



# WIPO Conference: 10 Years UDRP – What's Next?

October 12, 2009

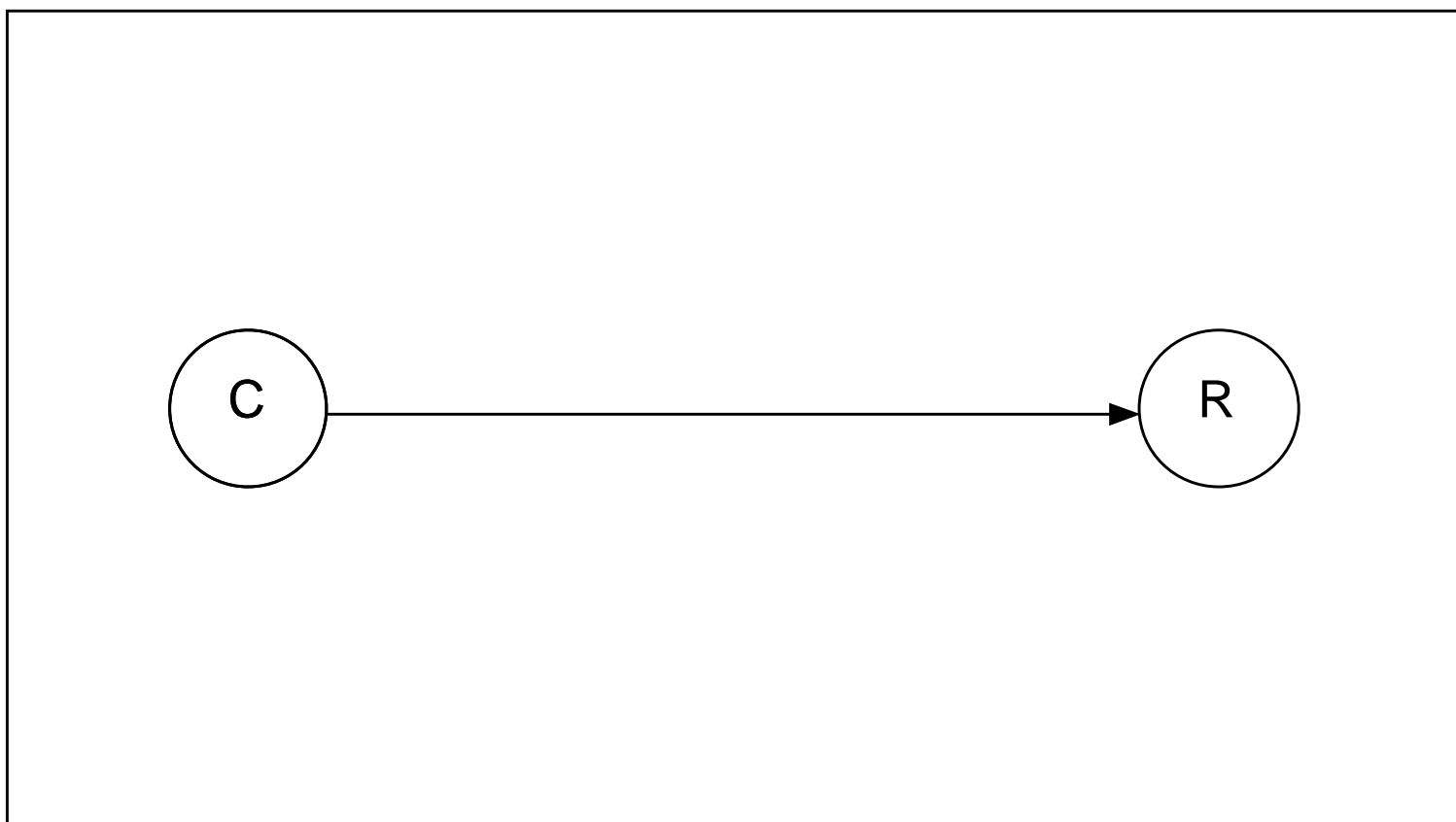
**Theme 1.2: Key Issues for WIPO Panelists – Forks in the Road –  
Reflections on the UDRP and Beyond**

