

The Arab Center for Domain Name Dispute Resolution (ACDR)

Jointly established by

The Arab Intellectual Property Mediation and Arbitration Society (AIPMAS)

&

The Arab Society for Intellectual Property (ASIP)

TABLE OF CONTENTS

I.	CONTACT DETAILS	2
II.	EXECUTIVE SUMMARY	3
III.	OUR VISION	4
IV.	OUR APPROACH	4
	1- Overview of ACDR Capabilities	4
	a- Historical Synopsis	5
	b- Multiple Languages	6
	c- ACDR Offices	6
	d- Fees	6
	e- Advisory Board	7
	2- Initial List of the Names and Qualifications of Panelists	7
	a- Initial List of Neutrals	7
	b- Screening Requirements	7
	3- Training and Educational Measures Employed for Listed Panelists	7
	a- eTraining	8
	b- Online Discussion	8
	c- Annual Meeting	8
	4- Commitment	8
	5- Supplemental Rules	8
	6- Internal Operating Procedures	8
	7- Implementation Schedule	8
	8- Statement of Requested Limitation on the Number of Proceedings	8
	8	
	9- Description of Proposed Administration to the Proceedings	9
	10- Publishing the Decision of the Panelists in the Proceedings	10
V.	OUR TEAM	10
VI.	LIST OF ANNEXES	10

I- CONTACT DETAILS

Main contact details of the Arab Center for Domain Name Dispute Resolution (ACDR).

P.O Box 921100 Amman, 11192
Hashemite Kingdom of Jordan

Contact persons for the proposal:

Ms. Deema Abu-Zulekha.
Mr. Mohammad Quttaineh.

Contact details for communication purposes:

-MS. Deema Abu Zulekha
Deputy Executive Director
Quality Control Department Manager
Talal Abu-Ghazaleh Legal (TAGLegal)
P.O.Box 921100 - 11192
Amman - Jordan
Tel: +962 6 5100900
Fax: +962 6 5100901
Email: dabu-zulekha@tag-legal.com

-Mr. Mohammad Quttaineh
Legal Counsel (LLM)
TAGLegal Abu Dhabi Office Manager
Talal Abu-Ghazaleh Legal (TAGLegal)
P.O.Box: 4295, Abu Dhabi, UAE
Tel: +971 2 6723526
Fax:+ 971 2 6724425
Email: contracts@tag-legal.com

With a copy to:

Mr. Mu'tasem Dmour
Executive Director
The Arab Society for Intellectual Property (ASIP)
Abdul Rahim Al-Waked Street
Bldg. No. 46, Shemisani
P.O. Box 921100 Amman 11192 Jordan
Tel. 00962 6 5609000

Fax: 00962 6 5609001

Email: info@aspip.org

Amman- Hashemite Kingdom of Jordan

II- EXECUTIVE SUMMARY

The Arab Center for Domain Name Dispute Resolution (ACDR) requests the Internet Corporation for Assigned Names and Numbers (ICANN) to approve its proposal to become recognized as an official dispute resolution provider under the Uniform Domain-Name Dispute-Resolution Policy (UDRP). The Arab Intellectual Property Mediation and Arbitration Society (AIPMAS), and the Arab Society for Intellectual Property (ASIP) as non-profit institutions, with their headquarters in Amman, Jordan and other offices in the Arab countries, have a vast experience in dispute resolution in general and IP related dispute resolution in particular.

Throughout the years, we have developed a comprehensive set of standardized internal policies and procedures to deal with the intricate and multi-faceted IP cases. The increasing number of clients that approach us, and trust our commitment to a fair and reliable service, attests to our capacity to become a UDRP provider in the Middle East. Given the potential for more socioeconomic changes in the region, the existence of such an institute is essential to ensure that the necessary cultural framework is being developed simultaneously and accordingly. We believe that, considering the history of ASIP and AIPMAS in handling the related issues, ACDR has the capacity to address this need.

Our offices, located in the heart of Amman, are fully equipped to deal with large numbers of cases. Our professional team consists of four lawyers with supporting staff, highly qualified translators and an IT Department. The Center provides extensive administration assistance to all parties, panelists and registry. We are capable, at any stage in the future, of expanding our team of lawyers, professionals and supporting personnel as the implementation of the UDRP system may demand, to ensure accurate administration of UDRP cases.

