

WIPO Conference

10 Years UDRP – What's Next?



Panel: Identity and Dispute Resolution on the Internet – Looking Ahead

Where is Social Networking Going?

Dr. Ursula Widmer

Dr. Widmer & Partners, attorneys-at-law, Berne, Switzerland

Geneva, October 12, 2009

Where is Social Networking Going?



Overview

- Statistics, definition, examples, impact
- Legal issues: a risk analysis
- Self-regulation
- Uniform dispute resolution policy

Statistics: Worldwide Audience (visitors)



Worldwide Growth among Selected Social Networking Sites

Total Worldwide Audience, Age 15+
Home and Work Locations

	Total Unique Visitors (000)
	June 2008
Total Internet: Total Audience	860,514
Social Networking	580,510
FACEBOOK.COM	132,105
MYSACE.COM	117,582
HI5.COM	56,367
FRIENDSTER.COM	37,080
ORKUT.COM	34,028
BEBO.COM	24,017
SHYROCK.COM	21,041

Social Networking Growth by Worldwide Region

Total Worldwide Audience, Age 15+
Home and Work Locations

	Unique Visitors (000)		
	June 2007	June 2008	% Change
Worldwide	464,437	580,510	25 %
Asia Pacific	162,738	200,555	23 %
Europe	122,527	165,256	35 %
North America	120,848	131,255	9 %
Latin America	40,098	53,248	33 %
Middle East - Africa	18,226	30,197	66 %

Source: comScore World Martix (June 2008 vs. June 2007)

Statistics: Worldwide Audience (visits)



Top 25 Social Networks Re-Rank

(Ranked by Monthly Visits, Jan '09)



Rank	Site	UV	Monthly Visits	Previous Rank
1	facebook.com	68,557,534	1,191,373,339	2
2	myspace.com	58,555,800	810,153,536	1
3	twitter.com	5,979,052	54,218,731	22
4	fixster.com	7,645,423	53,389,974	16
5	linkedin.com	11,274,160	42,744,438	9
6	tagged.com	4,448,915	39,630,927	10
7	classmates.com	17,296,524	35,219,210	3
8	myyearbook.com	3,312,898	33,121,821	4
9	livejournal.com	4,720,720	25,221,354	6
10	imeem.com	9,047,491	22,993,608	13
11	reunion.com	13,704,990	20,278,100	11
12	ning.com	5,673,549	19,511,682	23
13	blackplanet.com	1,530,329	10,173,342	7
14	bebo.com	2,997,929	9,849,137	5
15	hi5.com	2,398,323	9,416,265	8
16	yuku.com	1,317,551	9,358,966	21
17	cafemom.com	1,647,336	8,586,261	19
18	friendster.com	1,568,439	7,279,050	14
19	xanga.com	1,831,376	7,009,577	20
20	360.yahoo.com	1,499,057	5,199,702	12
21	orkut.com	494,464	5,081,235	15
22	urbanchat.com	329,041	2,961,250	24
23	fubar.com	452,090	2,170,315	17
24	asiantown.net	81,245	1,118,245	25
25	tickle.com	96,155	109,492	18

(Credit: Compete.com)

Statistics: Facebook



facebook

Pressebereich [Blog](#) | [Über uns](#) | [Pressemitteilungen RSS](#)

Statistiken

General Growth More than 300 million active users
50% of our active users log on to Facebook in any given day
The fastest growing demographic is those 35 years old and older

User Engagement Average user has 130 friends on the site
More than 6 billion minutes are spent on Facebook each day (worldwide)
More than 40 million status updates each day
More than 10 million users become fans of Pages each day

Applications More than 2 billion photos uploaded to the site each month
More than 14 million videos uploaded each month
More than 2 billion pieces of content (web links, news stories, blog posts, notes, photos, etc.) shared each week
More than 3 million events created each month
More than 45 million active user groups exist on the site

International Growth More than 70 translations available on the site
About 70% of Facebook users are outside the United States

Platform More than one million developers and entrepreneurs from more than 180 countries
Every month, more than 70% of Facebook users engage with Platform applications
More than 350,000 active applications currently on Facebook Platform
More than 250 applications have more than one million monthly active users
More than 15,000 websites, devices and applications have implemented Facebook Connect since its general availability in December 2008

COMPANY
[Factsheet](#)
[Statistics](#)
[Timeline](#)
[Executives](#)
[Founder Bios](#)
[Platform](#)
[B-Roll](#)
[Product](#)
[Press Releases & Announcements](#)

