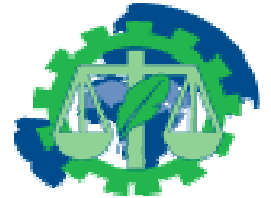


Proposal to become a new UDRP Provider

Arab Center for Dispute Domain Name Administrative Procedure (ACDAP)

Jointly established by:

جمعية المجتمع العربي للوساطة والتحكيم في الملكية الفكرية
Arab Intellectual Property Mediation and Arbitration Society



المجتمع العربي للملكية الفكرية
Arab Society for Intellectual Property



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A- CONTACT DETAILS

Contact details of the Arab Center for Dispute Domain Name Administrative Procedure (ACDAP) attached to the Arab Intellectual Property Mediation and Arbitration Society (AIPMAS), and Arab Society for Intellectual Property (ASIP).

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

- Contact person for the proposal:

Dr. Ghazi Alodat

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With a copy to:

Mu'tasem Dmour

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B- Executive Summary

The Arab Center for Dispute Domain Name Administrative Procedure (ACDAP) requests the ICANN to approve its proposal to become recognized as one of the official dispute resolution providers under the UDRP. The Arab Intellectual Property Mediation and Arbitration Society (AIPMAS), and Arab Society for Intellectual Property (ASIP) as non profit institutions, with their headquarters in Amman- Jordan and other offices in the Arab countries, have developed a range of competencies in dispute resolution and with relation to IP matters.

Along of many years, we have developed a comprehensive set of standardized internal procedures to guide us towards success. More and more, successful companies and law firms are coming to us for conflicts when the interests at stake are significant. Hitherto, we believe that the results of our implementation activities can easily be adopted for use in the UDRP system.

Our offices located in the center of Amman are fully equipped to deal with large numbers of cases. Our professional team, who are in charge of the administration of cases, consists of forth lawyers with supporting staff, translators and an IT Department. The center is able to offer extensive administration assistance to the parties, panelists, and registry.

C- OUR VISION

Our vision is to provide the centre of excellence in domain name dispute management, research and training together with the provision of alternative dispute resolution services to the legal and business communities of the Middle East & North Africa.

We believes that it is only through strong protection of Intellectual Property Rights that the region can truly develop a dynamic and innovative business environment that will contribute to sustainable economic progress and development, real growth in the Gross National Product (GNP) and increased social welfare.

D- OUR APPROCH

1- Overview of the ACDAP Capabilities

The Arab Center for Dispute Domain Names Administrative Procedure ACDAP is a joint undertaking by the Arab Society for Intellectual Property and the Arab Center for Mediation and Arbitration in Intellectual Property. The aim of the above center is to resolve the domain name disputes under Uniform Domain Name Dispute Resolution Policy (UDRP)

a- Historical Synopsis

- The Arab Society for Intellectual Property

The society was established with support from the Arab Society for the Protection of Industrial Property (Munich-Germany), which is the “original society” under whose umbrella the activities and events of the society are carried out.

The society aims at promoting and reinforcing the system of Intellectual Property in Jordan, and enhancing competence and knowledge of the personnel working in this field, in addition to the activities of the Center of Mediation and Arbitration, belonging to the society, which resolves conflicts of Intellectual Property through international arbitrators applying international rules.

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

The Arab Intellectual Property Mediation and Arbitration Society (AIPMAS) was established under the name of the Arab Society for Protecting Industrial Property on May 31, 1987 as a Jordanian society with public profit (non profit society). The society was officially declared in the meeting held on February 23, 1987, in Munich. One of the first objectives of the Arab Intellectual Property, Mediation, and Arbitration Society was to support the establishment of national societies in the Arab countries, in accordance with the laws in each country.

The society aims at upgrading and unifying the Arab legislations in the field of Intellectual Property by studying the various aspects of patents, trademarks, industrial models and copyrights in order to prescribe their bases

Arab Center for Dispute Domain Name Administrative Procedure (ACDAP)

and effects and to propose the basic lines for formulating them into laws. The society also seeks to raise awareness about the necessity of providing international protection for Intellectual Property and its various branches for the concerned people in the Arab world and to develop the laws in accordance with the provisions of the Paris Convention (1883) and other conventions in the field of IP protection as it provides benefits to professionals, consumers, producers and the community in general.

In accordance with the objective and on May 31, 1987 the Arab Society for the Protection of Industrial Property was established and had its center in Amman, Jordan. A group of specialists and concerned people practicing activities related to industrial property for the purpose of operating on the development of the profession and enhancing its level joined the society.

The society was modified in form several times; the name of the society was modified and therefore the internal system in 1997 and its name became "The Arab Society for Protecting Intellectual Property/Jordan, which meant expanding its activities to include all branches of intellectual property.

Because resolution of conflicts in Intellectual Property is considered one of the objectives of the society, it was decided to focus on this activity, and the final modification in 2003 was done, when the name became (The Arab Intellectual Property, Mediation, and Arbitration Society), and the original system was modified to include in its objectives the establishment of a center for arbitration and mediation in Intellectual Property.

- Arab Center for Mediation and Arbitration in Intellectual Property

The Arab Center for Mediation and Arbitration in Intellectual Property was declared in a joint meeting held at the center of the International Chamber of Commerce in Jordan, August 13, 2003 between The Jordanian Committee of Intellectual Property in E-commerce, the AIPMAS and the Jordanian Arbitration Committee as one of the sub-committees extending from the AIPMAS. The Center of Mediation and Arbitration is one of the activities belonging to the society and it is not a substitute of it.

