



■ Resolving domain name disputes outside the courts through WIPO

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WIPO Arbitration and Mediation Center: who are we?

- Helping to resolve domain name disputes outside the courts
- WIPO panels experienced in IP, Internet disputes and ADR
- Fixed fees
- International neutrality
- Users around the world

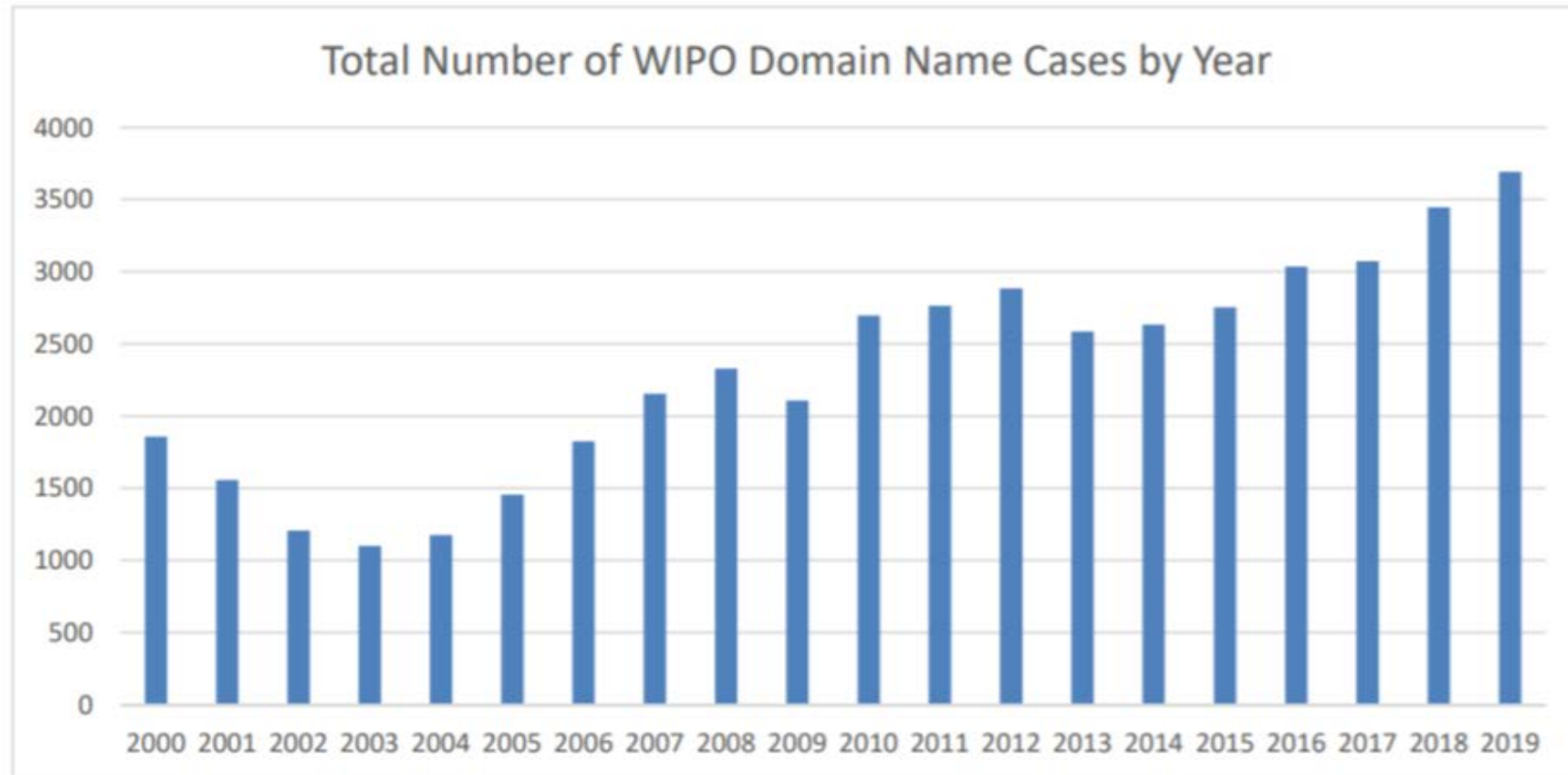
UDRP

- 1999: WIPO-created international ADR procedure
- For clear-cut cases of trademark abuse (“cybersquatting”)
- Administrative process with court options preserved
- Contractually mandated
- Direct enforcement via registrar
- Remedies: transfer or cancellation
- International (gTLDs, new gTLDs, many ccTLDs)

Why do brand owners choose the UDRP?