CONTACTS
[Images](#)
[Speaker Requests](#)
[Interview Requests](#)
[Your Stories](#)

What are Social Networks? Sharing Content



- Content-sharing services



- Blogs



- Rating



- Appointment services



What are Social Networks ? Personalisation



President Obama`s Profile

The screenshot shows the Facebook profile of Barack Obama. At the top, the Facebook logo is on the left, and login options for 'Angemeldet bleiben' and 'Passwort' are on the right. Below the logo is a registration prompt: 'Registrieren Barack Obama ist bei Facebook. Registriere dich für Facebook, um mit Barack Obama in Verbindung zu treten.' The profile picture is a portrait of Barack Obama. To the right of the picture are tabs for 'Pinnwand', 'Info', 'Veranstaltungen', 'Notizen', 'Diskussionen', and 'Fotos'. Below these is a 'Barack Obama Nur Fans' button. The main content area features two posts. The first post is a video challenge announcement: 'Barack Obama Do you have video skills? Do you want to help pass health reform? Enter OFA's Health Reform Video Challenge -- your video could help tip the balance in favor of health reform.' It includes a video player icon and the text 'Organizing for America's Health Reform Video Challenge' with the source 'Quelle: my.barackobama.com'. The second post is a text-based announcement: 'Barack Obama Every American needs to know what health insurance reform means for them. Take a moment to find out: The Obama Plan in 4 Minutes' with the source 'Quelle: my.barackobama.com'. On the left side of the profile, there is a bio: 'President Barack Obama is the 44th President of the United States of America.' and an 'Informationen' section with 'Aktueller Arbeitsplatz' listed as 'President of the United States'.

What are Social Networks ?

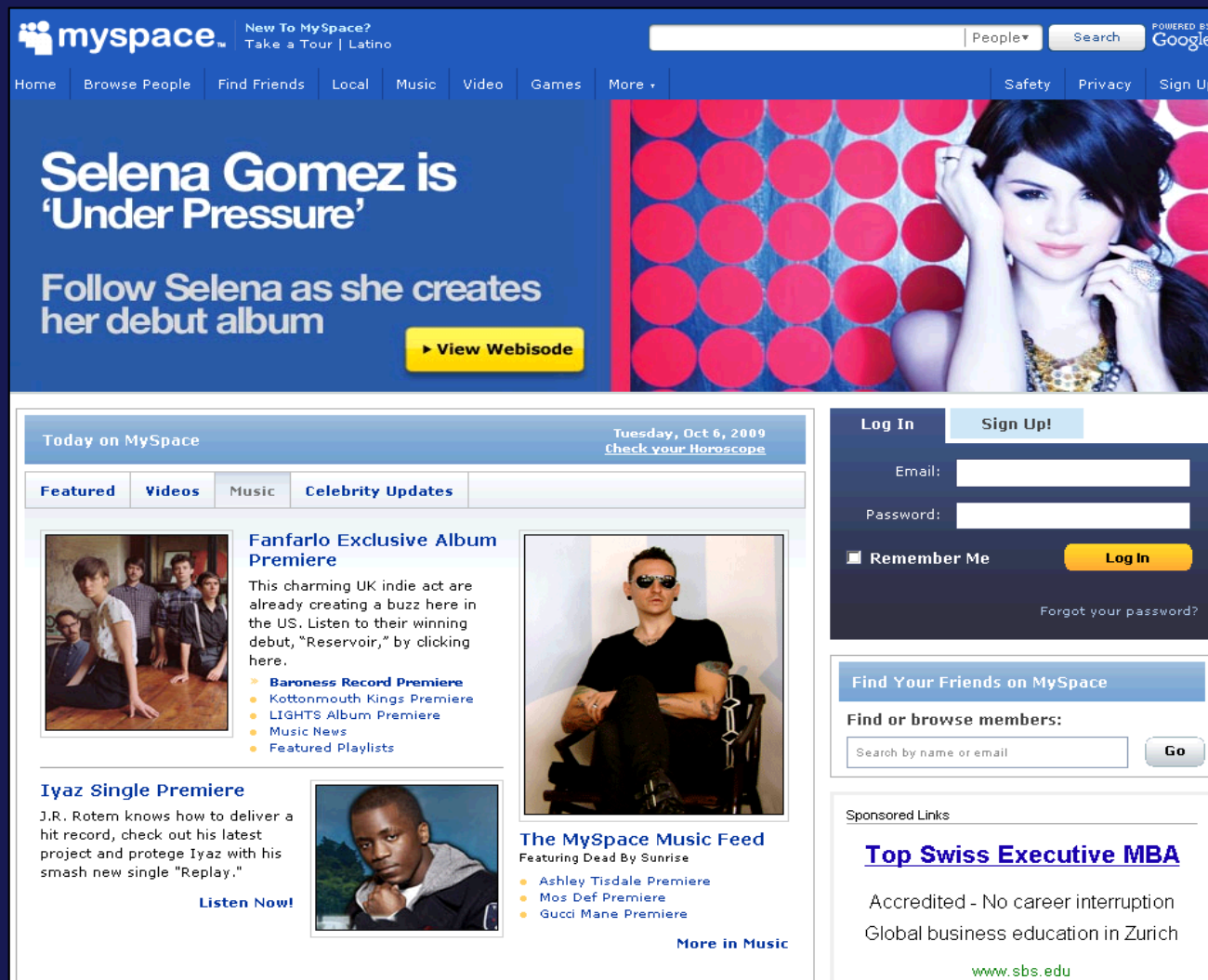
A whole package of services is available to users; these services are coordinated via a personal profile page.

