

## 2023 CPR International Mediation Competition Problem

### Round 1 – “Outside Launch”<sup>1</sup>

#### **CONFIDENTIAL INFORMATION FOR ALISELL-A CO. (“AliSell-a”)**

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##### **GENERAL INFORMATION:**

In the days ahead of the mediation session, both parties started to heat up the tone of their positions with a rapid exchange of notifications. Rumors of BeGlam launching its own platform outside the WeSell partnership gained traction. Gossip tech magazines stated the platform would start in Brazil since it is the second most promising market for social media. AliSell-a, on the other hand, sought an emergency injunction against the launch of the BeGlam platform, alleging that it was a severe breach of contract.

##### **CONFIDENTIAL INFORMATION:**

It feels like the possibility of a consensual solution to the WeSell conflict is getting more and more dim. BeGlam's threat of pushing its own platform is deeply concerning, as it would mean that WeSell would face a new competitor that could potentially spoil its already bleak 2023 forecast, and also use your know-how to build a new sales platform.

At the same time, you are already looking for new partnerships. You may receive around 40% less revenue than your partnership with BeGlam (but, at least, you are not going bankrupt). In order to improve the revenue with future partnerships, Bond Consulting Firm advised you to gather as much data from WeSell users as you can.

Even though you informed BeGlam that you would file for an injunction, the possibility of a public dispute is not something that would help the public image of AliSell-a, especially as a result of the collection of data from WeSell users, which attracted negative attention for the company's image.

Likewise, the Board of Directors (“Board”), sent you an email regarding this mediation session, which stated the following:

1. BeGlam must agree to cancel, or at least halt, the launch of its platform; and

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2. If there is to be a renegotiation of the WeSell revenue structure, BeGlam must agree to some form of concession in principle; the board suggested a halt on the updates - in exchange, a small percentage of AliSella's revenue could go to BeGlam temporarily - but left it up to you to decide what is best.
3. The WeSell partnership must be preserved.

The Parties must strategize how to achieve these vital agreements, whereas the Board is awaiting a position on the points of the mediation session to structure the Company's strategy.

Also, have in mind that, if the mediation is going to be successful, concessions must be made.