



SINGAPORE MEDIATION CENTRE

**SINGAPORE, 6 NOVEMBER 2001
FOR IMMEDIATE RELEASE**

**NEW FRAMEWORK TO RESOLVE INTERNET DOMAIN NAME DISPUTES
- A Faster and Cost Effective Procedure Compared to Litigation**

1 With pervasive Internet usage and rapid adoption of infocomm technologies among businesses, disputes over domain names and trademarks may arise. To address this, the Singapore Domain Name Dispute Resolution Policy (SDRP)¹ was launched today by the Singapore Network Information Centre Pte Ltd (SGNIC), in association with the Singapore Mediation Centre (SMC), the Singapore International Arbitration Centre (SIAC) and the Singapore Institute of Arbitrators (SIArb)².

2 The SDRP establishes a framework³ for resolving “.sg” domain name disputes between a “.sg” domain name registrant and any party other than SGNIC. The framework is based on the Internet Corporation for Assigned Names and Numbers (ICANN) Uniform Domain Name Dispute Resolution Policy, and is consistent with the World Intellectual Property Organisation (WIPO) guidelines on “country code Top Level Domains (ccTLDs) Best Practices for the Prevention and Resolution of Intellectual Property Disputes”. The framework will provide a faster and cost effective method of resolving “.sg” domain name disputes compared to litigation in the courts. With the SDRP in place, “.sg” domain name disputes can be resolved in about 30 working days at a cost of as little as S\$2,750 (inclusive of goods and services tax).

Dispute Resolution Procedure

3 Under the framework, the dispute resolution service will be provided by a Secretariat jointly established by the SMC and SIAC. The Secretariat will appoint an administrative panel for the dispute to be resolved through an administrative proceeding. If the parties agree to resolve the dispute by mediation, the administrative panel will facilitate discussions between the parties to help them resolve the dispute amicably. If either party does not agree to mediation, or if the parties are unable to resolve the dispute amicably through mediation, an administrative panel will decide the dispute.

4 A party who disputes a “.sg” domain name registration (i.e. the complainant) can initiate the dispute resolution process if the following requirements are satisfied:

- the “.sg” domain name is identical or confusingly similar to a name, trademark or service mark in which the complainant has rights;
- the registrant has no rights or legitimate interests in respect of the domain name; and
- the domain name has been registered or is being used in bad faith.

The process is initiated by sending a complaint in the manner prescribed by the SDRP to the Secretariat. (Refer to Annex 2 of the Consultation Paper on Rules for SDRP under paragraph 2 on SGNIC website, www.nic.net.sg)

Administrative Proceeding

5 The administrative proceeding will be conducted before a single or three-member administrative panel appointed by the Secretariat. The Secretariat will appoint a single-member administrative panel unless either the complainant or registrant requests for the appointment of a three-member administrative panel. Where the complainant requests for a single-member administrative panel, but the registrant requests for a three-member administrative panel, the fees will be borne equally by the complainant and the registrant. In all other situations, the fees will be borne solely by the complainant. (See Annex 1 for the schedule of fees.)

6 The decision of the administrative panel will be implemented by SGNIC, unless a party is dissatisfied with the panel's decision and applies to the court for the dispute to be decided by the court. The court application must be made within 10 working days from the date when SGNIC is informed of the administrative panel's decision.

7 The framework of the SDRP will be implemented on 15 November 2001 for new ".sg" domain name registrants and 1 January 2002 for existing⁴ ".sg" domain name registrants. SGNIC will inform existing ".sg" domain name registrants of the new framework via mail from today onwards. The existing domain name registration agreement will be amended to incorporate the dispute resolution policy.

8 The SDRP Secretariat can be contacted at Tel: (65) 332-4366, Fax: (65) 334-4940, and Email: sgdisputes@disputemanager.com.sg from 15 November 2001 onwards. More information on the SDRP is posted on the SGNIC website (www.nic.net.sg).

Notes to Editor:

¹ The plans to introduce the policy were announced by Chief Justice Yong Pung How at Arbitration Asia 21, held in November 2000.

² The Institute will be organizing a training programme on the Singapore Domain Name Dispute Resolution Policy on 21 November 2001 from 9am to 5pm at the Shangri-La Hotel. The objectives of the training programme are two-fold: to familiarise the public and users of the domain name system with the SDRP, and to provide training to members of the administrative panel appointed by the joint secretariat of the SIAC-SMC. The trainers for this course will include a representative from the World Intellectual Property Organisation.

³ SGNIC issued an industry consultation paper on 20 July 2001 to seek industry feedback on the proposed framework for resolving disputes over Internet domain name registered under ".sg". For further details, visit www.nic.net.sg.

⁴ According to the existing ".sg" domain name registration agreement, existing ".sg" domain name registrants will be given at least 30 days' notice of the new framework prior to implementation.

JOINT PRESS RELEASE ISSUED BY:

SINGAPORE NETWORK INFORMATION CENTRE PTE LTD, SINGAPORE MEDIATION CENTRE, SINGAPORE INTERNATIONAL ARBITRATION CENTRE AND SINGAPORE INSTITUTE OF ARBITRATORS.