- E-mail services
- Instant messaging services
- Linking services
- Blog services
- Content-sharing services



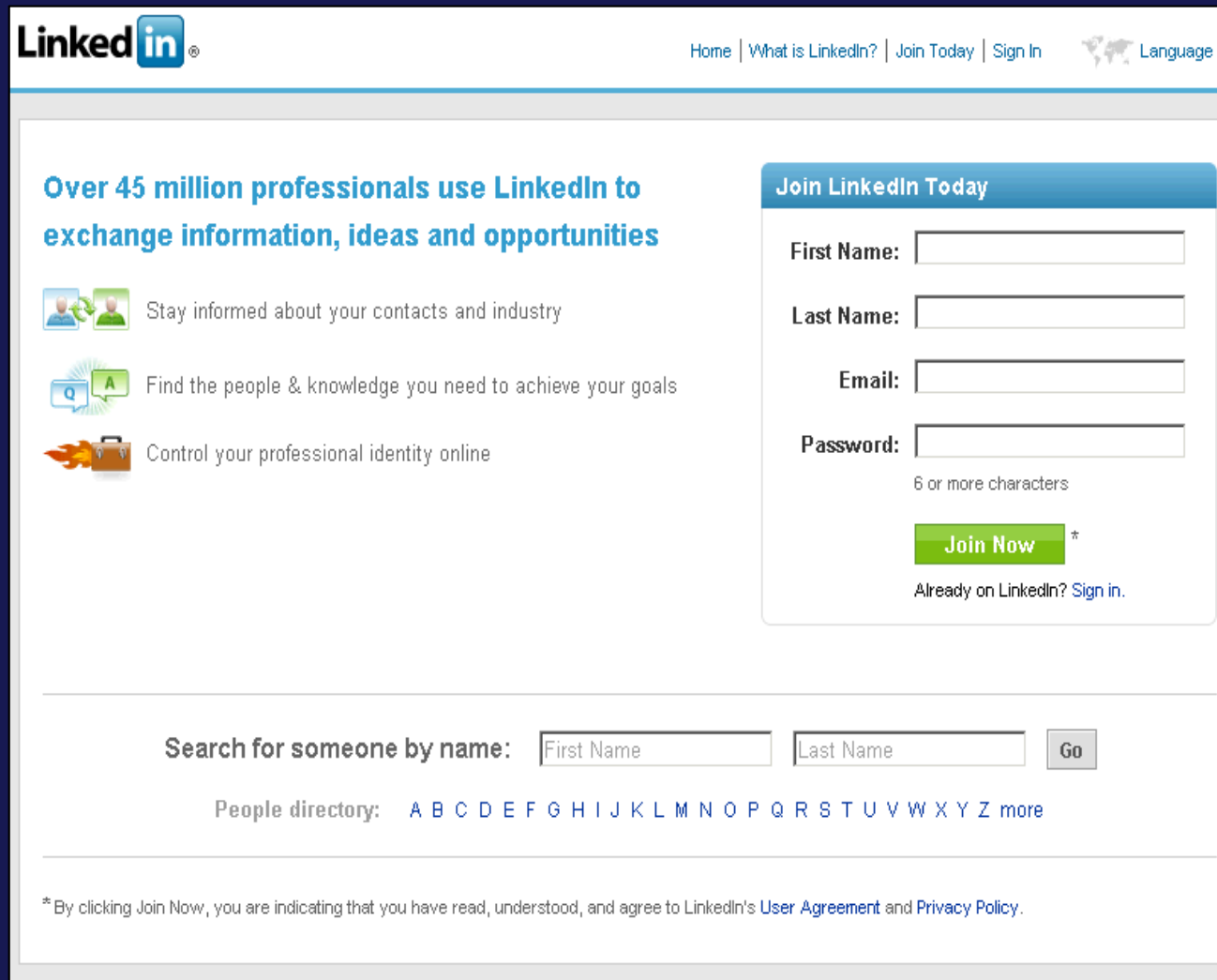
www.facebook.com

Examples: MySpace



The screenshot shows the MySpace homepage with a blue header. The main navigation bar includes links for Home, Browse People, Find Friends, Local, Music, Video, Games, and More. A search bar is located in the top right, powered by Google. A large banner for Selena Gomez is featured, with the text "Selena Gomez is 'Under Pressure'" and "Follow Selena as she creates her debut album". Below the banner is a "View Webisode" button. The main content area is titled "Today on MySpace" and dated "Tuesday, Oct 6, 2009". It features several sections: "Featured" with a "Fanfarlo Exclusive Album Premiere" (describing a UK indie act), "Videos" with an "Iyaz Single Premiere" (describing J.R. Rotem's project), and "The MySpace Music Feed" featuring Dead By Sunrise, Ashley Tisdale, Mos Def, and Gucci Mane. On the right side, there is a "Log In / Sign Up" section with input fields for email and password, a "Remember Me" checkbox, and a "Log In" button. Below this is a "Find Your Friends on MySpace" section with a search bar and a "Go" button. At the bottom right, there is a "Sponsored Links" section for "Top Swiss Executive MBA" from sbs.edu.

Examples: LinkedIn



The screenshot shows the LinkedIn homepage layout. At the top left is the LinkedIn logo. To its right are navigation links: Home, What is LinkedIn?, Join Today, and Sign In. Further right is a language selection dropdown. The main content area is divided into two columns. The left column features a headline: "Over 45 million professionals use LinkedIn to exchange information, ideas and opportunities". Below this are three bullet points with icons: "Stay informed about your contacts and industry", "Find the people & knowledge you need to achieve your goals", and "Control your professional identity online". The right column is a registration form