III- OUR VISION

Our vision is to promote a well-rounded debate in the realm of domain name dispute management between all interested parties. We aim to become an internationally accredited institute which provides a world class dispute resolution, as an alternative to the legal and business communities of our region.

While we put impartiality and professionalism first, we also take into account the necessity for gradual invergence of the rules applied by UDRP providers. Hence, we acknowledge the importance of constant interaction among the existing providers in order to stay aware of the conflicting policies and to interactively discuss them.

IV- OUR APPROACH

1- Overview of the ACDR Capabilities

The Arab Center for Domain Name Dispute Resolution (ACDR) is a joint venture by the Arab Society for Intellectual Property (ASIP) and the Arab Center for Mediation and Arbitration in Intellectual Property (AIPMAS). Its aim is to resolve domain name disputes under the Uniform Domain Name Dispute Resolution Policy (UDRP).

a- Historical Synopsis

- The Arab Society for Intellectual Property (ASIP)

The Society was established on February 23, 1987 in Munich, Germany. Its original name was The “Arab Society for the Protection of Industrial Property. The original purpose of the institute was to encourage studies in the field of Industrial Property. However, as the institute became more sophisticated, in 2003 its name changed to The Arab Society for Intellectual Property (ASIP). A new mission promotes the research and debate in the development of the IP industry among the member countries. Conducting research projects, holding educational programs, conferences and seminars about various aspects of IP have been at the core of its activities since the cited date.

Also in 2003, ASIP launched the Center of Mediation and Arbitration. Since then, it has handled numerous Alternative Dispute Resolution (ADR) cases brought by parties from different nationalities.

- The Arab Intellectual Property, Mediation, and Arbitration Society (AIPMAS)

On May 31, 1987, the Arab Intellectual Property Mediation and Arbitration Society (AIPMAS) was established as a non-for-profit institute in Jordan. Originally called The Arab Society for the Protection of Industrial Property, its first mission was to support the establishment of national IP societies in Arab countries to promote IP studies at a national level. The main idea was to pave the way for gradual convergence among the IP regulators in Arab countries, while at the same time to consider the countries’ socioeconomic distinctions.

In 1997, the name of the Society was modified, as well as its Articles of Association. Its name changed to The Arab Society for Protecting Intellectual Property, based in Jordan. Like ASIP, this change came with the expansion in its activities and mission to include all aspects of IP. However, the Society evolved even more to encompass the same task as of the Center for Mediation and Arbitration. In 2003, the name changed to The “Arab Intellectual Property, Mediation, and Arbitration Society (AIPMAS). Since then, AIPMAS has been specifically dealing with Intellectual Property ADR cases, including many domain name disputes.

- Arab Center for Mediation and Arbitration in Intellectual Property

The Arab Center for Mediation and Arbitration in Intellectual Property was unveiled as one of the sub-committees under the AIPMAS in a 2003 meeting between the Jordanian Committee of Intellectual Property in E-commerce, the AIPMAS and the Jordanian Arbitration Committee. The Center of Mediation and Arbitration is one of the activities pertinent to the Society.

The Center manages conflict resolution by following its own mediation and arbitration rules prepared by the Executive Committee which reports to the Society's Board of Directors.

The Center deals solely with resolving IP disputes but having recognized the necessity for a regional Center of mediation for domain names and having acknowledged the importance of invergence with international rules AIPMAS and ASIP have taken the initiative to establish a UDRP provider which avails itself of:

- the experience gained by the Center for Mediation and Arbitration in Intellectual Property
- uniform UDRP rules
- precedents established by other providers as a non-binding guidance

b- Multiple Languages

The ACDR can provide reliable and quality administration of UDRP cases in three major languages - Arabic, English and French. Team members are either educated in English or French, or both, next to Arabic. ACDR will also continue to expand foreign language capabilities, for instance in Spanish, Chinese, German, Italian and Korean.

c- ACDR Office

ACDR will enjoy spacious facilities in a state-of-the-art office complex in central Amman. The offices are fully equipped to handle administrative proceedings with the utmost quality and professionalism. The Center will not need new premises for its proposed UDRP home. The Center's role is to administer proceedings, which includes verifying that the initial complaint meets formal requirements and policy. It will coordinate with all concerned registrars, parties and the panel to facilitate the process for a final dispute resolution.

