

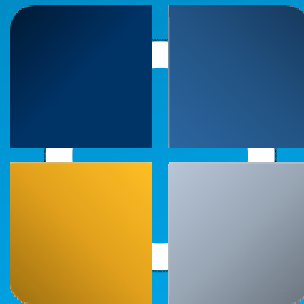
Online Dispute Resolution and the UDRP: The eBay/PayPal Perspective

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10 Years UDRP – What's Next?

WIPO - Geneva October 12, 2009



eBay's role is unique

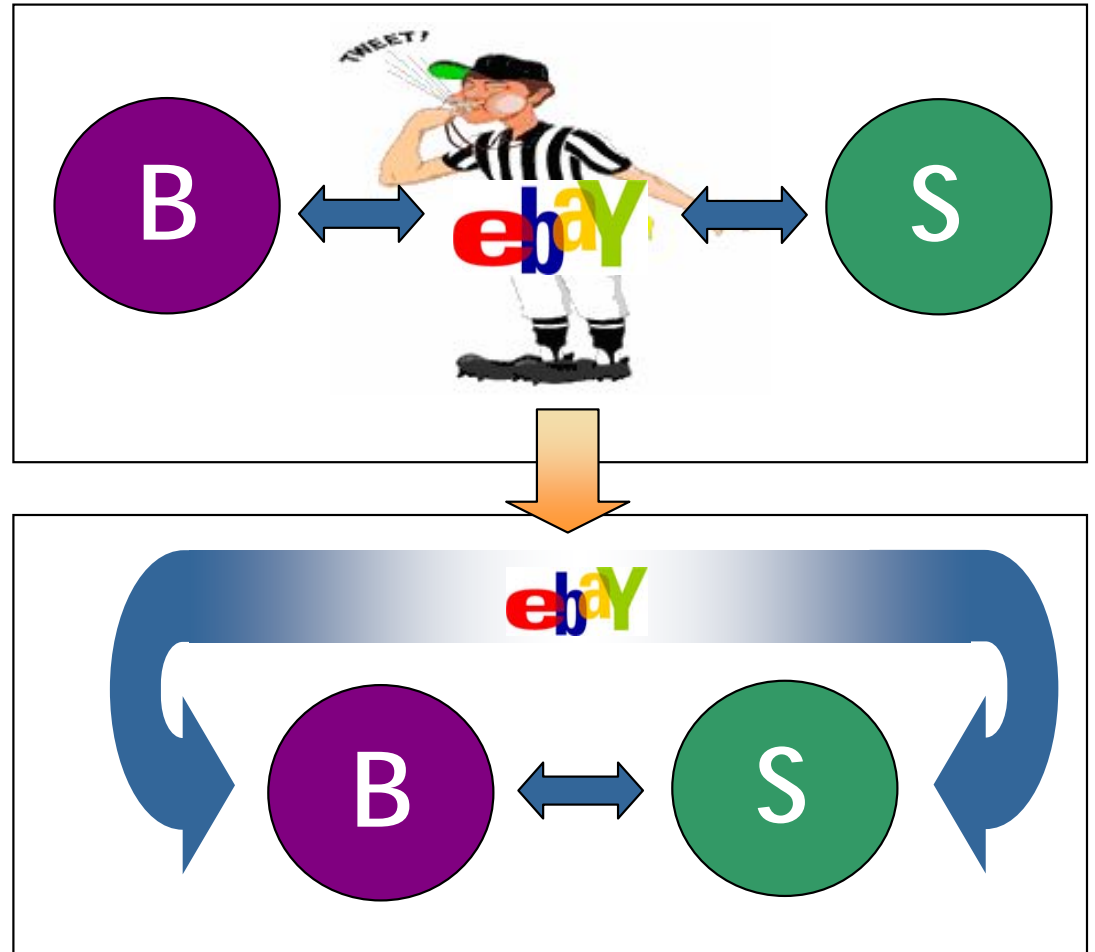
eBay sells nothing

eBay buys nothing

eBay holds no inventory

eBay has no product,
other than the website

eBay's job is to ensure that the marketplace continues
to run smoothly – as such, eBay is a third party convenor



eBay Resolution Center



Hi, cps_training_bidder85! (Sign out)

[Buy](#) [Sell](#) [My eBay](#) [Community](#) [Help](#)

[Site Map](#)

All Categories [Advanced Search](#)

[Categories](#) [Motors](#) [Stores](#) [Daily Deal](#)

[Home](#) > [Resolution Center](#)

Resolution Center

Resolve a problem

We always encourage our members to communicate with each other when there's a problem with a transaction. If you've already attempted to contact the member but were unable to resolve the problem, you can open a case.

To start the resolution process, please tell us what your problem is:

I bought an item.

