



WIPO Moot Court Competition Rules

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1 INTRODUCTION

The WIPO IP Moot Court Competition (the “Competition”) stands out as an annual event that not only fosters the study and practical application of intellectual property law among students worldwide but also provides a unique platform for students to develop their research, writing, and oral advocacy skills in the context of national and international IP disputes.

This initiative is designed to support young individuals in developing their knowledge and practical skills in the field of intellectual property law. The Competition will be conducted in three phases:

- (a) Online Rounds from 24 February to 28 February 2025
- (b) All Roads Lead To Geneva, (Quarter and Semi Finals an in-person event at WIPO’s headquarters in Geneva, Switzerland, from 23 April to 25 April 2025.
- (c) Grand Finals on 25 April 2025

For the first edition of the competition, 16 teams from registered universities worldwide will compete in a series of written and oral rounds spanning several months. Of the 16 teams participating in the oral rounds, 12 will be selected to proceed to the All-Roads Lead to Geneva stage. Participants will be required to use their research, analysis, drafting, and oral advocacy skills to formulate and defend their solutions to complex legal problems in the area of copyright, particularly focusing on issues related to NFTs, Generative AI and Copyright law.

2 STRUCTURE OF THE COMPETITION

The competition is open to students from universities around the world. We encourage teams to strongly consider gender balance in their composition. The moot court will challenge participants to argue a hypothetical case before a panel, simulating proceedings in a regional court. The WIPO IP Moot Court Competition is governed by a Steering Committee composed of representatives from the organising institutions, including an external team of IP experts. This Committee holds ultimate authority over all administrative matters and the enforcement of competition rules.

- I. This competition not only provides participants with a platform to engage with cutting-edge legal issues but also offers a unique opportunity to explore the practical implications of international treaties like the WIPO Copyright Treaty within the rapidly evolving digital landscape.

2.1 Organization of the WIPO IP Moot Court Competition

2.2 Organizer

The Competition is organised by WIPO.

2.3 Structure

The Competition adopts a hybrid approach:

- a. 16 shortlisted teams from the registration pool will be invited to submit written memorials.
- b. The same 16 teams will be invited to participate in the subsequent online rounds.
- c. 12 teams from the 16 initial teams will be proceeding to the Quarter. Semi and Final rounds to be held in Geneva at WIPO.

2.4 Venue

The preliminary rounds will be held online. The quarterfinals, semi-finals, and Grand final will be held in Geneva, Switzerland, at the WIPO headquarters.

2.5 Language

The Competition will be conducted entirely in English.

3 COMPETITION TIMELINE

Registration and application video submissions	15 October 2024 to 15 November 2024
Announcement of shortlisted teams	20 November 2024
Release of the hypothetical moot problem	20 November 2024
Deadline for clarifications	12 December 2024
Deadline for heads of arguments	15 January 2025
Online Oral Rounds	24 February 2025 to 28 February 2025
Announcements of qualifying teams to Geneva	03 March 2025
Quarter Final Round in Geneva	23 April 2025
Semi Final Round in Geneva	24 April 2025
Grand Finale in Geneva	25 April 2025

4 PRIVACY AND DATA REGULATION

The competition will adhere to relevant data protection regulations available in the host country territory, Switzerland.

4.1 RULES

4.1.1 Applicability

These rules govern the WIPO IP Moot Court Competition. Participants are expected to familiarise themselves with and adhere to these rules throughout the competition.

4.2 REGISTRATION

4.2.1 Process

For your registration to be considered complete, teams are required to submit:

- a. 5-minute video (see appendix).
- b. Completed, signed registration and consent form.

4.2.1.1 Registration Form

The registration form collects essential team information, including contact details and a confirmation of the university's authorisation for the team's participation in form of a stamp.

4.2.1.2 Refusal or Cancellation of Registration

The organizers reserve the right to refuse or cancel any team's registration at their discretion, considering factors such as misconduct and failure to comply with these rules.

5 THE HYPOTHETICAL PROBLEM

5.1 Subject Matter

The problem will focus on a hypothetical dispute in the field of intellectual property law, potentially covering areas like copyright, patents, trademarks, or trade secrets.

5.2 Applicable Law

The problem will specify the applicable legal framework, usually through Annexes and opinions authored by the Attorney-General, which may include international treaties, model laws, and hypothetical domestic laws.

5.3 Distribution

The problem will be released to the participating teams through the WIPO Moot Co-ordinators; **Nadine Hakizimana** and **Kingdom Karuwo**.

5.4 Facts

The facts of the case are provided in the problem. Teams may not introduce new facts unless they are logical extensions of facts explicitly stated in the hypothetical scenario or publicly available information.

