

Leveling the playing field: Legal assistance for Domain Names users.CL

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Context (cont)

- Registration in .CL:Services contract, que obliga al titular a resolver los conflictos vía LDRP.
- On Line Arbitration System: the disputes are initiated by a revocation action(complaint).
- Clínica Jurídica: Law Schools. They have a practical learning course, “doing learning”.
- Its an opportunity of learning hands- on for law students, under and post graduated students.

On Line Arbitration System in .CL

- Starts in 1st of December, 2013.
- System use: user and password in order to access to the electronic folder.
- The arbitrator judge have a “electronic desktop” where it’s possible to manage all the disputes that has been assigned.
- Arbitration fees are payed only by the complainant, flat fee USD 1.000.

Statistics

- Disputes System:
 - The judgements are public.
 - Public statistics by arbitrator
 - Public info about the “tendence”: % final users vs. complainant
 - <http://www.nic.cl/rcal/fallos.do>

LDRP on line behavior:

Complainant no deposit the fee : 44%

Complainant wins with judgement: 37,18%

Final user wins with judgement: 18,83%

Legal Clinic Pilot Project

- Diminish the feeling helplessness in the end users community of .CL domain names..
- End users in good faith
- Free payed counseling? How?
- Contact to Law Schools in Chile
- Generate academic interest (value) to got this knowledge with this clinical experience.
- Pilot plan: Invitation to 5 Chilean Law Schools, Legal Clinics.

Legal Clinic Pilot Project (cont)

- We start with 10 random invitations to end users, in a domain name dispute. First by hand, now automatized, by email, to all of domain name holders in conflict.
- System requirements needed to be done:
 - New rol in the on line arbitration system (lecturer).
 - Automatic invitation system.

• State of art: 3 Chilean Law Schools, outside of Santiago, UCN, Finnis Terrae and UCSC

What we need to be done

- More Legal Clinics participating, to finish the Pilot and could offer the service in regular bases.
- The end user has to have more that 3 Law Schools to choose.
- To publish the info about this legal help to end users in the www.nic.cl
- To publish the agreement in order to have more Universities working with us.

Challenge: start with LAC Region

- LACTLD: Latin American and Caribbean ccTLDs Organization.
- 26 associates
- Dispute Resolution Systems:
 - UDRP: 17
 - LDRP: 3
- Providers: OMPI, Amcham (.sv), Dinapi (.py), Cam Nac Com (.uy), NIC .ar (adm) CRC (.cl)

Challenge: start with LAC Region

- How to approach the end users to the Legal Clinics Law Schools (?)
- How to motivate Law Schools to learn this “different” litigation procedure.
- Training: OMPI Summer School, in different countries, in joint with the Trade Mark authority (?)

- Law schools. Pro Bono Legal offices
- Training with ICANN help (?)