- Significantly quicker and cheaper than court litigation
- Predictable criteria and results
- Decision (transfer) implemented directly by registrar

WIPO UDRP Case Statistics



How is a UDRP case decided?

- Trademark identical or confusingly similar to the domain name; and
- Domain name registrant has no rights or legitimate interests in the domain name; and
- Domain name registered and used in bad faith.

WIPO Resources

■ WIPO Overview 3.0

The screenshot shows the WIPO website interface. At the top, the WIPO logo and 'WORLD INTELLECTUAL PROPERTY ORGANIZATION' are displayed. Below the logo, there is a navigation menu with links for 'IP Services', 'Policy', 'Cooperation', 'Reference', 'About IP', and 'Inside WIPO'. A search bar is located on the right side of the navigation menu. The main content area features the title 'WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Third Edition ("WIPO Jurisprudential Overview 3.0")' and a copyright notice: '© 2017 World Intellectual Property Organization All Rights Reserved'. A brief description follows: 'Resulting from WIPO's care for effective remedies under a sustainable UDRP, this WIPO Jurisprudential Overview reflects, and assists the predictability of, UDRP decisions by panels appointed in WIPO cases.' Below this, there is a section for 'Introduction' and a list of 'QUESTIONS' including '1. First UDRP Element', '2. Second UDRP Element', '3. Third UDRP Element', and '4. Procedural Questions'. A sidebar on the right contains a 'WIPO UDRP Toolkit' with links to 'UDRP', 'UDRP Rules', 'WIPO Supplemental Rules', 'WIPO Jurisprudential Overview 3.0', 'Legal Index of WIPO UDRP Panel Decisions', 'Search WIPO Cases and WIPO Panel Decisions', 'WIPO Model Complaint', 'WIPO Model Response', and 'Schedule of Fees'.

■ Reflects statements on some 60 substantive and procedural UDRP issues

■ Draws on the thousands of cases administered by WIPO and decided by WIPO panelists

WIPO Resources

The screenshot shows the WIPO ADR website interface. At the top, there is a navigation bar with links for Media, Meetings, Contact Us, My Account, and English. Below this is a search bar and a menu with categories like IP Services, Policy, Cooperation, Reference, About IP, and Inside WIPO. The main content area is titled 'Index of WIPO UDRP Panel Decisions' and includes a brief description of the index and a search interface with a 'Search' button and a 'Next Search' button. Below the search interface is a 'Legal index to WIPO panel decisions' section with a tree structure of checkboxes for selecting categories.

Legal index to WIPO panel decisions	
<input type="checkbox"/>	I. General
<input type="checkbox"/>	A. Competence
<input type="checkbox"/>	B. Mandatory Proceeding
<input type="checkbox"/>	II. Substance
<input type="checkbox"/>	A. Identical or Confusingly Similar to a Trademark or a Service Mark in which the Complainant has Rights (Policy, Para. 4(a)(i))
<input type="checkbox"/>	1. Trademark / Service Mark
<input type="checkbox"/>	a. General
<input type="checkbox"/>	b. Goods or services associated with mark
<input type="checkbox"/>	c. Distinctiveness
<input type="checkbox"/>	(i) General