- I haven't received it yet.
- I received an item that does not match the seller's description.

I sold an item.

- I haven't received my payment yet.
- I want to cancel a transaction.

| [My problem is not listed here](#)

Help

- [What to do when a buyer doesn't pay](#)
- [Canceling a transaction](#)
- [What to do when you don't receive your item or it's not as described](#)
- [Resolving buying problems](#)
- [Resolving selling problems](#)

Your cases (1 cases over the last 18 months)

1 case is still open

1 case awaits other members' responses

0 cases have been closed

View

Item	Problem	Case opened on	Trading Partner	Status	
Open cases					
CPS Training Item (230001254289)	You haven't received this item yet.	Sep 10, 2009	cps_training_seller85	Awaiting seller's action.	See case details

Page 1 of 1

Resolution Center on PayPal



My Account | Send Money | Request Money | Merchant Services | Auction Tools | Products & Services

Overview | Add Funds | Withdraw | History | **Resolution Center** | Profile

Resolution Center

Report a problem

- › Didn't receive your item?
- › Received the wrong item?
- › Don't recognize a payment?

[Dispute a Transaction](#)

Tips for buyers

- [PayPal can help you resolve problem transactions](#)
- [Tutorial: How to dispute a transaction](#)

Tips for sellers

- [Communicating with your buyer](#)
- [Understanding chargebacks](#)
- [Tutorial: How to respond to a transaction problem](#)

Resolution Center cases

View: ▼

Date	Case	Type	Other party	Details	Updated	Status	Action
- You don't have any open cases -							

IP on eBay: The VERO Program

The screenshot shows the eBay website's help section for the Verified Rights Owner (VeRO) program. At the top, the eBay logo is on the left, and navigation links for 'Buy', 'Sell', 'My eBay', 'Community', and 'Help' are on the right. A search bar is also present. Below the navigation, there are links for 'Categories', 'Motors', 'Stores', and 'Daily Deal'. The breadcrumb trail reads: 'Home > Help > Membership & account > Rules & policies > How eBay protects intellectual property (VeRO)'. The main heading is 'Help'. On the left, there is a 'Browse help' sidebar with categories like 'Searching & researching', 'Bidding & buying', 'Selling & seller fees', 'Payment & shipping', 'Feedback', and 'Membership & account'. The 'Membership & account' category is expanded, showing links for 'Getting started on eBay', 'Registration & signing in', 'Managing your account', 'Sharing with eBay members', 'Protecting your account', and 'Rules & policies'. The main content area is titled 'How eBay Protects Intellectual Property (VeRO)'. It contains a search bar for help pages, a paragraph explaining eBay's commitment to protecting intellectual property rights, a link to report listing issues, a list of guidelines to avoid infringing listings, and a section for listings removed through VeRO. On the right, there are three boxes: 'Contact us', 'Ask eBay members', and 'Related help topics'.

ebay® Welcome! Sign in or register. Site Map

Categories ▾ Motors Stores Daily Deal eBay Security & Resolution Center

Home > Help > Membership & account > Rules & policies > How eBay protects intellectual property (VeRO)

Help

Browse help

- ▶ Searching & researching
- ▶ Bidding & buying
- ▶ Selling & seller fees
- ▶ Payment & shipping
- ▶ Feedback
- ▼ Membership & account
 - Getting started on eBay
 - Registration & signing in
 - Managing your account
 - Sharing with eBay members
 - Protecting your account
 - Rules & policies

eBay glossary
eBay acronyms
A-Z index

Search the help pages
(Does not search for items or products)

 [Tips](#)

How eBay Protects Intellectual Property (VeRO)

eBay is committed to protecting the intellectual property rights of third parties and to providing its users with a safe place to trade. eBay created the Verified Rights Owner (VeRO) Program so that intellectual property owners could easily report listings that infringe their rights. It is in eBay's interest to ensure that infringing items are removed from the site, as they erode buyer and seller trust.

If you are a Verified Rights Owner and want to report a listing issue, see [Reporting Intellectual Property Infringements](#).

To avoid creating listings that would infringe on intellectual property rights:

- Take eBay's [tutorial on Intellectual Property Policies and VeRO](#).
- Read eBay's [Guidelines for Creating Legally Compliant Listings](#).
- Review list of [VeRO Program Participant About Me pages](#). Many VeRO Program participants have created an About Me page that contains information about their policies protecting their intellectual property rights.
- Do not use another member's pictures or descriptions without their permission. For more information, see [Item Description and Picture Theft](#).

Listings removed through VeRO

If your listing was removed through VeRO, and you believe that your listing was removed in error, eBay suggests that you first try to contact the rights owner directly. (The email notifying you that your listing had been removed should have included the rights owner's email address.) Only the rights owner

Contact us

Have a question? We can help.