5.5 Clarifications

Teams may submit requests for clarification on unclear points in the problem up to 3 weeks from the release of the problem. Each team may only submit 2 requests for clarification. Clarifications will be issued by the organizers and become part of the problem.

6 PARTICIPATING TEAMS

6.1 Composition

- a. Recognised universities and higher education institutions can register.
- b. All registering universities must be recognised higher learning institutions in their respective countries.
- c. Each team is required to have 2 participants
- d. We strongly encourage gender balance within the compositions of the participating teams.

6.2 Eligibility

Students must be enrolled in a degree program that has an IP course at the time of the Competition. Legal practitioners, judicial officers, and PhD candidates/holders are generally ineligible. A special exception may be made by the organisers on a case-by-case basis.

6.3 Team Selection

Each university is responsible for selecting its team through a fair and transparent process.

6.4 Team Changes

Changes to the team composition after registration may be allowed in exceptional circumstances with prior approval from the organisers. Please send such a request to youth@wipo.int to indicate changes and reasons there to.

6.5 Coaches

Each team may have a faculty advisor or coach. Coaches may provide guidance but must **not** contribute to the substantive work of the memorials or oral arguments.

7 MEMORIALS

7.1 Submission

Teams must submit written memorials for **both** the Applicant and the Respondent on or before **15 January 2025 at 23:59hrs Geneva Time. All memorials must be sent to youth@wipo.int**

7.2 Content

Memorials should include the following subheadings for the convenience of the reviewers.

- a. WIPO Competition cover page (see appendix).
- b. General table of contents following the guidelines detailed herein.
- c. Detailed table of authorities listing all sources utilised.
- d. A summary of the key facts supporting the participants' case (Max 350 words)
- e. A summary of key arguments to be advanced by the parties
- f. The main pleadings of the participants

7.3 Formatting

Memorials must strictly adhere to these guidelines relating to the format of the memorials. Specifically, expectations are that word limits, line spacing, margins and font size shall comply with the following information provided below;

Each memorial must be one single document. The memorial proper must not exceed 2000 words including footnotes. Indicate the word count on the last page. The format should be as follows:

7.3.1 Spacing

Memorials must be formatted using 2.0 or double-spacing.

7.3.2 Form

Typewritten. Hand-written memorials will not be accepted by the Steering Committee.

7.3.3 Margins

Top: 1.5cm, Bottom: 1.5cm, Left: 2cm, Right: 2cm

Font: Times New Roman 12

N.B. Failure to follow the prescribed requirements may result in penalties being imposed. The word count specified above excludes the summary and table of authorities.

7.3.4 Scoring

Memorials are evaluated on the basis of a double-blind peer review system. Each team will be assigned a team name, thus concealing their university and their personal identities. That is to say, the evaluators of the written components will not be able to see which university or institution submitted which memorial.

Anonymisation as described above will be designated to an independent coordinator who will be liaison between the evaluators and the teams at this stage.

The key scoring considerations will be informed by the general writing style, depth of argumentation, quality of research, clarity of submissions, and the degree of legal analysis.

7.4 Plagiarism and Artificial Intelligence Use

Plagiarism is strictly prohibited. Limited use of AI tools is permitted, subject to disclosure requirements listed below:

7.4.1 Permitted Use of AI

The WIPO Moot permits the use of AI tools for specific purposes:

- a. AI-powered research tools can be used to identify relevant legal sources, case law, and scholarly articles.
- b. AI-enhanced tools can be employed to assist in proofreading and editing memorials for grammar, spelling, and punctuation errors.
- c. AI translation tools can be used to translate and comprehend legal sources in languages other than English. Additionally, they can aid in translating limited portions of text within the memorials into English, although this is discouraged to promote language skills development.
- d. AI can be utilized to generate summaries or overviews of complex legal and factual topics to enhance the team's understanding, provided these AI-generated materials are not submitted as part of the memorials.

7.4.2 Prohibited Use of AI

- a. Submitting text in memorials that have been generated by an AI tool, even if subsequently edited or modified, is strictly prohibited.
- b. Using any WIPO Moot Competition materials, including past problems or memorials, to train an AI tool is prohibited. Similarly, using an AI tool trained on such materials to generate content for memorials is not permitted.

7.4.3 AI Disclosure

- a. Each team must submit an “Integrity and AI Use Declaration” along with their memorials. This declaration must truthfully disclose any AI tools used in the preparation of the memorials (see appendix).
- b. It is prohibited to use any documents issued by the WIPO to train an AI tool, or to employ an AI tool that has been trained on the WIPO Moot Problem for writing and submitting a memorandum.
- c. All team members are required to append their signatures on the declaration. The submission of any text within the memorandum that has been generated by an AI tool, even if such AI-generated text has been modified, corrected, or amended by team members is strictly prohibited.
- d. Use of AI to translate documents for use in research, finding relevant sources (for example, search engines), and use of AI-enhanced proofreading tools shall be permissible uses of AI; however, such use must be declared in terms of a. above.
- e. Failure to comply with these AI disclosure requirements may result in disqualification from the Competition at any stage.