titled "Join LinkedIn Today". It contains four input fields: "First Name", "Last Name", "Email", and "Password". Below the password field is a note "6 or more characters" and a green "Join Now" button with an asterisk. Below the button is a link: "Already on LinkedIn? Sign in.". At the bottom of the page is a search bar with the text "Search for someone by name:" followed by "First Name" and "Last Name" input fields and a "Go" button. Below the search bar is a "People directory" with a list of letters from A to Z and a "more" link. At the very bottom, there is a small disclaimer: "* By clicking Join Now, you are indicating that you have read, understood, and agree to LinkedIn's User Agreement and Privacy Policy."

Examples: Xing



The screenshot shows the XING website homepage. At the top left is the XING logo. To the right are links for 'Registrieren', 'Hilfe & Kontakt', 'Guided Tour', and 'Deutsch'. The main heading is 'XING – Finden Sie Geschäftskontakte per Mausclick', followed by the subtext 'Mit den umfangreichen Suchfunktionen von XING effizienter die richtigen Personen finden'. Below this is a graphic of three silhouettes with question marks on a network grid. Three buttons are shown: 'Globales Networking Kontaktmanagement', 'Personensuche Umfangreiche Suchfunktionen', and 'Job & Karriere Schneller vorankommen'. On the right side, there is a registration section titled 'Jetzt kostenlos Mitglied werden!' with a 'Jetzt kostenlos anmelden!' button. Below that is a login section for XING members with fields for 'E-Mail-Adresse / Benutzername' and 'Passwort', and a checkbox for 'Auf diesem Computer automatisch einloggen'. An 'Einloggen' button and a 'Passwort vergessen?' link are also present. At the bottom, there are three promotional boxes: 'Personensuche' with a magnifying glass icon and a search input field; 'XING für Unternehmen' with a computer icon and text about reaching over 8 million business people; and 'Guided Tour' with a signpost icon and a 'Tour starten' link.