■ WIPO Legal Index

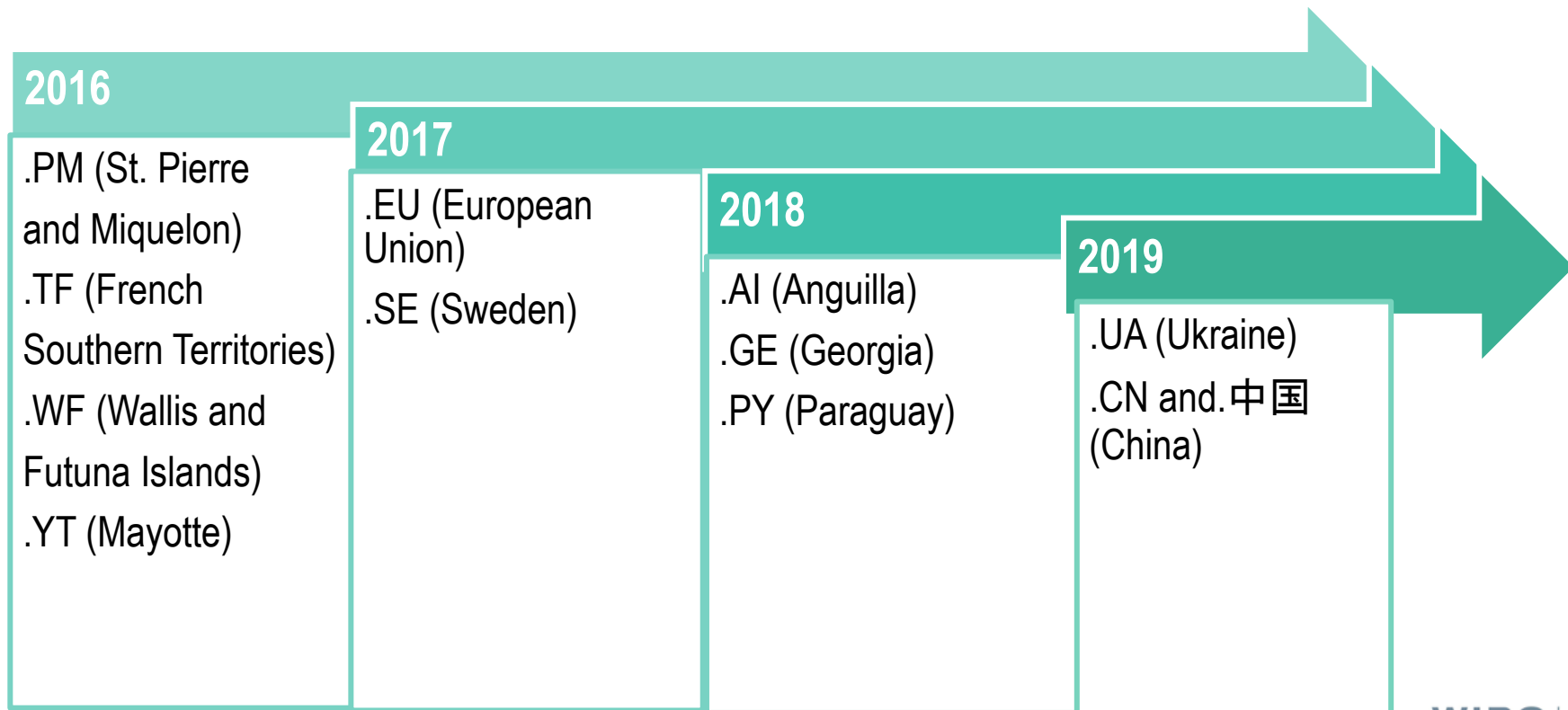
- Allows decision research via use of some 260 research key words on substantive and procedural UDRP issues
- Draws on the thousands of cases administered by WIPO and decided by WIPO panelists

WIPO's services for ccTLD registries

- Launched in 2000 to assist ccTLD authorities
- ccTLD Best Practices
 - Policies designed to curb abusive and bad faith registration
 - Minimum standards for IP protection in ccTLDs
- **Policy Advice**
 - Registration conditions
 - Registration Agreement
- **Case administration services**
 - Over 75 ccTLDs use WIPO's dispute resolution services

WIPO ccTLD Program

Recent ccTLD additions to WIPO's ADR services



Guide to WIPO's services for ccTLD registries



WIPO | ADR
Arbitration
and Mediation
Center

Ways WIPO can help ccTLD Registry Operators

- Leverages WIPO's expertise as the creator of the UDRP as the international Advice on registration terms and conditions
- Free email or phone "help line" and operational assistance
- Advice on new dispute resolution policies
- Case administration of IP-related domain name disputes at no cost to the ccTLD/registry operator
- Tailoring and updating existing dispute resolution policies

Why choose WIPO?