8 ORAL HEARINGS

8.1 General Rounds

16 shortlisted teams will participate in online oral arguments stage, 12 of which will proceed to in-person rounds during the All-Roads Lead to Geneva stage. The competition Tab will be managed by the Steering Committee. Teams participate as **both** Applicant and Respondent.

8.2 Elimination Rounds

12 teams from the Online Rounds advance to the All-Roads Lead to Geneva stage, culminating the Quarter, Semi and Grand Final Round.

8.3 Duration and Structure

Oral arguments have time limits, typically 30 minutes per team, including rebuttal. The rebuttal is only allowed for the applicant. It must be made in the allocated 30-minute period. The structure may involve arguing all issues at once or addressing them one by one. In special circumstances, the participants may respectfully petition the court for more time, but no team shall speak for more than 40 minutes.

8.4 Judicial Intervention

The esteemed Judges may, at any point, intervene during oral submissions of participants to pose questions. Teams should be prepared to answer questions in a respectful, clear, and concise manner.

8.5 Scoring

Oral arguments are evaluated based on criteria such as knowledge of law and facts, presentation skills, and ability to answer questions.

8.6 Scouting and Recording

Participants may not record or observe other teams’ arguments before facing them. Only WIPO is entitled to record and photograph participants during rounds for purposes of promoting future events. Recording may be allowed with prior permission from the WIPO Steering Committee. Please contact [Nadine Hakizimana](mailto:Nadine.Hakizimana@wipo.int) or [Kingdom Karuwo](mailto:Kingdom.Karuwo@wipo.int) for more information at youth@wipo.int.

9 PARTICIPANT PRIZES AND INDIVIDUAL AWARDS

9.1 Awards

Awards are given for best memorials, best oralist, and winning team. Additional awards may be presented according to WIPO's discretion.

9.2 Certificates

Certificates are awarded to all shortlisted participants, to external judges and special certificates for award winners.

10 CONFIDENTIALITY OF TEAM IDENTITY

Teams will receive a special designation from the Steering Committee. Such identity shall be assigned to ensure anonymity during the evaluation process by the Special Group reviewing memorials and the judges in all oral rounds.

11 INTERPRETATION OF THE RULES

11.1 Authority

The Steering Committee has the final authority to interpret and apply these rules.

11.2 Amendments

The Steering Committee may amend the rules as needed for the fair and efficient conduct of the competition.

11.3 Disqualification and Penalisation

11.3.1 Grounds for Disqualification or Penalties

Teams may be disqualified or penalised for violating the rules or the spirit of the competition, including plagiarism, late submissions, unprofessional conduct, and other serious breaches such as lack of respect for other participants.

11.3.1.1 Procedure

The Steering Committee will investigate alleged violations and decides on appropriate actions.

12 ADDITIONAL PROVISIONS

12.1 Code of Conduct

Participants are expected to adhere to a code of conduct that promotes respect, professionalism, and fair play. Participants should avoid talking or behaviour that may be perceived as disruptive during the entire competition.

12.2 Force Majeure

The organizers may modify the Competition schedule or format in case of unforeseen circumstances or force majeure events.

12.3 Waiver

The organizers reserve the right to waive or modify any rule in exceptional circumstances to ensure the fairness and integrity of the competition.

13 CONTACT WITH ORGANIZERS

All communication regarding the competition should be directed to the designated contact persons via the email address below.

Ms. Nadine Hakizimana or Mr. Kingdom Karuwo

Email: youth@wipo.int

Annexes

14 Memorial Cover Page

Inaugural IP Moot Court Competition 2025*21 March – 27 April 2025**Geneva, Switzerland*

IN THE MATTER BETWEEN*Sango Traditional Arts Association (STAA)**Applicant***AND***Makudo Investment Corporation (The MIC)**Respondent*

MEMORIAL FOR THE APPLICANT / RESPONDENT*(No identifying codes or symbols to be used and all teams are to be anonymised!)*

15 Teams Application and Registration.

Applying teams are required to submit an application video. Videos can be submitted through the prompt button or emailed directly to youth@wipo.int. If the video file is too large, we recommend you send it in a zip file. Applying teams are encouraged to submit videos with good image and sound quality adhering to the time stipulations detailed in the competition rules.

Video Submission Requirements

The video must, at the least, contain the following elements:

Introduction

- **Team Introduction**

Each team will consist of two members. Teams are encouraged to reflect gender balance. Each member should briefly introduce themselves and their role (e.g., first or second oralist, researcher etc).