Ask eBay members

Get help from other eBay members. Visit the [Answer Center](#) to post a question.

Related help topics

- [Why eBay May Remove Your Listing](#)
- [Prohibited, Questionable, and Infringing Items](#)
- [Marketplace Policy Tutorial](#)

eBay's Version of the UDRP: IFR

The screenshot shows the eBay Motors website interface. At the top left is the eBay Motors logo with the text "Hello! Sign in or register." to its right. In the top right corner, there are navigation links for "Buy", "Sell", "My eBay", "Research", and "Help". Below the logo, there is a search bar with a dropdown menu set to "All of eBay Motors" and a "Search" button. A secondary search option "Advanced Search" is also visible. A horizontal menu below the search bar lists categories: "Cars & Trucks", "Parts & Accessories", "Motorcycles", "Powersports", "Boats", and "Other Vehicles". The breadcrumb trail reads "eBay Motors > Buy > Independent Feedback Review". The main heading is "Independent Feedback Review". Underneath, there is an "Overview" section with a paragraph explaining the IFR process. This is followed by a "Review Process" section containing a numbered list of six steps. Below the list is a "Feedback Review" section featuring the NetNeutrals.com logo and a paragraph of text describing the service.

Buy Sell My eBay Research Help

ebay Motors Hello! Sign in or register. eBay Home Site Map

All of eBay Motors Search Advanced Search

Cars & Trucks Parts & Accessories Motorcycles Powersports Boats Other Vehicles

eBay Motors > Buy > Independent Feedback Review

Independent Feedback Review

Overview

Independent Feedback Review allows members to ask an independent reviewer to evaluate a feedback comment left for an eBay Motors vehicle transaction, to determine if the feedback rating qualifies for withdrawal. The reviewer will use evidence provided by the buyer and seller in the transaction, the feedback comments left, and eBay's feedback review guidelines to make a determination.

Review Process


The process to have a comment reviewed by an independent feedback reviewer is outlined below:

1. Choose a feedback review provider.
2. Follow the instructions on the reviewer's website and pay the upfront fee.
3. The feedback review provider will then contact the member who left the feedback comment, to give him/her a chance to respond.
4. If the feedback review provider feels there is not enough information to make a decision, he or she can ask either party for additional information.
5. When a determination has been made, an email will be sent to both the buyer and seller with the outcome. eBay will also be notified of the reviewer's determination.
6. If the independent feedback reviewer recommends that feedback ratings be withdrawn, please allow two weeks for the changes to occur on your member profile.

To begin the review process, choose one of the feedback review companies below.

Feedback Review

NetNeutrals.com

 NetNeutrals.com is a service provided by DeMars & Associates, one of the premiere automotive dispute resolution service providers in the United States. NetNeutrals offers a free direct negotiation forum as well as a panel of trained neutrals with extensive automotive service experience to help you resolve your disputes so you can get back to business. [File a dispute with NetNeutrals.com](#)

[LOG IN](#)

NETNEUTRALS.COM

An Innovative Approach to Dispute Resolution

NetNeutrals.com is an Online Dispute Resolution (ODR) program, an innovative way to manage disputes or disagreements online.

NetNeutrals.com helps consumers and businesses quickly resolve disputes with its simple three step process and convenient online forum. A trained, neutral third party decision maker reviews comments from the involved parties and applies standard guidelines to make a determination. NetNeutrals.com emails the decision directly to you.

Consider some advantages of NetNeutrals.com

Fairness

NetNeutrals.com reviews both sides of the story before making a decision. You can be sure that you're being heard.

Professionalism

NetNeutrals.com's Independent Reviewers are selected from a pool of trained, experienced decision makers located throughout the United States. The reviewers carefully consider all the information submitted and use standard criteria to provide the basis for each decision.

Convenience

Because NetNeutrals.com is done completely online, you can manage your claim anywhere and any time. Whether you're at work or at home, with NetNeutrals.com you can participate at your convenience 24 hours a day.

Fast Results

Some dispute resolution processes take months to complete and court proceedings drag on for years. NetNeutrals.com offers a speedy alternative so you can move forward.

IFR Removal Criteria

Ratings will be withdrawn if the independent feedback review determines that the member who seeks a rating withdrawal has clearly and convincingly established one or more of the following:

- Did the member leaving the feedback not demonstrate a good faith effort to complete the transaction?
- Was the feedback not submitted in a reasonable timeframe?
- Is there evidence that suggests the transaction-related information contained in the feedback comment is factually inaccurate?
- Did the member leaving the feedback make an attempt to extract excessive value from the other party?