- Outsources IP-related domain name disputes between third parties
- Reduces a need for the ccTLD to devote resources to case administration
- Reduces burdens on national courts
- Leverages WIPO's expertise as the creator of the UDRP as the international model
- Uses WIPO's independence and neutrality as a specialized agency of the United Nations

WIPO ccTLD web pages

WIPO Domain Name Dispute Resolution Service for .EU

Country / Territory Code	.EU
Country / Territory Name	European Union
Whois Search	Whois Search
Dispute Resolution Policy	Regulation (EC) No 733/2002
	Regulation (EC) No 874/2004
	Regulation (EC) No 1654/2005
	Regulation (EC) No 1255/2007
	Regulation (EC) No 560/2009
Procedural Rules	<i>Variation of UDRP</i>
	.eu Alternative Dispute Resolution Rules (the "ADR Rules")
	WIPO Supplemental Rules for .eu Alternative Dispute Resolution Rules
	<i>Relevant differences between the UDRP and the ADR Rules</i>
	▶ Rights covered
	▶ Requirements
	▶ Bad Faith
	▶ Examples of Bad Faith
	▶ Mutual Jurisdiction
	▶ Remedies

Highlights key information for WIPO-serviced ccTLDs

- [Registration agreement](#)
- [Whois search tools](#)
- [Dispute resolution policy and procedural rules](#)
- [Differences between specific ccTLD policy and the UDRP](#)
- [Model case pleadings](#)
- [Prior decision search](#)
- [Supported local language characters](#)

WIPO ccTLD Database

ccTLD Database

The ccTLD database contains links to the web sites of 252 ccTLDs allowing to determine the availability of a registration agreement, the existence of a WHOIS service and the adoption of alternative dispute resolution (ADR) procedures.

Other resources

- The [WIPO ccTLD Best Practices for the Prevention and Resolution of Intellectual Property Disputes](#) provide an overview of practices and policies for ccTLD operations designed to curb abusive and bad faith registration of protected names, and to resolve related disputes.
- The [Trademark Database Portal](#) facilitates access to online trademark databases of a number of national and regional intellectual property offices, allowing any person wishing to register a domain name to perform a prior trademark search.
- The Center also provides domain name dispute administration services for a number of [country code top level domains](#).

Contains links to the websites of over 250 ccTLDs

- Assists practitioners in determining the applicable registry, registration agreement, WHOIS service, applicable ADR procedure, and any dispute resolute service provider(s)

CSI, Central and Eastern European region

■ WIPO Center is a provider for 8 CSI, Central and Eastern European ccTLDs :

- **.GE (Georgia)**
- **.MD (Republic of Moldova)**
- **.ME (Montenegro)**
- **.PL (Poland)**
- **.RO (Romania)**
- **.TJ (Tajikistan)**
- **.TM (Turkmenistan)**
- **.UA (Ukraine)**



.UA and .COM.UA (UKRAINE)

- Since 2019
- 25 cases
- WIPO Case examples:
 - <legotoys.com.ua>
 - <googla.com.ua>
 - <tiktok.com.ua>



.GE (GEORGIA)

- Since 2018
- 3 cases
- WIPO Case examples
 - <glovoapp.ge> and <glovo.ge>
 - <carrefour.com.ge>
 - <carrefour.ge>



.ME (MONTENEGRO)

- Since 2008
- 126 cases
- WIPO Case examples
 - <porsche.me>
 - <facebook.me>
 - <boehringerengelheim.me>
 - <myappleid.me>



.EU (European Union)

- Since 2017
- 82 cases
- WIPO Case examples
 - <airbnb.eu>
 - <kpmg-finance.eu>
 - <netaportershop.eu>
 - <leasing-allianz.eu>



- <yandexgames.com>
<yandexigri.com>
<yandexoyun.com>

Yandex Яндекc

- <legotoys.com.ua>



- <навител.москва> and
<navitel.moscow>



- <Instagram.eu>



Contact and Further Information

- Info on Domain Name Dispute Resolution:

www.wipo.int/amc/en/domains/

- Email

arbiter.mail@wipo.int

Thank you!