The center manages conflict resolution by following its own mediation and arbitration rules prepared by the Executive Committee formed to administer the Center of Mediation and Arbitration in Intellectual Property. This committee reports to the society's Board of Directors.

Arab Center for Dispute Domain Name Administrative Procedure (ACDAP)

b- Multiple Languages

The ACDAP is confident that it can provide reliable and high quality administration of UDRP cases in many more languages than any other current UDRP provider. Such as Arabic English, French, Spanish, Chinese, Italian, and Korean. ACDAP will also continue to expand foreign language capabilities.

C- ACDAP Office

ACDAP is centrally located in spacious facilities in one of the most important office buildings in Amman. The offices, located in the center of Amman, are fully equipped to deal with a large number of cases. The center will not need to search for new premises for its proposed UDRP Center.

The center's role is to administer the proceedings, which include verifying that the complaint satisfies the formal requirements of the UDRP policy, rules and supplemental rules, and coordinating with the concerned registrar's parties and the panel to verify all matters.

The center shall employ Case Administrators. Those are principally responsible for managing the case procedures, including all administrative matters relating to the dispute and communications with the Panel and parties.

The ACDAP embodies the following Sections:

- I. Domain Name Dispute Resolution Section
- II. Information and External Relations Section
- III. Administrative Support Section
- IV. Accounting & Marketing Section
- V. IT Section

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 ACDAP would like to have its fees similar to current UDRP provider, **please see annex 3**. But, the services which will be provided by the center will reduce the overall cost born by the parties. The fees for our domain name dispute resolution service are outlined

Arab Center for Dispute Domain Name Administrative Procedure (ACDAP)

in our supplemental rules. The fee schedules provide cost information for filing complaints and review by one or three panelists.

e- Advisory Board

The center will have its Advisory Board; international experts, who will be give the center meaningful help on a regular basis in many different areas, including policy matters related to the organizational development, technology, procedure, and outreach. Their debilities, experience and knowledge were selected for how they complement a particular center, or the organization as whole. The center would like that its advisory Board to meet several times in the year to discuss all the issues related to the center.

2- Initial list of the names and qualifications of the panelists

This is an initial list of highly qualified neutrals who have agreed to serve as panelists, ACDAP avoid excessively long lists of neutrals. However, a call of panelists will be done later.

The initial list of panelists is multinational or other otherwise able to demonstrate knowledge and experience of the Domain Name System. Panelists are located around the world and conduct proceedings in several languages. ACDAP will continue to expend foreign language capabilities.

ACDDAP multinational, multilingual and highly qualified members are professionals who are considered to be the *crème* in their field of knowledge, thus being capable of distinguishing, processing and handling all related conflicts that may arise from the Domain Names System.

a- Initial list of the panelists

Please see **annex 1** of this proposal.

b- Screening requirements for selecting panelists

Please see **annex 2** of this proposal.

3- Training and educational measures employed for listed panelists.

a- Executive Committee

ACDAP established its Executive Committee which is comprised of no more 5 persons at the purposes of

- to maintain an Administrative Panel who have met the requirements, from time to time;
- to improve the standards of conduct of the domain name dispute resolution;
- to strengthen the collaboration with the ICANN on issues pertaining to the development and training of panelist and assess the suitability of training courses and refresh courses of panelists;
- To facilitate the exchange of information and ideas in relation to the assessment of panelist.

b- Webinars

ACDAP web seminars are interactive e-learning resources to both introduce and discuss important issues online. The events often include real world successes presented by panelists and viewpoints from the center analyst, all people are invited to access on demand archive and replay web seminars.

c- Online discussion

The ACDAP will already organize a public discussion on current matters related to domain name dispute resolution among its panelists.

d- Annual meeting

ACDAP will have an annual meeting for its panelists in Amman to explore the new trends related to the domain name dispute resolution.

4- Commitment

The ACDAP is committed not to 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. This document is confidential.

7- Implementation schedules

The ACDAP 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

The current capacity of online Dispute Resolution allows for the administration of 5000 cases monthly. If there are any necessities in the future, this capacity can be increased.

The ACDAP professional team consists of forth lawyers, support staff, translators and IT Department. The center is able to offer extensive administration assistance to the parties, panelists, and registry.

9- Description of proposed administration to the proceedings

We will make available the electronic communication and administration of UDRP cases confirming to the UDRP and its rules. Therefore, it will be a fully online mechanism, simplified submission of hardcopies of complaints and responses and electronic submission with the secure online filing and hardcopy delivery.

A user account must be opened and a unique login must be obtained. After the log in, the user will be able to use the navigation hints given through a different function. This mechanism would serve as a communication tool for registrars, registries and for ICANN.

10- Publishing the decision of the panelists in the proceedings

ACDAP will publish all the decisions rendered by the panelists in its website.

All the decisions will contain summaries in other language and will contain an informal English translation. The ACDAP is committed to provide ICANN with copies of all portions of decisions that are not published.