LOG OUT

Item Number:
4551000613**Claimant:**
neutral055**Respondent:**
neutral056[How do I add comments?](#)[What are some of the resolution options?](#)[How do I agree to withdraw the feedback?](#)[How do I start Mediation?](#)[How do I request an Independent Feedback Review?](#)

INVITE A NEUTRAL

To complete the request to invite a Neutral, click on the PayPal link below to submit the fee for the Neutral's services. Once the payment has cleared, a Neutral will join the Forum.



The Neutral will join the discussion within 24 hours of confirmation of payment through PayPal.

The Neutral will first serve as a Mediator, and can then serve as an Independent Reviewer if an agreement cannot be reached. Your payment covers the cost of the Neutral's services, including mediation and independent feedback review if needed.

In Mediation, the Neutral will work with you and the other party to try to help you come to a settlement. If a settlement is reached, the Neutral will complete a Mediated Agreement for the parties.

If you are unable to reach a satisfactory resolution, the Neutral can complete an Independent Feedback Review to determine whether the feedback left meets eBay's Guidelines for Feedback Withdrawal. The Neutral will post a decision indicating whether the feedback does or does not meet the guidelines and provides a brief basis for the decision. Either way, your case will be resolved.

Thank you for using NetNeutrals.com.



CASE RECORD

HOME ABOUT US FAQ'S RULES BIOS CONTACT

PREPARING YOUR CASE

THREE STEP PROCESS



STEP #1 CLAIMANT'S COMMENTS



STEP #2 RESPONDENT'S COMMENTS



STEP #3 INDEPENDENT REVIEW

WORKING WITH



CASE RESOLVED

Here's the feedback that is being disputed:

went to pick up car, not as described (RUST BUCKET) WASTE OF TIME

The following text contains the comments that the claimant made regarding the feedback that was submitted on eBay the your transaction.


"Hello, The merdock75 won no reserve auction on 2000 Nissan Extera. I made several phone calls and sent many emails, but he never respond to anything. I advertise vehicle the way it is, he asked me a question about something and he knew what his doing when he placed a bid on this item. I waited for long time, then I dispute sellers fees and I did gave him negative feedback because he does deserve's one. Next morning I woke up and see that he gave me negative saying my SUV is rusty. He is in Alab" [...more](#)

The following text contains the comments that the respondent made regarding the review that was left on eBay from the transaction.

"THIS GUY IS SUCH A LIAR I WENT TO SEE THE VEHICLE IN NEW JERSEY IT COST ME 350.00 TO GET

CASE NUMBER 1000165
CLAIMANT elite_auto_group
RESPONDENT merdock75
ITEM NUMBER 4528740710

The Community Court

Sign inBuy Sell My eBay Community HelpCommunity Court Help


Search Advanced Search

Categories Motors Express Stores

Home > Community Court

Community Court - keeping feedback fair

eBay's Community Court lets you appeal against any unfair negative feedback you've received.



The diagram illustrates the four-step process of the Community Court. Step 1: 'Start appeal' shows a seller with a sad face and a feedback card that says 'Braccae tuae aperiantur' with a red minus sign. Step 2: 'Collect views' shows a seller and a buyer with speech bubbles labeled 'Seller' and 'Buyer'. Step 3: 'Jury voting' shows a pyramid of 100 small person icons. Step 4: 'Final decision' shows a ballot box with a plus sign and a minus sign being inserted. Blue arrows connect the steps from left to right.

Start appeal
Write a statement about why you think the negative feedback you've received is unfair.

Collect views
The person who left you feedback is asked to justify their comments.

Jury voting
A group of 100 eBay members vote on whether your feedback should be removed or not.

Final decision
If they vote in your favour, eBay will remove the feedback from your account.

Find out more

How does Community Court work?

Community Court is powered by the eBay Community. Ordinary members of eBay make decisions about whether feedback is fair.

Who is on the jury?

The jury are all experienced members of eBay who are capable of judging the fairness of the feedback. We have set minimum criteria to join the jury.

[Answers to more questions](#)

Sign in to use Community Court

You need to sign in to appeal against feedback or to defend feedback that you have left. Click on the "Sign in" link at the top of this page using your ebay username and password.

Click on Sign in as juror link to sign in as a juror and vote on a case.

Conclusions

- ODR is the future
- Fundamentally it's about justice
- Customers must be able to define us
- We need to embrace the advances of technology and break out of our old models
- Prices per case have to come down

This is the evolution of the ADR field

- ADR is encountering serious challenges
- ODR may be the future of all dispute resolution

Resources

The National Center for Technology and Dispute Resolution: <http://odr.info>

The UN Working Group on ODR:
<http://disputes.run-image.co.il>

The ODR International Workshop series:
<http://odrworkshop.info>

ADR Cyberweek:
<http://www.odr.info/cyberweek.php>