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# infringements and disputes related to domain names

warszawa, 16 april 2009

future business trends in domain industry

# agenda

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- legal character of domain names
- trilateral relationship
- registrant contract
- infringement
- disputes
- adr & awards
- numbers
- summary

# legal character

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- what a domain name **is not**
- what a domain name **can be**
- what a domain name **is**

# trilateral relationship

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- direct / indirect
- 3 contracts
- registry / registrar service

# registrant contract

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- registrant only contract
- t&c
- unspecified time
- termination

# infringement

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- protected goods
- ways of infringement
- doer
- registry
- affected party

# disputes

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- regular court
- adr
- reverse hijacking

# adr

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- adr worldwide
- 3 providers
- 2 procedures
- mandatory & real
- arbitration clause
- contract termination

# awards

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- 40 days
- limited ruling
- execution
- no appeal
- complaint
- fees

# numbers

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## Arbitration

	total	award
2003	15	7
2004	26	6
2005	75	10
2006	86	12
2007	74	31
2008	59	8 (many ongoing)
	335	

wipo 2003-2008: 8

# adr summary

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- effectiveness
- good or bad numbers
- secondary market

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