ACDAP will have its own system of categorization, which will also be a facility for researching decisions on domain names. The center will create a new search tool for domain name dispute decisions resolved under UDRP. Such decisions are posted on the web. The tool provided in the UDRP will help complainants, respondents, their counsel, panelists, providers, and members of the public who are concerned with the rights of domain name holders and trademark owners.

D- Our Team

Our team consists of many IP experts (France, Japan, UK, and USA) from the entire world with global understating of the regulation and practice of international domain name dispute systems. The entire team consists of highly self-motivated, enthusiastic & professional individual with zeal to achieve; they will be the key members of our international team (IP expert, IT and ADR specialists) for the preparation and implementation of our UDRP system.

E- List of Annex

Annex 1: Initial list of the names and qualifications of the panelists

Annex 2: Screening requirements for selecting panelists

Annex 3: Supplemental rules

Annex 4: Operating procedures

Annex 1
Initial list of the names and qualifications of the panelists

This is an initial list of highly qualified neutrals who have agreed to serve as panelists; ACDAP avoids excessively long lists of neutrals. However, a call of panelists will be done later.

Name	Country	Qualifications	Position	Listed as Panelist	Membership IT/IP/ADR
Arif Hyder Ali	Pakistan USA	J.D New York University School of Law. Columbia University, B.A	Attorney at law Partner and Co-Chair Crowell & Moring LLP, Washington, United States of America	Wipo	American Bar Association (Task Force on E-Commerce and Alternative Dispute Resolution Section of International Law and Practice); The American Society of International Law; The International Bar Association.
Abdelwahab Badri	Algeria	LL.M in Intellectual Property Law. Turin. Italy	Attorney at law Managing Partner/ Badri Algerian Cabinet for Intellectual Property Algeria	No	Arab Society for Intellectual Property
Adamou ALBORTCHIRE	Niger	Ph.D in Law. Clermont-Ferrand University France	Associate Cabinet ATRHET Lyon, France	No	Attorney at Law. Avocats Center Sud France
Albert Agustinoy Guilayn	Spain	LL.M in Law Barcelona/ Spain	Attorney at Law/ IP & IT Cutatrecasas/ Barcelona. Lecturer in IT law Spain	WIPO/ NAF	Madrid Professional Bar
Angelica Maria Elena Lodigiani	Italy	LL.B in Law Rome-	Attorney-at-Law, Studio Jacobacci,	WIPO/ ADR.eu	Intellectual Property Attorneys

		University/ Italy	Rome, Italy.		Association/ European Community Trademark Association (ECTA)
Assen Alexiev	Bulgaria	LL.M in Law Sofia University	Partner in Sabev Sofia, Bulgaria	Wipo/ ADR.eu	LCIA
Charné le Roux	South Africa	LL.B University of Pretoria	Prthners, Adams & Adams Attorney	WIPO	South African Institute of Intellectual Property Law (SAIIPL)
Charles Cha'ban	Jordan	LL.B University of Jordan, Jordan	Executive directors Abu Ghazaleh Intellectual Property (AGIP) Amman, Jordan	No	Internet Governance Forum (IGF) Multistakeholder Advisory Group (MAG)/ ICANN IDN WG/ Registration Practice & DNS Administration Subcommittee of the INTA Internet Committee/ The Internet Corporation for Assigned Names & Numbers (ICANN): ccNSO Council member (December 2004 - December 2007), Chaired the Internationalized Domain Names (IDN) Working Group of the Intellectual Property Constituency (IPC) in 2003/ UN Working Group on Internet Governance (WGIG), 2004-2005/ Advisory Committee, member of the World Wide Web Consortium (W3C), 2000-2003/ Board member of the Jordanian Committee for the Intellectual Property in E- Business, International (ICC / Jordan)/ Ex. Board Multilingual Internet Names Consortium

					(MINC)/ the Internet Society (ISOC)/ Founding member and ex-board member of the Arab Internet Names Consortium (AINC)/ Arab Society for Intellectual Property (ASIP)/ Arab Knowledge and Management Society (AKMS)/ Jordan Computer Society (JCS).
Christiane Bou Khater	Lebanon	Ph.D in Law. University of Nantes France	Executive Director/ Talal Abu Ghazaleh Legal. Kingdom of Saudi Arabia	No	Arab Society for Intellectual Property
Christos A. Theodoulou	Cyprus	Ph.D Institut Universtaire de Hautes Etudes Internationales, Geneva, Switzerland	Attorney at Law/ Managing Partner Theodoulou Larnaca Cyprus	No	ECTA
Deema Abu-Zulaikha	Jordan	LL.M In Intellectual Property, University of Jordan	Quality Control Department Manager/ Talal Abu Gazaleh Legal Amman Jordan	No	Jordanian Bar Association/ Arab Society for Intellectual Property/ Jordan intellectual property association
Debrett Gordon Lyons	Australia	LL.M In Laws, University of Technology, Sydney, Australia	Managing Partner Lyons Cartwright Intellectual Property Consultants & Trade Mark Attorneys Sydney, Australia	WIPO/ NAF/ ADNDRC	U.K. Government's Registration Practice Working Group on Design Law and Practice/ U.K. Government's Registration Practice Working Group on Trade Mark Law and Practice/ Internet Committee Laws and Practice