**Consolidation Principles**

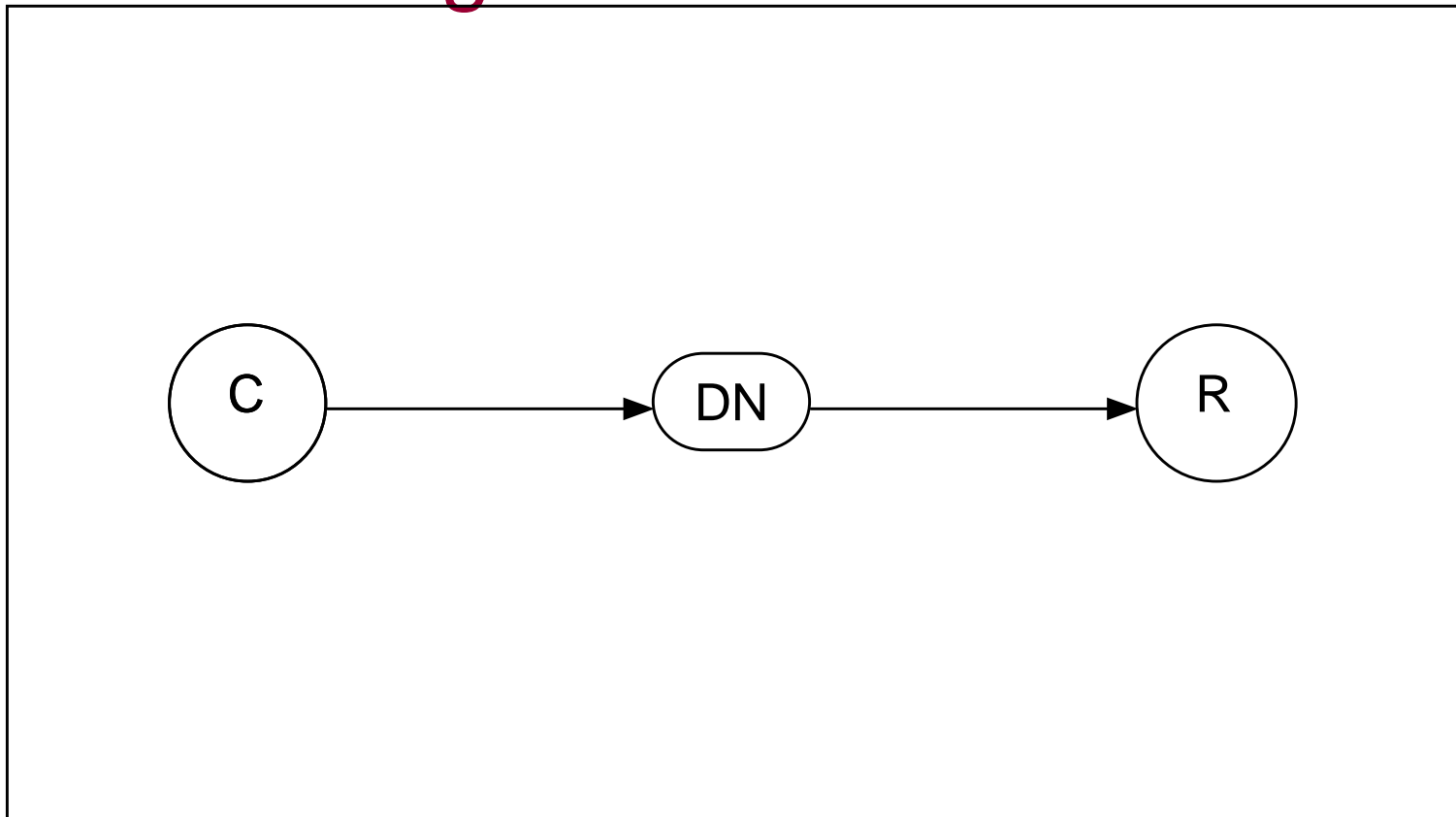
Andrew Christie  
University of Melbourne  
Victoria, Australia