The Center will be operated by a team of professionals to whom different roles will be assigned, including the administrative management , supervisory roles and the tasks of case administrators as well as accounting and financial control.

d- Fees

The fees consist of an amount to be retained by the Center as an administrative fee and an amount to be paid to a panelist. The fees for our domain name dispute resolution services are similar to other UDRP providers which are outlined in our supplemental rules.

e- Advisory Board

The Center shall have an Advisory Board; which will encompass international experts, from different backgrounds such as Intellectual Property, competition law and economists. They will regularly support the Center in varying areas, including policy matters related to the organization's development, technology, procedure and outreach. Their selection will be according to experience and knowledge in their fields, such as IP and ADR procedures. The Advisory Board will meet every three months (via teleconferencing or online) to discuss all issues related to the Center.

2- Initial List of the Names and Qualifications of the Panelists

a- Initial List of Neutrals

In line with the vision of ACDR, panelists will be invited from different nationalities and with different approaches to IP and other related fields. The selection of the panelists will be according to their experience and knowledge. See Annex 2 (Screening requirements).

An initial list of highly qualified neutrals who have agreed to serve as panelists (in response to a limited call) can be found in Annex 1 of this Proposal. Providing an excessively long list of neutrals has been avoided for the purposes of this Proposal. However, an additional call for panelists may take place during implementation.

The initial panelists are multinational, multilingual and highly qualified professionals possessing knowledge and experience in ADR in general and domain name dispute resolution in particular, thus, they are considered to be experts in their field of practice. The panelists are residents of different countries and capable of conducting proceedings in several languages. The grounds which the ACDR demands a panelist to meet can be found in Annex 2 of this Proposal.

Before the appointment of a panelist, the elected panel will be requested to sign and return to the Center a Declaration of Independence and Impartiality using the specially designed form specifically designed for that purpose which will be available on the Center's website.

A party to the administrative proceedings may challenge the appointment of a panelist via filling written request or by submitting an electronic request through the website stating the circumstance and reasons for the challenge within five calendar days from the date of notice of the selection. The Center will determine whether adequate circumstances exist for disqualification. (Please see Supplemental Rules in Annex 3 of this Proposal)

b- Screening Requirements

Screening requirements - please see Annex 2 of this proposal.

3- Training and Educational Measures Employed for Panelists

To facilitate the exchange of information and ideas, as well as to further develop and enhance the knowledge and experience of panelists, the ACDR will promote training through, for instance, slide show presentations over a computer network or the web; live or streaming video; recording of presentation activity for later viewing and/or distribution through the web. The main training areas considered are:

a- eTraining

ACDR will hold online training sessions in the form of web seminars (Webinars) to introduce and discuss important issues online. The events will include real cases presented by panelists from ACDR and other UDRP providers. Panelists will be able to access on demand archive and replay webinars.

ACDR will hold classes for the Panelists, including, inter alia, classes about covering ACDR and UDRP procedures and policies, ADR in general and technicalities regarding domain names. It will be optional for the panelists to take such classes. The classes will be taught by international professionals in the related field, including but not limited to the panelists from ACDR and other UDRP providers.

b- Online Discussion

The ACDR will establish an online discussion medium, accessible by panelists only, enabling them to communicate with each other and exchange perspectives and experience on all matters relating to the Center's UDRP process and legal practice of domain dispute resolution.

Any significant legal perspectives or points of critical practice importance which would have the effect of further development in the field will be published on the Center's website in the form of panelists' views on UDRP practice.

c- Annual Meeting

ACDR will host an annual meeting for its panelists in Amman to explore and examine contemporary issues in domain name dispute resolution in general and UDRP practice in particular.

4- Commitment

The ACDR will not prevent or discourage its listed panelists from serving as panelists for domain name disputes administered by other approved providers.

5- Supplemental Rules

Please see Annex 3 of this Proposal.

6- Internal Operating Procedures

Please see Annex 4 of this Proposal. (*Confidentiality Asserted*)

7- Implementation Schedule

The ACDR intends to implement the UDRP project described in this Proposal within 6 - 8 months from its approval by the ICANN.