					Committee, (ITMA) Director and Council/ INTA Committee / ITMA Committee / ITMA Student Lecturer.
Diana Jarrar	Jordan	LL.M in Intellectual Property Law University of Jordan	Watch Service Officer / Talal Abu Ghazaleh Intellectual Property AGIP Amman, Jordan	No	Jordan Bar Association/ Arab Society for Intellectual Property
Dilek Ustun	Turkey	LL.B in Law/ University of Istanbul Turkey	Attorney at Law/ Partner of Istanbul Patent & Trademark Consultancy	WIPO/ ADNDRC	INTA/ IP Committee of TUSIAD/ Association European Trademark Owners/ Istanbul Bar Association
Dina Founes	Syria	LL.M in Multimedia & Information Technology Law, University of Robert Schuman, Strasbourg	Attorney at Law / Molinari Legal Consultancy, Dubai United Arab Emirates	WIPO	Paris Bar Association/ Chartered Institute of Arbitrators/
Eva Fiammenghi	Italy	LL.B Law degree, "La Sapienza" Rome	Attorney at Law Partner, Trade Mark Section, Law Office Fiammenghi & Fiammenghi, Rome, Italy	Wipo	European Community Trade Mark Association (ECTA)/ International Federation Counselor of Industrial Property (F.I.C.P.I.)/ Licensing Executives Society, Italia, (L.E.S.)
Feras Al Shawaf	Kingdom of Saudi Arabia	LL.M in Law Western Reserve University, USA	Attorney at Law/ Alshawaf law Firm/ Lecturer in Prince Sultan University. Riyadh	No	Saudi Arabian Bar Association/ Arbitration Committee of the GCC
Ghazi Alodat	Jordan	Ph.D in	ADR Department	No	Jordanian Bar

		Intellectual Property/ Nantes. France	Manger At Talal Abu Ghazaleh Legal. Amman, Jordan		Association/ Arab Society for Intellectual Property Law
Gustavo P. Giay	Argentina	Northwestern University in Chicago, USA	Attorney at law/ Marval, O'Farrell & Mairal	WIPO	INTA/ the Argentinean Association of Industrial Property Agents (AAPI)/ the International Association for the Protection of the Industrial Property (AIPPI)/ Licensing Executive Society (LES)
Hassan Okour	Jordan	Ph.D in Law Southern Methodist University USA	Regional Manager at Talal Abu Ghazaleh legal. Amman, Jordan	No	Jordanian Bar Association/ Licensing Executive Society
Hoda Barakat	United Arab Emirates	M.A. (Law), Clare College, University of Cambridge, UK	Managing Partner & Head of IP/IT Department at Al Tamimi & Co., Dubai, UAE	WIPO	International Bar Association (IBA)/ Institute of Trade Mark Attorneys (ITMA)/ International Trade Mark Association (INTA)/ Marques; Pharmaceutical Trade Mark Group (PTMG)/ British Business Group (BBG).
Hossam El-Saghir	Egypt	Ph.D in commercial law. University of Cairo	Professor of Commercial and Intellectual Property Laws, Helwan University/ Attorney At Law & Arbitrator/ Egypt	No	The Association for Advancement of Teaching and Research in Intellectual Property (ATRIP)/ The Egyptian Association of International Law, Cairo/ The Egyptian Society for Political Economy, Statistics, and Legislation/ Member of the Board

					of Directors of the Intellectual Property Studies Association
KEita Sato	Japan	LL.B., Law School of Chuo University, Japan	Professor of Law at Chuo University, Law School/ Japan	WIPO	International Bar Associate / American Bar Association/ Board of Directors at Japan Industrial Property Association/ Board of Directors at Japan Copyright Association/ Board of Directors at ALAI Japan Division
Khaled Rafat Ahmed	Egypt	Ph.D in law University of Paris I Pantheon-Sorbonne France	Associate Professor/ Arbitrator Egypt	No	Director of Egyptian Center for Conciliation & Arbitration
Mehdi Salmouni-Zerhouni	Morocco	LL.M in Law University of Strasburg France	Founding & Partner SALMOUNI-ZERHOUNI Morocco	No	FICPI Federation International de Propriété industrial/ INTA/ International Trademark Association
Mladen Vukmir	Croatia	LL.B in Law University of Zagreb.	Founding Partner, Legal Counseling, Patent and Trademark Agent Croatia	No	INTA/ American Bar Association
Mohamed Abdulkader Tumi	Libya	Ph.D in law. Delaware. LL.M in Law George Washington University. USA	Founding partner Altumi Law Firm Libya	No	Libyan Bar Association/ The American society of International Law. IBA Membership/ Arab Society of Intellectual Property/ Dubai Int'l Arbitration Center (DIAC)
Nasser Ali Khasawneh	Jordan	LL.M in Commercial	Founding & partner	WIPO	International Bar Association/