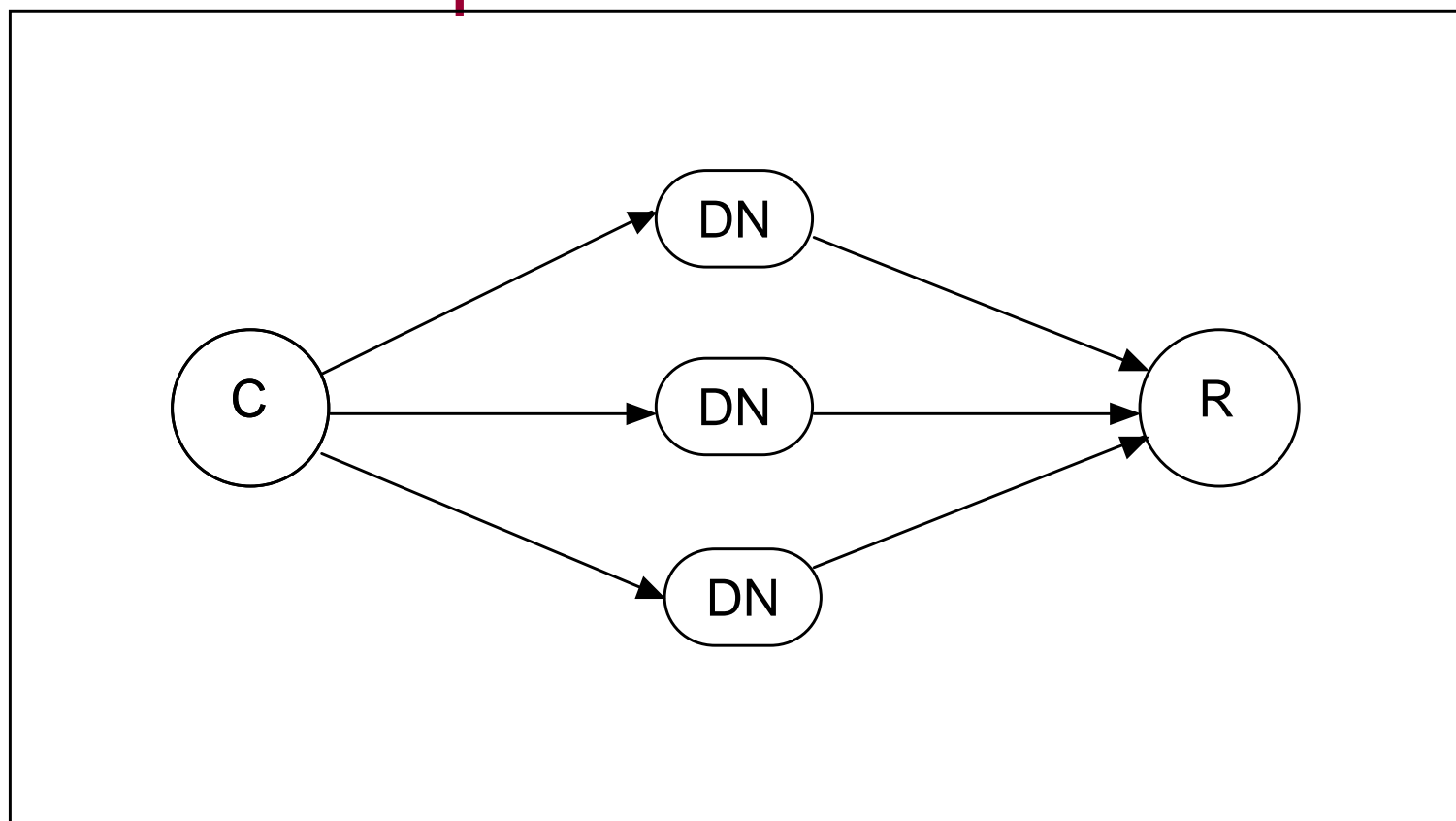
# Single Complainant



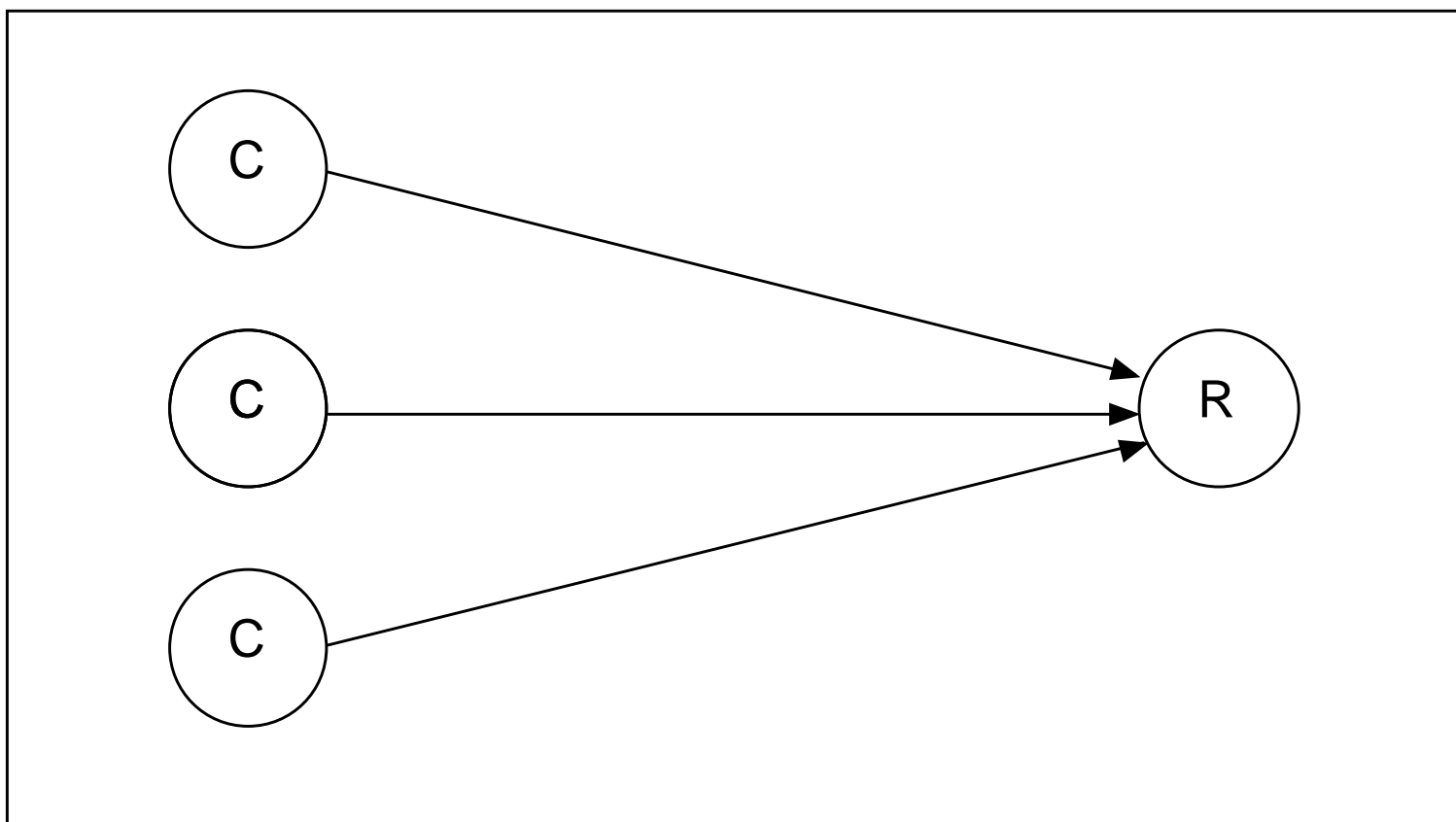
# Single Complainant: Single Domain Name



# Single Complainant: Multiple Domain Names



# Multiple Complainants?



# WIPO DAU2008-0021

## <13cars.com.au>

- **Facts**

- ▶ 9 Complainants
  - ▶ not related, ownership-wise
- ▶ 66 domain names
  - ▶ common feature: phonewords
- ▶ 1 Respondent
  - ▶ registered domain names at different times, over a 2-year period

