothetical situation. All relevant facts are given in the Problem and any clarifications thereto will be issued further to paragraph 10 below. No additional facts may be introduced into arguments (whether written or oral) unless they are a logical and necessary extension of the given facts or are publicly available facts. Any introduction of a fact that is not a logical and necessary extension of the facts given in the Problem or is not a publicly available fact will be deemed to be a breach of the rules of the Competition and the Judges retain the discretion to penalise the Participant accordingly.
- 10. Clarifications.** Any request for clarifications must be sent by email to the following email address: gowlingip@nusmooting.com, and be received by **3 pm, 20th January 2018**. Answers to request for clarifications (if any) will be distributed to all Participants by **6 pm, 22nd January 2018**. The firm retains the sole discretion to decide whether to provide answers to any requests for clarifications. No further requests for clarification in respect of the aforesaid answers will be entertained in any event.

Written Memorandum

- 11.** Each participant must submit a skeletal memorandum setting out their arguments in support of the side they have been assigned to by **Wednesday, 24th January 2018, 12 noon** as instructed. Participants who fail to submit the required memorandum on time will be penalised according to the discretion of MDC and/or the firm and may be disqualified from taking part further in the Competition.
- 12. Page limit.** Each skeletal memorandum must not exceed 2 A4 pages. The cover page may be excluded. Any memorandum which exceeds this word limit may be penalised accordingly at the Judges' discretion.

13. **Format.** The memorandum must be typed with a minimum font-size of 12 point and with double line spacing. All margins must be at least one inch or 2.5 cm. Any memorandum that does not comply with these formatting rules may be penalised accordingly at the Judges' discretion.
14. **Style.** The memorandum is intended to aid the Judges in deciding the dispute.

Oral Hearings

15. **Venue.** The preliminary rounds of the oral hearings will be held at the NUS Faculty of Law on the morning of **Saturday, 27th January 2018**. The semi-finals will be held in the afternoon of **Friday, 2nd February 2018** and the Grand Finals on **Friday, 9th February 2018**.
16. **Duration of Oral Arguments.** The duration of oral arguments differs for each round, as set out below. The time permitted for presentation of oral arguments *includes* time for any rebuttal or surrebuttal as well as questioning by the Judges. Any extension of time is solely at the discretion of the Judges. Participants who exceed the time limit will be penalised accordingly unless the Judges have expressly permitted an extension of time.

Preliminary rounds.

17. **Duration.** Each participant is given **12 minutes** in the preliminary rounds to present their oral arguments to the Judges. The order of speaking will be as follows: Counsel for the Opponent, Counsel for the Applicant, Rebuttals by the Opponent, Surrebuttals by the Applicant.
18. **Pairing of Counsel.** Participants will individually present oral arguments for the side which they have been assigned. However, participants who proceed to subsequent rounds may be required to represent a different side for those rounds. The pairing of opposing counsels for the Preliminary Rounds will be determined by MDC.
19. **Exchange of memorandum.** Participants are required to exchange their memorandum with their opponents as instructed in the pairing email by **Wednesday, 24th January 2018, 12 noon**. Participants who fail to comply will be penalized accordingly by the Judges.
20. **Use of new authorities.** Participants are required to inform his/her opponent (and copy gowlingip@nusmooting.com) of any new authorities which he/she intends to rely on that have not been cited in the memorandum latest by **12 noon, 25th January 2018**. Participants who fail to comply will be penalised accordingly by the Judges.

21. **Results.** The results for the preliminary rounds will be released on **25th January 2018** or such later time as may be determined by MDC / the firm in their sole discretion.
22. **Scope of arguments.** Participants are not limited to their memorandum at the oral hearing but are **strongly advised** not to deviate too far from their Skeletal Arguments. Participants may be penalised depending on the extent to which they deviate from their memorandum at the oral hearing. This rule does not apply to a Participant's response to the Judges' questioning or the logical and necessary extension thereof.
23. **Rebuttals.** The scope of the claimant's rebuttal is limited to responses to the respondent's oral arguments, and the scope of the respondent's surrebuttal is limited to responding to the claimant's rebuttal. If the claimant waives rebuttal, the respondent may not appear for surrebuttal. No legal issues which were not raised in the substantive oral arguments may be raised in the rebuttal or surrebuttal.
24. **Exhibits.** No exhibits that are not part of the given Problem or any additional material may be used during the oral hearings, unless the express permission of the Judges **and** the agreement of opposing counsel have been obtained.
25. **Judging criteria.** Participants will be evaluated on the basis of the quality and coherence of their oral arguments, their presentation style (which includes persuasiveness, clarity and structure), and the ability to respond substantively to the Judges' questions. Participants are reminded that the inclusion of any statement of fact that is not a logical and necessary extension of the facts given in the Problem or is not a publicly available fact in their oral arguments will be penalised.

Semi-Final and Finals

26. **Format.** The top four participants from NUS and SMU respectively will advance to the semi-final. In the semi-finals, all speakers will be paired and will make submissions on one issue only. Each team will have **22 minutes** to make their submissions including rebuttal/surrebuttal.
27. **Pairing of Counsel.** For the final round, participants may be assigned a different side from which they represented in the preliminary round. The pairing of counsel into teams of two will be determined by a draw of lots or by MDC/the firm at their sole discretion. The pairing of opposing teams will also be done by MDC and the firm.

28. **Skeletal Arguments.** Participants are required to prepare skeletal memorandum pursuant to Rules 11 through 14.
29. **Scope of arguments/Rebuttals.** Rules 24 and 25 are repeated here.
30. **Exhibits.** Rule 26 is repeated here.
31. **Judging criteria.** Rule 27 is repeated here.

E. Awards

32. **Oral competition.** While the finalists will moot in pairs, winning individuals will be chosen – in essence, each winner will be chosen based on individual merit. The winning individual of the Finals of the oral competition will receive an internship at any of Gowling WLG's global offices, of the winner's choosing. He/she will also receive \$1,200 allowance to defray expenses. The 1st runner-up will receive \$800, with the joint 2nd runners-up receiving \$500 each. The runner-up and joint 2nd runners-up will also be offered a local internship at Gowling WLG's Singapore office.