		Law/ University of London	Khasawneh & Associates Dubai- UAE		International Trademark Association (INTA)
Nathalie Dreyfus	France	LL.M in Law/ University Robert Schuman Strasbourg	Founding & Partner Dreyfus & associés,	WIPO/ NAF/ ADNDRC / ADR.eu	WIPO/ NAF/ CIPA/ INTA/ Association of French Trademark Patent & design/ Attorney/ CEIPANI/ APRAM/ CNPI/ AIPPI/ AACEIP/ ECTA/ AFDIT/ ISOC/ ISOC/ ICANN at Large, ACIP/ PTMG
Nicoletta Colombo	Italy	J.D. Università Statale degli Studi di Milano, Milan Italy	Lawyer and Patent & Trademark Attorney/ Studio Mariacristina Rapisardi. Italy	WIPO	Italian Bar Association/ Founder and Member, European Law Student's Association (ELSA) in Italy; Member of Lawyers' Society of ELSA (ELS)
Rashdan Al-Rashdan	Jordan	LL.M in Commercial Law, Institute of Arab Research & Studies, Cairo.	Lawyer. Jordan Office Manager and Legal Adviser at Talal Abu Ghazaleh Legal Jordan	No	Jordan Bar Association/ Arab Society for Intellectual Property/ Jordanian Arbitrators Association/ Jordanian Mediators Association
Sanna af Ursin	Finland	LL.M in Intellectual Property Law University of Helsinki Finland	IPR Lawyer, European Trademark Attorney, Partner, Berggren Oy Ab Finland	ADR.eu	INTA/ ECTA / MARQUES/ Finnish IT Law Association/ Finnish Anti-Counterfeiting Group (FACG) Association of Finnish Patent Attorneys (SPAY)
Shadi Murtada	Jordan	Ph.D in legal Informatics. University of Montpellier France	Legal Informatics Department Manager/ Talal Abu Ghazaleh Legal	No	Arab Society for Intellectual Property

			Amman, Jordan		
Syed Naqiz Shahabuddin	Malaysia	L.L.B, Australian National University, Canberra. Australia	Attorney at Law, Partner, Naqiz & Partners. Kuala Lumpur. Malaysia	WIPO/ ADNDRC	Technology Sub- Committee of the Malaysian Intellectual Property Association (MIPA)/Technology Committee and the Convenor of the ITC Sub Committee of the Malaysian International Chamber of Commerce and Industry;/ Malaysia Bar Council IT and Cyberlaws Committee/ Kuala Lumpur Bar Committee ITC Sub- Committee/Licensing Executives Society (Malaysia) (LESM).
Victoria McEvedy	United Kingdom	LL.B (Hons) University of Canterbury	Principal of McEvedy & Associates Solicitor, Barrister, Attorney-at-Law, Arbitrator and Mediator United Kingdom	WIPO/ Nominet. UK/ ADR.eu	INTA Society for Computers and the Law Intellectual Property Constituency of ICANN
Zahid Jamil	Pakistan	LL.B. (Hons) University College London. UK	Partner Jamil & Jamil Barristers-at-Law Karachi. Pakistan	No	The Hon. Society of Gray's Inn, London/ the Bar of England & Wales, U.K/ American Society of International Lawyers/ IBA / Inter- Pacific Bar Association, Tokyo/ ICC /Commission on E-Business, IT and Telecoms/ Sindh High Court Bar Association/Punjab High Court Bar Association/ Chairperson of the

					UN Global Alliance for ICT & Development Champions Group/ UN ICT Task Force's Global Forum on Internet Governance/ (ICC) National Committee on E- Business IT and Telecommunications, Pakistan (EBITT)/ AFACT Asia Pacific Council on Trade Facilitation and E- Commerce (AFACT)

Annex 2

Screening requirements for selecting Panelist

Educational and Professional qualifications:

A panelist must have a university degree, e.g. LL.M, Ph.D in Law from a reputable university, which allows him or her to be admitted with a local bar or a similar professional body of trade mark attorneys and related practice.

Position:

Attorney-at-Law, Trade Mark Attorney, University Professor, Arbitrator, Lecturer.

Languages:

English plus other languages

Area of Specialization:

Intellectual Property, Information Technology Law, Internet Law, Communication Law, Unfair Competition, Litigation.

Experience:

Several years of legal experience in areas of IT, IP, or experience with respect to domain names, or experience in litigation (as a judge or attorney), in ADR (Alternative Dispute Resolution): arbitration or mediation.

Membership in professional bodies:

Arab Society for Intellectual Property
LCIA Young International Arbitration Group
International Bar Association (IBA)
International Trademark Association (INTA);
International Association for the Protection of Industrial Property (AIPPI)
European Community Trademark Association (ECTA)
ICANN At-Large;
Association of Industrial Property Attorneys (ACPI)
Pharmaceutical Trade Mark Group (PTMG)
Institute of Trade Mark Attorneys (ITMA)
ITechLaw (International Technology Law Association)
IFCLA (International Federation of Computer Law Associations)
The Chartered Institute of Arbitrators
LICD (International League of Competition Law), etc.

Publications:

Articles in Intellectual Property and Technology Law.

Annex 3

Supplemental Rules for Uniform Domain Name Dispute Resolution Policy adopted by Arab Center for Dispute Domain Name Administrative Procedure (ACDAP)

Article -1. Definitions

- A- **The policy** means the Uniform Domain Name Dispute Resolution Policy (UDRP) approved by the Internet Corporation for Assigned Names and Numbers (ICANN) on October 24, 1999.
- B- **The rule means** the rules for the Uniform Domain Name Dispute Resolution Policy (rules of UDRP), approved on October 24, 1999.
- C- **The supplemental rule** mean these Rules which are supplemental to the rules and the policy adopted by the **Arab Center for Dispute Domain Name Administrative Procedure (ACDAP)** to assess complaints regarding domain name dispute and administer proceedings in conformity with “the rules” and where required supplement them.
- D- **The Center** means **Arab Center for Dispute Domain Name Administrative Procedure (ACDAP)** jointly established by Arab Intellectual Property Mediation and Arbitration Society (AIPMAS), Arab Society for Intellectual Property (ASIP).
- E- Any term defined in the rules shall have the same meaning in these supplemental rules.
- F- Words importing singular numbers, even including the plural converse shall also apply.
- G- Words importing the masculine gender shall include the feminine gender and the converse shall also apply.

