

EXECUTIVE SUMMARY

“This is by far the most technologically advanced ADR platform of those I dealt with” Dr. Clive Trotman, .eu Panelist, 2007

The Czech Arbitration Court (“CAC”) has requested ICANN to consider CAC’s function and merits and approve its proposal to become recognized as one of the official dispute resolution service providers under the UDRP. A non-profit organization established in 1949 with its seat in Prague, CAC has developed its range of competencies to include the resolution of domestic and international commercial disputes related to IP and technology matters.

NEW FEATURES FOR UDRP

For a better understanding of how the CAC may best serve the needs of the UDRP and the Internet community, the CAC discussed and explored, informally and formally during public consultations, a number of new innovative features both in the application of new technology and the organization and interaction maintained with clients. Along these lines, we are confident we can implement new features directly beneficial for the clients and the UDRP.

Multiple languages

The CAC will be able to administer UDRP cases in far more languages than any other current UDRP provider (at the moment, the CAC administers .eu ADR in 21 languages - all official languages of the EU except Maltese). Thanks to the fact that all decisions contain English summaries and important or significant decisions in other languages are translated into English, a thorough exchange of information will be guaranteed without any hindrance to quality. Furthermore, the multilingual strategy serves the widest audience and would enhance ICANN’s global role.

The possibility to file a single complaint on behalf of multiple complainants against suspected serial cybersquatters

The CAC will introduce the possibility for a single person representing multiple complainants to file a single complaint (a Class Complaint) against a single domain name holder in regard to multiple disputed domain names, for a reasonable price. This procedural option, which is not given by the existing UDRP providers, would respond to the requests of right holders for a streamlined UDRP procedure to fight suspected serial cybersquatters.

The availability of master accounts for parties involved in multiple UDRP proceedings

The on-line platform of the CAC will enable parties involved in multiple UDRP proceedings (lawyers, registrars, service providers) to have master accounts with different case files accessible through a single login. Therefore, they will be able to easily review information on all of their UDRP proceedings. In addition, each on-line case file will contain reminders regarding important deadlines for the individual respective cases.

On-line discussion

The on-line platform of the CAC will enable setting up and maintaining private on-line communications (*e.g.*, among panelists) and public discussions on current issues related to the UDRP policies and procedures.

Forward-looking approach

CAC acknowledges that the UDRP Rules do not enable electronic-only UDRP. Since the adoption of the UDRP Rules many countries worldwide accepted in their laws a modern legal concept of equality of electronic and hardcopy communication. We believe that UDRP should reflect these developments for the benefit of the whole Internet community. CAC would like to continue discussion with ICANN and all interested parties, after the UDRP accreditation process is completed, about this issue.

OUR EXPERIENCE AND PREPARATION

In 2005, CAC was selected as the .eu ADR Provider by EURid and the European Commission. Since the initiation of the first .eu ADR proceeding in March 2006, close to 900 proceedings have been brought before the court, and close to 700 decisions have been issued and published. CAC has developed and implemented an innovative and unique on-line platform for the administration of .eu ADR proceedings, with the full intention to continuously enhance and improve the system whenever possible. For example, the option of utilizing advanced electronic signatures in the on-line proceedings was launched at the beginning of this year. Parties exercising this option will be communicating solely by way of the Internet, a quick, safe and paperless alternative to the standard form. We believe our system is well suited for the current and future goals of ADR administration under the UDRP rules, needing few adjustments and being flexible to change. CAC's on-line platform can be examined at www.adr.eu.

CAC works with approximately 140 panelists for the resolution of .eu disputes, all recognized experts in IP and technology law. Since the publication of its call in the beginning of November 2006, CAC has received over 100 prospective UDRP panelist applications from around the world. New applications from prospective UDRP panelists are still being received. As for our panelists' training and interaction, CAC stays in regular contact with its panelists throughout the year. We have organized three webinars, two public consultations, and one closed internal discussion forum focused on best practices in .eu ADR. Our activities continued in March 2007, when CAC held a seminar in Prague for its .eu panelists and prospective UDRP panelists. In addition, the on-line platform serves as a venue for even more discussions (both open and closed) about important issues of CAC.

CAC's offices located in the very center of Prague, only few meters from Old Town Square, are fully equipped to deal with a large number of cases. CAC's professional team in charge of the administration of domain name proceedings consists of lawyers, supporting staff, IT team, and a comprehensive team of trained translators. CAC counts with enlarging its current team by at least four additional lawyers during the implementation period, estimated to last 6 months.

CAC works closely with CZNIC in promoting Prague to become the location of one of ICANN's meetings in 2009.