Advertising on Social Networks

WORLD
INTELLECTUAL
PROPERTY
ORGANIZATION



WHOPPER® SACRIFICE HAS BEEN SACRIFICED.

IN THE END, YOUR LOVE FOR THE **WHOPPER®** SANDWICH
PROVED TO BE STRONGER THAN **233,906** FRIENDSHIPS.



WERE YOU SACRIFICED BY SOMEBODY? **SEND THEM AN ANGRY-GRAM ▶**

™ & © 2008 BURGER KING BRANDS, INC. (USA ONLY). ™ & © 2008 BURGER KING CORPORATION (OUTSIDE USA). ALL RIGHTS RESERVED. FACEBOOK® IS A REGISTERED TRADEMARK OF FACEBOOK INC.

Advertising on Social Networks



The campaign, which featured tag lines such as “Friendship is strong, but the Whopper is stronger,” grew rapidly on the site, as thousands of members jilted each other for burgers. Each time someone de-friended someone else through a special application, Burger King published an update on both people’s Facebook pages. That helped spread the word—but ran afoul of the site’s protocol.

Source: Wall Street Journal, 15.1.2009

Advertising on Social Networks



Top Online Display Ad Publishers in Social Networking Category June 2009 Total U.S. – Home/Work/University Locations Source: comScore Ad Metrix			
	Total Display Ad Impressions (MM)	Share of Display Ads	Ad Exposed Unique Visitors (000)
Total Internet : Total Audience	326,899	100.0	188,589
Social Networking	68,927	21.1	129,620
MySpace Sites	30,004	9.2	64,472
Facebook.com	26,813	8.2	67,389
Tagged.com	1,940	0.6	7,422
MocoSpace.com	496	0.2	1,067
Hi5.com	461	0.1	3,459
Bebo	435	0.1	6,350
Classmates.com Sites	400	0.1	9,181
BlackPlanet.com	345	0.1	2,084
GaiaOnline.com	258	0.1	1,859
DeviantArt.com	204	0.1	3,681

www.comscore.com

Rolex's Presence on MySpace



The screenshot shows the MySpace profile for 'Omega Rolex'. The profile is heavily branded with Rolex logos and watch-related content. Red boxes highlight the following elements:

- Profile Header:** The name 'Omega Rolex' and the profile picture, which features the Rolex crown logo and the word 'ROLEX'.
- Profile Information:** A box containing the text 'Ultimate Omega & Rolex Watch Resource!', 'Male', '40 years old', 'Canada', and 'Last Login: 1/7/2009'.
- Navigation:** A box containing 'View My: Pics | Videos'.
- Social Actions:** A box with buttons for 'MAIL ME', 'ADD ME', 'IM ME', 'GROUP', 'FORWARD', 'FAVORITE', 'BLOCK ME', and 'RANK ME'.
- MySpace URL:** A box containing 'MySpace URL: www.myspace.com/omegarolex'.
- Interests:** A box titled 'Omega Rolex's Interests' with a 'General' section listing 'Watches: Rolex, Omega, Breitling, Patek Phillipe, Vacheron Constantin, Audemars Piguet, Piaget, Breguet, etc'.
- Details:** A box titled 'Omega Rolex's Details' showing 'Status: Single' and 'Zodiac Sign: Scorpio'.
- Blog:** A box titled 'Omega Rolex's Latest Blog Entry' with a 'Subscribe to this Blog' link and a '[View All Blog Entries]' link.
- Blurbs:** A box titled 'Omega Rolex's Blurbs' with the text 'About me: Nothing but the best: Omega and Rolex. www.omegarolex.com' and 'Who I'd like to meet:'.
- Friend Space:** A box titled 'Omega Rolex's Friend Space (Top 10)' showing 'Omega Rolex has 37 friends.' and a grid of friend avatars and names, including 'breitlingsource.com', 'JOE THE HOROLOGY COLLECTOR', 'Watchmaking', 'Armbanduhren', 'TOP JOHNNY!', 'Tom', 'NAKED ART TATTOOS- JUSTIN V@LENTINE.', and '@BENBALLER'.