Article -2. Scope

- A- The supplemental rules are to be read and used in connection with the Policy and the rules.
- B- The Center shall use the policy, rules and supplemental rules with any Complaint submitted to it.
- C- The Center supplemental rules may be amended by the center in its sole discretion.

Article -3. Communication

- A- All communication must be directed to the center and not to the panel.
- B- Unless otherwise agreed in writing beforehand with the center, any submission that may or is required to be made to the centre pursuant to the rules, the policy and the supplemental rules may be made:
 - I. by telecopy or facsimile, with a confirmation of transmission, or,
 - II. by postal or courier service, with postage pre- paid and return receipt requested, or
 - III. electronically by via the Internet, provided a record of its transmission is available, for any electronic communication to the Center, this mail shall be used:
info@acdap.org

Article -4. The Complaint

- A- The complaint must include all elements listed in paragraph 3 (b) of the rules.
- B- The Complaint must submit to the center three (3) hardcopies if the complainant requests a signal member panel. The complaint must submit five (5) hardcopies if the complainant requests a three member panel. The complainant may be asked to submit additional copies if the Respondent requests a three (3) member panel.
- C- In accordance with paragraph 3 (b) (xii) of the rules, the complainant must send or transmit its Complaint to the respondent under cover of Complaint Transmittal Cover Sheet posted on the Centre web site. I the same time, the complaint must be sent by mail either by fax to the Center (info@acdap.org)
- D- In accordance with Paragraph 4 (a) and 19 of the rules, the Complainant must send or transmit the complaint to the respondent (s) within three (3) calendar days following receipt of the initial fee from the complainant.
- E- Notification to the registrar and certification thereof:
 - I. The complainant must provide a copy of the complaint to the registrar(s) of the disputed domain name at the same time the complaint is sent to the center.
 - II. The Complainant must certify in the complaint that Complainant has complied with Supplemental rule 4 (E) (I).

Article -5. Formalities Compliance Review

- A- The center shall, within five (5) calendar days of receiving the Complaint, examine the complaint for compliance with the formal requirements of the policy, rules and supplemental rules and notify the complainant and Respondent of any deficiencies therein.
- B- If the complainant fails to remedy any deficiencies identified by the center within the time period provided for in paragraph 4 of the rules (5 calendar days), the center shall notify the complainant, the respondent and the concerned registrar(s) of the deemed withdrawal of the complaint.

Article -6. The Response

- A- Within twenty (20) days of the date of commencement of the administrative proceedings, the respondent shall submit a response.
- B- In accordance with paragraph 5 (b) (vii) of the rules, the respondent shall provide a copy of the response to the complainant(s).

Article -7. Appointment of case Administrators

- A- The Center shall notify the parties of the name and contact details of the Case Administrator responsible for the administration of the proceedings commenced by the complaint.
- B- The Case Administrator may provide administrative assistance to the Panel or a Panelist, but shall have no authority to decide matters of a substantive nature concerning the dispute.
- C- Communication between the panelist(s) and the parties shall be coordinate through the Case Administrator.

Article -8. Paneliste(s) appointment procedures

- A- The Center will maintain and publish a list of panelists and their qualifications to which any party will be directed on the Center website, info@acdap.org. For administrative proceedings, the Center shall appoint suitable person(s) from the list having regard to the identity of parties, the nature of dispute, the availability of a panelist and any suggestion made by the parties themselves in accordance the paragraph (6) and if appropriate.
- B- Where the complainant has initially requested a three- member Panel and no response was submitted by the respondent in accordance with

paragraph 8(2) of the supplemental rules, the complainant shall be given the option of converting the three-member panel to a single panelist within five (5) calendar days after being notified by the center. Failing this, a three-member panel shall be constituted.

- C- If a single panelist is appointed, the center shall reimburse the complainant the relevant amount paid by the complainant less the center's administrative fee in accordance with article 12 of the Supplemental Rules.
- D- Where a single Panelist is elected and response is received, the sole panelist will be highest mutually ranked panelist on the list of five (5) Panelist that will be provide to each party within three days.
- E- If a single panelist is elected and no response was received, the center shall appoint the sole panelist without regard to the five (5) panelists on the list.

Article -9.Impartiality and Independence

- A- All Center panelists will take an oath to be natural and independent.
- B- The panelist(s) shall not act as advocate for any party during the proceedings. He/They will be disqualified if circumstances exist that create a conflict of interest or cause the panelist(s) to be unfair and biased.
- C- Either Party may challenge the selection of a Panelist by filing the written request stating the circumstances and specific reasons for the disqualifications. This request must be fielded in writing with the Director of Center five (5) calendar days of the date of the notice of the selection. The center will determine whether circumstances exist requiring disqualification in accord with this rule.
- D- If panelist(s) die, are unable to act, or refuse to act before rendering a decision, the center will, upon request by either party, and appoint replacement panelist(s).