- **Issue Overview**

Provide a concise description of the legal issue being argued. The issue of this year's call features the following theme:

“Does the use of Generative AI, trained using datasets that contain materials classified as cultural heritage artefacts to create NFTs, infringe on the copyright of original creators?”

- **Teams are encouraged to explore both sides of the issue.**

Legal Framework

- Identify the primary legal framework relevant to the issue at hand. This may include:
 - **Copyright Law**

Key national and international laws or other relevant frameworks including any that address issues of cultural heritage protection.

- **Key Case Law**

Reference must be made to important cases concerning cultural heritage, derivative works and copyright infringement.

- **International Treaties**

Mention any relevant treaties, including WIPO treaties such as the **Berne Convention**

- **Persuasive Authorities**

Refer to opinions from scholarly articles, expert reports, high-level academic research and international committees that have made pronouncements on the above topics.

- Discuss how NFTs, cultural heritage and Generative AI fit into this legal framework, specifically whether these technologies create new works or infringe on existing copyrights.

Substantive Legal Arguments

Argument 1

Copyright Infringement, cultural heritage and NFTs

- Argue whether NFTs created using works generated by Generative AI, which itself was trained using cultural heritage databases, infringe copyright law. Consider whether minting an NFT is a reproduction or adaptation of a copyrighted work.
- Discuss the rights implicated and the extent to which Generative AI bypasses traditional copyright protections.
- Evaluate whether the content generated by AI can be classified as a derivative work that infringes the original creator's rights.

Argument 2

Copyright exceptions and Generative AI

- Explore whether the use of copyrighted works by Generative AI to create NFTs qualifies for protection under your national copyright exceptions.
- Consider whether persons with disabilities have access to new and emerging technologies such as Generative AI for learning purposes.

Counterarguments and Responses

- Briefly address potential counterarguments to your position. For example, if you are arguing for copyright infringement, consider the opposing argument that Generative AI creates entirely new works. Also be sure to rebut claims that AI-generated NFTs harm the market for the original work.

Conclusion

- Summarise the key points of your arguments, reiterating your position on whether the use of Generative AI, trained using material constituting cultural heritage to create NFTs, constitutes copyright infringement or falls under fair use.
- End with a closing appeal, restating what your team believes to be key for legal determinations on this subject.

Additional Considerations

- **Presentation**

It is recommended that teams avoid reading directly from a script. Teams should instead present in a natural, professional manner that demonstrates their command of the legal arguments.

- **Organization and Time Management**

Teams are encouraged to structure their presentations efficiently, balancing the depth of analysis with the time constraints, but they will not be provided with explicit time allocations for each section.

- **Professionalism**

Teams should adhere to the appropriate standards of courtroom decorum, including formal language and presentation style.

Evaluation Criteria

1. **Clarity and Structure of Argument (20%)**

Did the team present a logical, well-organized argument?

2. **Understanding of Legal Issues (30%)**

Did the team demonstrate a solid grasp of copyright law, NFTs, and Generative AI?

3. **Persuasiveness (20%)**

How well did the team convince the judges of their position?

4. **Use of Legal Precedents and Principles (20%)**

Did the team cite relevant laws and cases appropriately?

5. **Professionalism and Presentation (10%)**

Was the team professional and polished in its delivery?

16 Plagiarism and AI Use Declaration

We, the undersigned members of the team, hereby declare that the memorial submitted for the WIPO Moot Competition is the original work of the team members. We affirm that no text within the memorial has been generated by any AI tool, except as explicitly permitted and disclosed below.

We certify that we have not engaged in any form of plagiarism, including but not limited to:

1. Using text from another work without proper citation and acknowledgement.
2. Rewriting someone else's ideas in our own words without crediting the original source.
3. Incorporating material from unauthorised or non-permissible sources into our memorial.
4. Collaborating with others to produce work that is submitted as our own, where such collaboration is not permitted.

We understand that any form of plagiarism is a serious academic offence, and that any violation of this clause may result in severe penalties, including disqualification from the Competition.

Disclosure of AI Use

We further declare that no prohibited AI tools were used in the preparation of this memorial. Specifically:

1. No text in the memorial has been generated by an AI tool, even if subsequently edited or modified.
2. We have not used any WIPO Moot Competition materials, including other competition past problems or memorials, to train an AI tool, nor have we used an AI tool trained on such materials.
3. Any use of AI tools for permissible purposes, such as translation, research assistance, or proofreading, has been truthfully disclosed.

We understand that any failure to comply with the AI disclosure requirements may result in disqualification from the Competition.

We affirm the above statements to be true and accurate.

Date: _____

Team Member 1 Signature: _____

Team Member 2 Signature: _____