Dell's Presence on Facebook



Coca-Cola's Presence on Facebook

WORLD
INTELLECTUAL
PROPERTY
ORGANIZATION



The screenshot shows the Facebook interface for the Coca-Cola page. At the top, the Facebook logo is on the left, and login fields for 'Email' and 'Password' are on the right, with 'Remember Me' and 'Forgot your password?' links. Below the login area, a 'Sign Up' button is next to the text 'Coca-Cola is on Facebook' and 'Sign up for Facebook to connect with Coca-Cola.' The page header for Coca-Cola includes a profile picture of a red bottle and navigation tabs for 'Wall', 'Info', 'Coca-Cola', 'Feeds', 'Photos', and 'Discussions'. The main content area features a large red bottle image on the left and a central text box that reads 'Star in a Coca-Cola Commercial' with the subtext 'Upload a video of yourself creating the "Sounds of Coca-Cola"'. A red 'Audition Now' button is positioned to the right. Below this, a Creative Commons license notice states 'When you upload, other Fans can remix under CC Creative Commons' with a 'Learn More' link, and a 'refreshing feeds' link with a RSS icon. Three promotional banners are displayed: the first for a 'Spin the Coke Bottle' app, the second for 'Open Happiness' featuring a group of people, and the third for 'Yeah Yeah Yeah Coca-Cola' featuring a character and a bottle. At the bottom, a red 'Fan Highlights' section contains two sub-sections: 'Photos' with three image thumbnails and 'Videos' with two video thumbnails.

Legal issues: a risk analysis



- Identity Squatting
- Copyright Infringements
 - User generated content
- Trademark Infringements
 - User names

Identity-squatting



Katrina Kaif's identity hijacked

16 Nov 2008, 0050 hrs IST, VICKEY LALWANI , TNN

Katrina added, "I hereby clarify that I have no e-mail id which reads katrinakaif84@hotmail.com. There are some facebook accounts bearing my name but I don't have a facebook account either."

Source: The Times of India, 16.11.2008

Identity-squatting

Katrina Kaif's false profile on Facebook



The screenshot shows a Facebook profile for Katrina Kaif. The profile picture is a close-up of her face. The name "Katrina Kaif" is displayed, along with options to "Add as Friend", "Send a Message", and "View Friends". Below the name, it says "Here are some of Katrina Kaif's friends:" followed by a row of eight small profile pictures. The names under the pictures are: Nadhira Surita Thorne, Prasetya Subekti, Shaila Hoq Tanju, Purush Das, Travis Fitzgerald, Kazi Umayer Bin Kaidr, Vishal Dillon Teekasingh, and Mimo Hardcore. On the right side of the profile, there is a yellow box with the text: "This is the public search listing for Katrina Kaif. Because you are logged into Facebook, you can click through to her search result."

Identity-squatting



UK businessman wins £22,000 over fake Facebook profile

By Megan Murphy in London

Published: July 25 2008 03:00 | Last updated: July 25 2008 03:00

In a legal ruling likely to send a chill through the global social networking phenomenon of Facebook, a British businessman has been awarded £22,000 (\$44,000, €28,000) in damages from a former school friend who created a fake profile of him on the website.

Financial Times, 25.7.2008

Copyright Law: MySpace sued (settled)



MySpace Sued Over Music Copyright Claims

By Yuki Noguchi
Washington Post Staff Writer
Saturday, November 18, 2006; D01

Popular social-networking Web site MySpace was slapped with its first copyright-infringement lawsuit yesterday, by Universal Music Group, alleging that the site enables "rampant" unauthorized copying and distribution of its artists' songs and videos.

Source: Washington Post, 18.11.2006

Copyright Law: YouTube sued (pending)

Jun
21
2009

YouTube Sued for \$13.9 Million for Copyright Infringement

18 Comments

Written by DrewWilson

It seemed like the lawsuits were finally over for the Google owned website. That hope of finally being legally in the clear was recently dashed when French music label collecting society SPPF sued YouTube for €10 million.

There was an interesting development from the hugely popular video sharing site. A report from

Billboard says that SPPF has sued YouTube saying that over 100 music videos from their catalogue appeared on the site. All this after a previous episode where SPPF demanded the content be taken down (which, consequently, were taken down) only to have the video's be re-uploaded by their users.

YouTube issued a statement saying that SPPF didn't use their content ID system which prevents others uploading similar content.