About Singapore Network Information Centre (SGNIC)

The Singapore Network Information Centre (SGNIC) is a fully owned subsidiary of the Infocomm Development Authority of Singapore. SGNIC was set up in October 1995 with the main purpose of administering the Internet domain name space in Singapore. It is the central registry delegated by the Internet Corporation for Assigned Names and Numbers (ICANN) to administer third-level domain name registration under the .sg domain name. SGNIC collaborates with the international, regional and local Internet communities to ensure a stabilised and efficient operation of the .sg domain name space in support of applications provided over the Internet.

About Singapore Mediation Centre (SMC)

The Singapore Mediation Centre (SMC) is a fully owned subsidiary of the Singapore Academy of Law. SMC was established in 1997 to provide commercial mediation services. Its functions now include:

1. the provision of mediation and other alternative dispute resolution (ADR) services;
2. the provision of training in negotiation, mediation and conflict resolution skills;
3. the provision of consultancy services for dispute avoidance, dispute management and ADR mechanisms; and
4. the provision of facilities for negotiation, mediation and other forms of ADR.

SMC is operated as a non-profit organisation and receives part of its funding from the Government of Singapore through the Ministry of Law.

About Singapore International Arbitration Centre (SIAC)

The Singapore International Arbitration Centre (“SIAC”) is a fully owned subsidiary of the Singapore Academy of Law. Established in 1991, SIAC promotes and facilitates the settlement of disputes by arbitration in Singapore. SIAC operates as a nonprofit organization offering the following facilities and services:

1. Administration of domestic and international arbitration cases.
2. Comprehensive and convenient sets of rules of procedure for the conduct of domestic and international arbitration - the SIAC Rules 1997 and the SIAC Domestic Arbitration Rules 2001. The SIAC Rules 1997 are largely modelled on the UNCITRAL Arbitration Rules that are widely adopted and accepted internationally. The Domestic Rules were drafted anew and recently launched by the Chief Justice in May 2001.
3. Well-equipped hearing rooms and a full range of ancillary services (transcription, interpretation, recording, video conferencing etc.) for the efficient conduct of arbitration.
4. Local and international panels of accredited arbitrators in the fields of shipping, insurance, international trade and joint venture, construction and engineering from which parties may appoint as arbitrator or arbitrators for their disputes.

About Singapore Institute of Arbitrators (SIArb)

The Singapore Institute of Arbitrators was established in 1981. It currently has about 400 members, with three main grades of membership - Associate, Member and Fellow.

The key objectives of the Institute are:

1. to train its members in the law and practice of arbitration and other methods of dispute resolution
2. to promote the use of arbitration and
3. to maintain and improve the standards of professionalism amongst arbitrators.

The SI Arb provides various training courses for its members as well as the public on a regular basis. These include training courses like the International Entry Course and the Special Fellowship Course both of which have been held jointly with the UK Chartered Institute of Arbitrators. Admission as Members and Fellows of the Institute is dependent on candidates taking these respective courses, and passing a written examination. In addition, the Institute holds educational courses and talks on arbitration for other professional institutions. The Institute has trained more than 500 persons since the commencement of these courses.

The Institute has also formed specialist arbitration groups - the Construction Arbitration Group, the Maritime Arbitration Group and the Intellectual Property/Information Technology Arbitration Group - to cater to the specialised nature of arbitrations in these sectors of industry.

Many of the members of the Institute are well known arbitrators and have been appointed to various arbitration panels including the panel of the Singapore International Arbitration Centre.

For media clarification, please contact

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Annex 1: Schedule of Fees

The following schedule of fees applies to all domain name administrative proceedings under the Singapore Domain Name Dispute Resolution Policy.

Single Panellist	
Number of domain names included in the Complaint	Fee (in Singapore dollars)
1 to 5	2,750
6 to 10	3,500
11 to 15	4,250
More than 15	To be decided in consultation with the Secretariat

Three Panellists	
Number of domain names included in the Complaint	Fee (in Singapore dollars)
1 to 5	5,500
6 to 10	7,000
11 to 15	8,500
More than 15	To be decided in consultation with the Secretariat

- 1 The fee covers the sums payable to the Secretariat and the Panellist(s) for their services, and is inclusive of goods and services tax.
- 2 In the event of a withdrawal of a complaint in accordance with Paragraph 4 of the Rules and Paragraph 5(b) of the Supplemental Rules, or the termination of an administrative proceeding prior to the appointment of an Administrative Panel, the Secretariat shall be entitled to retain an administrative fee of S\$1,000 (inclusive of goods and services tax).
- 3 In the event an administrative proceeding is terminated after the appointment of an Administrative Panel, the Secretariat shall be entitled to retain an administrative fee of S\$1,000 (inclusive of goods and services tax) and shall determine, in its sole discretion, whether, (and if so, how much of) the balance of the fees paid should be refunded. Generally, no fees will be refunded once the file has been forwarded to the Panel in accordance with Paragraph 9 of the Rules.