Serbian Experience in Domain Name Dispute Resolution

Prof. Dušan Popović, Ph.D
Associate Professor, University of Belgrade Faculty of Law
President, Serbian Domain Name Dispute Resolution Body
Member, ICANN Intellectual Property Constituency
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2007: Arbitration rules on domain name disputes

2011: Rules on national domain name dispute resolution

2012, 2014: Amendments

National rules modeled upon UDRP: same substantive rules, different (but similar) procedural rules
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Serbian Domain Name Dispute Resolution Body
(Komisija za rešavanje sporova povodom registracije naziva nacionalnih internet domena):

- independent institution
- technical assistance provided by the Serbian Chamber of Commerce
- list of panelists adopted by the Chamber of Commerce upon proposal from the Serbian Domain Name Registry (RNIDS)
- 3 member panels
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A panel may order the transfer or termination of a domain name registration if:

• a domain name is identical or confusingly similar to a trademark in which the complainant has rights; and

• a registrant has no rights or legitimate interests in respect of the domain name; and

• a domain name has been registered and is being used in bad faith.
An overview of procedural rules:

- parties need not be represented by an attorney
- written submissions as a rule; oral hearings as an exception
- communication between parties and panel almost exclusively by electronic means
- fees vary between 670 and 1800 EUR depending on the number of domain names involved
- decision is adopted within 60 days from the appointment of panelists
- panel decision is definitive; no appeal
- up to 10 cases per year.
Thank you for your attention!

Хвала Вам на пажњи!

dusan.popovic@ius.bg.ac.rs