Article -10. Panel Decision

- A- panel shall make its decision in writing and shall state the reasons upon which the decision is based. The decision shall be dated and signed by the panelist(s).

- B- Either party may request from the Director of the Center to correct clerical mistakes or clerical errors in the panel's decision.

Article -11. Publication of Panel Decision

The center will publish the decision by submitting the panel's decision to the parties, ICANN and registrar as required by the rules. Unless the Panel determines otherwise, the center shall publish the full decision on the center's website.

Article -12 Fees

- A- The fee consists of an amount to be retained by the Center as an administrative fee and an amount to be paid to a Panelist:

Single Panelist:

Number of Domain Names	Fee for single Panelist	Administrative fee	Total Fees
1 to 2 Domain Names	750 US	500 US	1250 US
3 to 5 Domain Names	900 US	600 US	1500 US
6 to 9 Domain Names	1100 US	800 US	1900 US
10 to 15 Domain Names	1500 US	1100 US	2600 US
More than 16 Domain Names	1700 US	1300 US	3000 US

Three Panelists:

Number of Domain Names	Fee for Three Panelists	Administrative Fee	Total Fees
1 to 2 Domain Names	Presiding Panelist: 900 US Each Co-Panelist: 500 US	500 US	2400 US
3 to 5 Domain Names	Presiding Panelist:1100 US Each Co-Panelist: 700 US	600 US	3100 US
6 to 9 Domain Names	Presiding Panelist:1300 US Each Co-Panelist:1000 US	800 US	4100 US
10 to 15 Domain Names	Presiding Panelist:1500 US Each Co-Panelist: 1000 US	1100 US	4600US
More than 16 Domain Names	Presiding Panelist:2000 US Each Co-Panelist:1500 US	1300 US	6300 US

B- The complainant shall be responsible for paying the total fees provided that the respondent has to share the fees when the respondent chooses to have the complaint decided by three (3) panelists while the complainant has chosen a single (1) panelist.

C- Payments shall be made in one of the following forms:

- (I) Bank transfer.....
- (II) Check: Beneficiary.....
- (III)Credit card (American Express, Visa, and Master Card)

D- All bank charges transfer fees or other amounts that may be levied in connection with a payment made to the center shall be the responsibility of the party making the payment.

Article -13. Words limits

A- In accordance with paragraph 3 (b) (ix) and 5 (b) (i) of the rules, the maximum word limit shall be five thousands (5000) words.

B- In accordance with paragraph 15 (e) of the rules, there shall be no limit in regards to a panel decision.

Article -14. Exclusion of Liability

Without prejudice to any existing rule of law, panelist, the center and its staff, shall not be liable to any party, a concerned registrar or ICANN for any act or omission in connection with administrative proceeding.

Article -15. Effective Date

These supplemental rules apply to all cases filed on or after / /2008

Annex 4

Internal Operating Procedure

This document is confidential.

This is the **first draft** of our internal procedure, it will be reviewed or modified during the implementation of the UDRP project or/and during the UDRP administration.

1- Purpose

The purpose of this procedure is to set out the processes for dealing with respect to the complaint and response submitted to the center.

2- Scope

This procedure applies to all members of the center for the management of internal procedures until the final decision from the panelists with respect to the complaints and response. Otherwise, the goals are to ensure that the administrative proceedings run smoothly and expeditiously.

3- Domain Name Dispute Resolution

A Case Administrator is principally responsible for managing the case procedures, including all administrative matters relating to the dispute and communications with the panelists. The Case Administrator may provide administrative assistance to the panel:

- 1- Only the authorized administrator shall communicate by mail/fax.
- 2- The complaints or response (submitted in hardcopy or softcopy) must have all the fields in the respective form.
- 3- Any e-mail sent to the parties needs to be copied to the case file. And the e-mail communication with the parties needs to be restricted as far as possible.
- 4- In all the case, it is necessary to proceed in accordance with article 5 of the UDRP rules. If the request for extension arrives after the term lapsed, the extension cannot be granted.
- 5- Checking of complaints
 - a. Whether the complaint includes all of the items listed in paragraph 3(b) of the UDRP rules; and whether payment has been made in the correct amount. including confirming that the disputed domain name is registered with it, that it is registered by the person or entity identified as the respondent in the complaint,
 - b. Checking the respondent contact case, providing the respondent's contact details and, when necessary, the Registration Agreement and associated documents;
 - c. Notifying the complain to respondent
 - d. Sending out case-related notifications

