

Internet Domain Names Disputes: Principles and Practice

by

Prof. Julien Chaisse,
Professor,
The Chinese University of Hong Kong



Prof. Chaisse is an award-winning specialist in international economic law with particular expertise in the regulation and economics of foreign investment. His research also covers other relevant fields, such as WTO law, international taxation and cyber law.

Prof. Chaisse is an Arbitrator empaneled with the Kuala Lumpur Regional Center for Arbitration (KLRC), the Hong Kong International Arbitration Centre (HKIAC), the Shenzhen Arbitration Commission (SAC), and the Asian Domain Name Dispute Resolution Centre (ADNDRC). He has decided a number of internet domain disputes in cases administered by the ADNDRC.

Before joining the CUHK Law Faculty in 2009, Prof. Chaisse served in the Ministry of Foreign Affairs of France, and started his academic career in Europe. Since then, Prof. Chaisse has been frequently being invited as a guest lecturer to many prestigious academies and universities around the world, including the Academy of International Investment and Trade Law, Columbia University, Brown University and Boston University (U.S.), Passau University (Germany) and Melbourne University (Australia) where he is a Senior Fellow to the Law School.



Prof. Chaisse has authored a broad body of well-regarded and widely-cited articles on topics ranging from the rise of sovereign wealth funds, the regulation of foreign investment, and decision-making challenges facing the WTO, which have been published in the top refereed journals of international law. In recognition of his outstanding scholarly achievements, Prof. Chaisse received the CUHK Research Excellence Award in 2012, and was appointed Director of the Center for Financial Regulation and Economic Development of our Faculty since 2013.

In addition to scholarly work, Prof. Chaisse has wide experience as a practitioner, and is engaged as expert, counsel and arbitrator in international dispute settlement. Apart from his frequently being interviewed by local and international media on current events and legal issues, Prof. Chaisse is also regularly invited to provide legal advice and training courses on cutting-edge issues of international economic law for international organizations, governments, multinational law firms and private investors, including the United Nations ESCAP and ITC, World Trade Organization, ASEAN Secretariat, European Commission, Asian Development Bank, numbers of European countries and ASEAN member states.

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Course Objective:

Internet domain names are true economic assets which raises important legal issues. In this respect, companies have realised that having a domain name that is the same as their company name or the name of one of their products can be an extremely valuable part of establishing an Internet presence. When a dispute over a domain name occurs the parties can always turn to the courts. While courts and judges have the authority to award control and ownership over domain names (just as they have authority to award control and ownership over any other property), the judicial process is notoriously slow.

Consequently, many parties have avoided the courts and turned to the domain name dispute policies of the domain name registrars. The best alternative to pursuing a domain name dispute through the courts is to take advantage of the domain name dispute policies that have been developed by the organisations that assign domain names which is the focus of this course. The course focuses on the Uniform Domain-Name Dispute Resolution Policy ("UDRP") which has been adopted by ICANN-accredited registrars in all gTLDs (.aero, .asia, .biz, .cat, .com, .coop, .info, .jobs, .mobi, .museum, .name, .net, .org, .pro, .tel and .travel). The UDRP is a policy between a registrar and its customer and is included in registration agreements for all ICANN-accredited registrars.

At the end of the course, participants should be able to:

- Critically evaluate ongoing developments in law relating to information technologies;
- Display an understanding of how these developments relate to one another;
- Examine applicable principles to internet domain name disputes;
- Understand the role of the Asian Domain Name Dispute Resolution Centre (ADNDRC);
- Understand the role of the Hong Kong International Arbitration Centre (HKIAC);
- Evaluate those rules and theories in terms of internal coherence and practical outcomes;
- Draw on the analysis and evaluation contained in primary and secondary sources.

Course Outline:

Contents:

- Online infringements and domain name dispute resolution
- The Three Elements - Identity and confusing similarity
- The Three Elements - Legitimate rights of the respondent
- The Three Elements - Bad faith
- Practical guide on preparing submissions and deciding domain name disputes

Scan to Calendar



Code:	EVT000000152	Level:	Intermediate
Date:	8 March 2017 (Wednesday) (Amended)	Language:	English
Time:	14:30 - 17:45 (Amended) (Reception starts at 14:00)	Accreditation(s):	LSHK 3.0 CPD Points (LSHK Allocated Number: 20162936)
Venue:	Kornerstone Institute 15/F, Hip Shing Hong Centre 55 Des Voeux Road Central Central, Hong Kong	Request for Rerun:	Please Contact Us for Details



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