# WIPO DAU2008-0021

## <13cars.com.au>

- **Decision**

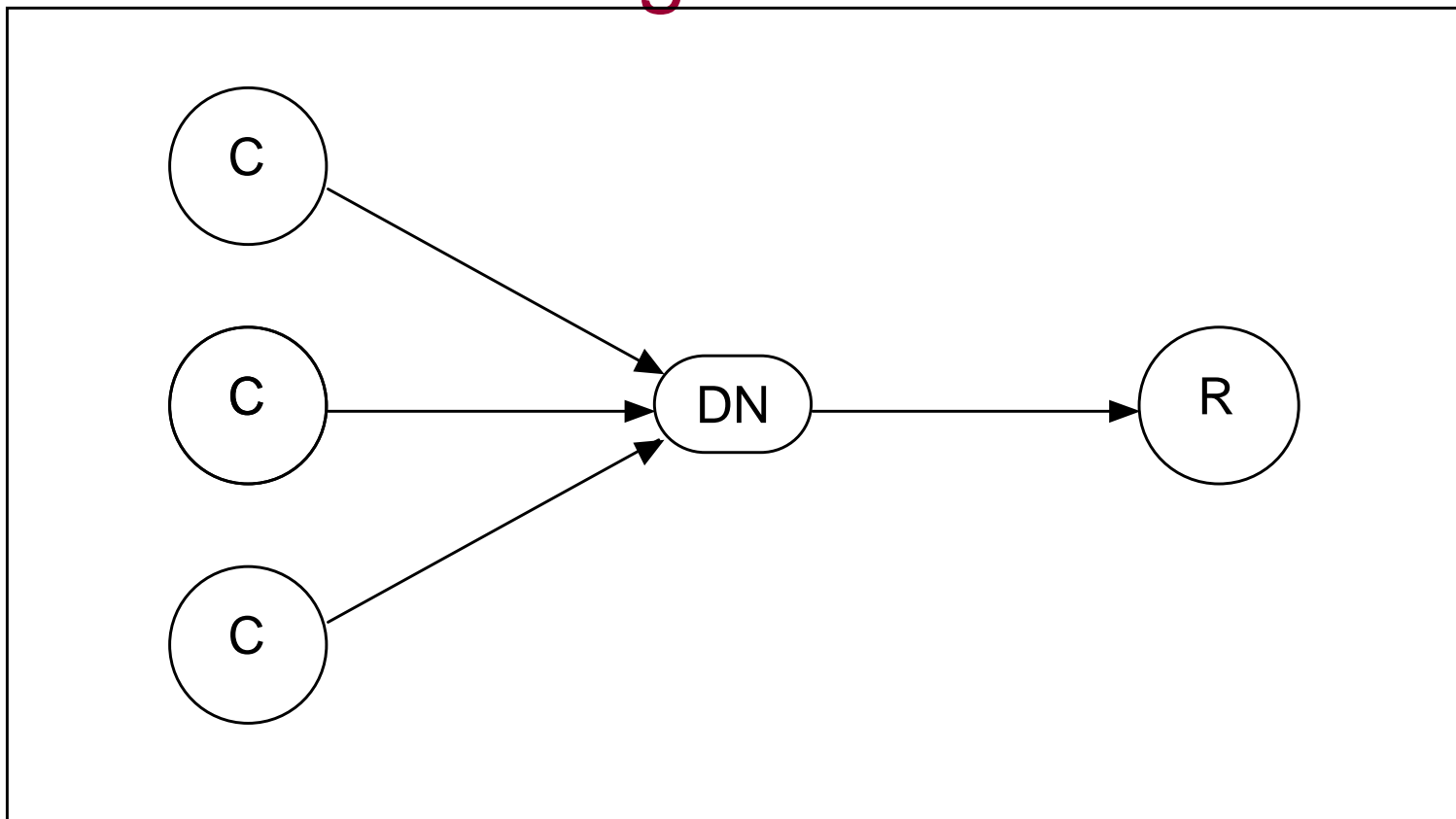
- ▶ may have multiple Cs to a Complaint, but only where:
  - ▶ Cs have **common grievance** against R, and
  - ▶ it is **equitable and procedurally efficient** to permit Cs to consolidate their complaints against R

## Common Grievance

- **Cs will have a common grievance against R where:**
  - ▶ Cs have a **common legal interest** in TM or
  - ▶ Cs are the **target of common conduct** by R



# Multiple Complainants: Common Legal Interest in TM



# Multiple Complainants: Target of Common Conduct