- a. Contacting the registrars to prevent the transfer to a third party of a domain name registration after an administrative proceeding has commenced.
 - b. Verifying that the complaint contains at least some factual and legal grounds
 - c. Even the complaint was sent as a hardcopy, the complainant still needs to be notified electronically.
 - d. Verify whether the complainant indicates the mutual jurisdiction of the respondent or the respondent's registrar. If not, an objection has to be raised.
 - e. Checking whether the complaint is identical with the electronic filing
 - f. If the complainant opts for postal or fax communication as the form of communications, e-mails will be sent to complainant to advise him that he could shift to electronic communication.
- 6- If the complainant withdraws his complaint, a standard text needs to be posted to inquire whether the respondent wishes to continue the dispute. Otherwise, the dispute shall continue,
- 7- If the parties notified termination of the dispute by settlement, a standard text also needs to be posted, and the dispute will be terminated.
- 8- Appointment of the panel. The panelist always needs to be appointed in accordance with ACDAP supplemental rules. It must take in consideration:
- a. The linguistic needs; even if there are other panelists able to decide this case.
 - b. Balancing the interests of the parties regarding the composition of three panelists by selecting two panelists from the same country to the parties and the third from other country.
 - c. An internal list of panelists will be established, and ACDAP shall choose the first panelist in the list with the lowest number of appointment.
 - d. ACDAP will observe whether the panelist was involved in an arbitration case with one of the parties within the last three years. If so, ACDAP will delete his name from the list of complainant.
 - e. An e-mail will be sent to the panel before the panelist is appointed.
 - f. The case will be sent to the panel as a hardcopy, except if the panelist decides otherwise.
- 9- After the decision is rendered, the Case Administrators no longer communicate with parties.

4- Information and External Relations

- a. Managing the external relations of the center.
- b. Coordinating the relationship with ICANN registrars, registries, Advisory Board etc.
- c. Preparing the panelist meetings
- d. Co-ordination with concerned registrar (s) to verify that the name of respondent is the actual registrant of the domain name (s) in issue,
- e. Upon the termination of the administrative proceedings, the ICANN and the registrar need to be advised in the same time of the decision that will be published and implementation of the panel's decision by the registrar.
- f. Providing training and promotion of the dispute resolution system,
- g. Investigation and conducting research on the dispute resolution,
- h. Establishment of cooperative relations between domestic and foreign dispute resolution organizations.
- i. Any communication conducted by telephone must be directed to the ACDAP exchange: +962the operator will be capable of speaking English.

5- Administrative Support

A- Executive Director to the Center

- i- Supervising and managing the center and monitoring the managers of the sections of the process in order to fulfill the section action plans.
- ii- Participation in the conference
- iii- Strengthening the relationship with ICANN, registrars and registries.
- iv- Reviewing automatically generated case reports.
- v- Evaluating employees' performance according to the standards and procedures in the center.

B – Section Managers

The manager shall log in daily and shall:

- i- Assign new complaints to the Case Administrators
- ii- Place new items into dispute dockets
- iii- Add information into dispute dockets
- iv- The manager shall contact the Case Administrators if there are any discrepancies.

C – Case Administrators

- i- The Case Administrator is principally responsible for managing the case procedures, including all administrative matters, relating to the dispute and communications with the Administrative Panel.
- ii- The Case Administrator may provide administrative assistance to the panel, but has no substantive decision authority.
 - i. checking the developments in his case
 - ii. checking the payment
 - iii. the Case Administrators shall use an e-mail address in the following form: first letter of the name and the last name@acdap.org
- iii- Coordination and interaction with IT Section.
- i- The Case Administrators often have legal backgrounds and speak several languages.
- ii- They are experienced in International Dispute Resolution and domain name issues.

Please see the Domain Name Dispute Resolution.

6- Accounting & Marketing

- i- If everything is paid online, this results in an Automatic Notice of Payment
- ii- Payment checks need to be conducted without delay upon receipt of the complaint.
- iii- The accountant shall indicate the time of filing and shall add the date and time of payment check.
- iv- If the payment has not been received or has not been received in full, the accountant shall indicate the last payment date, or check whether the deadline for payment has elapsed without payment.
- v- Additional term for payment of fees shall be 5 days from date in case of complaint. In the case where the respondent files with three panelists an additional fee is effected concurrently with the filing of the response to the complaint, a delay of 5 days may be effected, otherwise, the complaint shall continue with one panelist.

7- IT Section

- I. Developing and coordinating plans and policies, resources, and mission as well as goals, vision, and expectations of the center or program and preparing and updating plans and priorities.
- II. Auditing and reviewing systems and practices to ensure compliance with procedures,
- III. Directing the process of establishing direction, goals, and policies. Meeting with the managers of the sections to determine needs and challenges.
- IV. Directing the process of conducting training need assessment and recommending training programs.
- V. Directing subordinate personnel, including hiring, determining workload and delegating assignments, training, monitoring and evaluating performance, and initiating corrective or disciplinary actions.
- VI. Making recommendations regarding administrative, organizational, and operational problems.
- VII. Reviewing, evaluating, and approving proposals for hardware or software acquisition.
- VIII. Coordinating new system development and improvements to existing systems with computer information services.
- IX. Managing Information Technology and computer systems.

Schedule I:

Introductory Case

Case Number	Domain Name	Date of Initiation Time (Amman Time)	Time of Filling	Latest Payment Date	Date of Termination Due to Non-Payment	Case Administrator

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Schedule II:

Case Number					
Case Administrator					
Time of Filing					
Communication Form					
Deadline for Complaint Check					
Deadline for Amended Complaint Check					
Deadline for Termination of Dispute due to Complaint Deficiencies					
Deadline for Response					
Deadline for Non-compliance Notification to Respondent					
Deadline for Response Check. Including Payment Check					
Deadline for Sending out Response to the Complainant					
Deadline for Sending out Panel					

Appointment					
Deadline for Panel Notification					
Deadline for Panel Confirmation					
Deadline for Notice to Complainant by (3) Members Panelists					
Deadline for Notification of Candidates by Complainant					
Deadline for Decision					
Deadline for Publication of the Decision					

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