8- Statement of Requested Limitation on the Number of Proceedings

During the start-up period, the ACDR will be ready to start with a limitation not exceeding 50 per month.

The ACDR's professional team includes five lawyers (fluent In English and Arabic) supervised by an executive Director of Legal Affairs with 28 years of experience and a member of Abu Dhabi Arbitration Center.

Support staff includes highly qualified translators and IT specialists. The Center will expand its team to include additional personnel, especially lawyers and supporting staff, during UDRP implementation.

9- Description of Proposed Administration to the Proceedings

The ACDR will provide the administration of UDRP administrative proceedings in compliance with the UDRP Rules. Nonetheless, the ACDR contemplates future advancement to the UDRP system towards paperless pleadings.

a- Expedited & eUDRP

We acknowledge that there is a requirement for the exchange of paper pleadings, but is one of the obstacles that hinder the achievement of expedited UDRP. The ACDR shall embrace all future developments in the field of domain name dispute resolution. Mainly, the ACDR is keen to have all future UDRP proceedings totally online with no physical exchange of paper documents.

Thus, apart from the mandatory requirements of the Rules, and in accordance with paragraph 2(c) of the Rules, we will gradually move all communications online.

In accordance with the current status of the Policy and the Rules, we will establish an electronic medium for the administration of proceedings where parties may create a user account with a unique user name and password to provide secure online filing and electronic submission of complaints and responses. Nevertheless, the Center will consistently exert efforts to achieve simplified submission and communication of hardcopies of complaints and responses.

b- In general, the ACDR will administer proceedings under UDRP as follows:

The Complainant files a complaint with the ACDR according to the policy, rules and supplemental rules. A copy is communicated to the Respondent and the concerned Registrar(s). (Should all communication move online, an electronic form copy of the Complaint will be transmitted to the Respondent and actual notice of the Complaint is to be achieved via electronic means to the addresses supplied by the Registrar to the Center).

Arab Center for Domain Name Dispute Resolution (ACDR)

The ACDR will review the Complaint for administrative compliance. In the event of non-compliance, the Complainant will have 5 days to amend the Complaint or the Complaint will otherwise be dismissed.

Upon acceptance of the Complaint by the ACDR, proceedings will begin and the Respondent will have 20 days to respond to ACDR according to the Policy, the Rules and Supplemental Rules.

In the event that the Respondent does not submit a written response, the Panel will base its decision on consideration given to the Complaint alone.

The ACDR shall decide on additional submissions in accordance with its Supplemental Rules.

The ACDR appoints the Panel for deciding the case.

The Panel examines the Complaint and the Response.

Hearings (via teleconference, video conference or web conference etc.) shall be held according to the Panel's sole discretion.

The Panel renders its Award. The Award is published on the ACDR website and transmitted to the Parties, the Registrar, and ICANN.

For details on our proposed Supplemental Rules please see Annex 3 of this Proposal.

10- Publishing the Decision of the Panelists in the Proceedings

The ACDR will publish all outcomes rendered by panelists on its website.

The ACDR will administer UDRP proceedings in English, Arabic and French, and plans to extend its capacity to include other languages in the future. Significant decisions rendered in French or Arabic will include translations to English, and, in the future, decisions in other languages will have English summaries.

The ACDR is committed to providing ICANN with copies of all portions of panel decisions that are not published.

ACDR will have its own system/search tool for researching the Center's decisions resolved under UDRP. The tool will assist complainants, respondents, their counsel, panelists, providers and members of the public who are concerned with the DNS, the UDRP practice, as well as IP protection in general, in researching decisions on domain names.

V- OUR TEAM

Our team includes experts with considerable knowledge and experience in several fields of legal practice with a focus on Intellectual Property, specifically trademarks through representing more than (494,000) Trademarks worldwide through our sister firm Abu

Ghazaleh Intellectual Property (AGIP). , ADR, arbitration and understating of the regulation and practice of international domain name dispute resolution systems.

Team members are highly self-motivated, enthusiastic and professional individuals with a hunger eagerness to succeed. They will be the key elements players in the preparation and implementation of our UDRP system.

VI- LIST OF ANNEX

Annex 1: Initial List of the Names and Qualifications of the Panelists

Annex 2: Screening Requirements

Annex 3: Supplemental Rules

Annex 4: Operating Procedures