While using the content ID system may have helped, one user discovered at one point that the system is **far from perfect**. Regardless, one might wonder if the fact that the labels decided not to use the system would hurt them in any legal case against the site.



www.zeropaid.com, 21.06.2009

Trademark Law: Twitter sued (dropped)



Gas Co. Lights Fire Under Twitter With Trademark Suit



AP
09/18/09 9:59 AM PT

[Print Version](#)
[E-Mail Article](#)
[Reprints](#)

A Twitter user was apparently posting messages under the name and logo of natural gas distributor Oneok. The company claims it tried to work with Twitter to remedy the situation, but Twitter refused. Oneok moved to sue the microblogging service, but that action lasted just one day; Oneok says the matter has been resolved, and it appears the account in question has been suspended.

▼ advertisement

Resellers, its wise to start an MSP Business now.

Get the facts. Download the complete guide to start an MSP business.

One day after natural gas distributor [Oneok](#) sued social networking site [Twitter](#) for trademark infringement, the company said Wednesday the issue has been resolved and it will drop the lawsuit.

Oneok filed the lawsuit Tuesday in U.S. District Court in Tulsa, saying San Francisco-based Twitter wrongly allowed an anonymous customer with the user name "ONEOK." Oneok spokesperson Megan Washbourne said that account since has been transferred to Oneok.

An e-mail sent Wednesday to Twitter's public relations department wasn't immediately answered.

www.ecommercetimes.com, 18.09.2009

Trademark Law: Infringing account



Trademark Law: Oneok's official account



http://twitter.com/oneoknews

twitter Login Join Twitter!

Hey there! ONEOKNews is using Twitter.

Twitter is a free service that lets you keep in touch with people through the exchange of quick, frequent answers to one simple question: What are you doing? **Join today** to start receiving ONEOKNews's tweets.

Join today!

Already using Twitter from your phone? [Click here.](#)

 **ONEOKNews**

ONEOK Partners to Participate in National Association of Publicly Traded Partnerships Investor Conference: <http://tinyurl.com/mzr85n>

7:12 AM Sep 9th from TweetDeck

ONEOK to Participate in Barclays Capital CEO Energy Conference on September 10: <http://tinyurl.com/n9kskn>

7:09 AM Sep 9th from TweetDeck

Name ONEOK
Location Tulsa, Okla.
Web <http://www.oneok.com>
Bio ONEOK a diversified energy company, is general partner of ONEOK Partners and is involved in the natural gas and natural gas liquids businesses.

0 28
[following](#) [followers](#)

Tweets 6

[Favorites](#)

[Following](#)

Trademark Law: Twitter sued (dismissed)



This Time, Tony La Russa Drops Twitter Case for Real



St. Louis Cardinals manager Tony La Russa has officially dismissed his lawsuit over a fake profile on Twitter and will not receive any money from the social media website for doing so.

A settlement of the case -- the first to be filed by a celebrity against Twitter -- was reported in early June, with La Russa saying Twitter had agreed to pay his legal

fees and make a donation to his Animal Rescue Foundation charity.

Twitter responded with a statement in which it said, "Twitter has not settled, nor do we plan to settle or pay" and described the suit as "an unnecessary waste of judicial resources bordering on frivolous."

La Russa was never likely to hold Twitter liable for the actions of the user who posted the phony profile and a court [document](#) shows he voluntarily dismissed the case June 26.

"La Russa hereby dismisses with prejudice all claims in this action against Twitter Inc., with each party to bear its own costs and attorneys' fees," it says. "No payment was made by Twitter to La Russa in exchange for this dismissal."

Twitter probably insisted that the unusual last sentence be included in the notice of dismissal to avoid any suggestion of a settlement. Attorneys involved in the case did not respond to requests for comment.

www.onpointnews.com, 02.07.2009

Trademark Law: Facebook Usernames



- Facebook user identity is tied to a username requiring a (real, trusted) first name and last name.
 - **Facebook:** *“From the beginning of Facebook, people have used their real names to share and connect with the people they know. This authenticity helps to create a trusted environment because you know the identity of the people and things on Facebook.”*
- Until June 13, 2009: unique usernames were not reflected in username URLs.
 - Username URLs were randomly assigned (e.g., id=592952074).
- On June 13, 2009: “Vanity URL” program introduced.

Trademark Law: Facebook Vanity URLs



- Vanity URLs
 - For individuals www.facebook.com/ursulawidmer [yourname]
 - For brand fanpages www.facebook.com/cocacola [yourcompanyname]
- first-come, first-served basis
- no change / no transfer
- only 1 URL per user account

Self-regulation (policies)



Operator policies: measures against IP infringements

- Verification of user data
- Control of user generated content
- Complaint procedures
- Reservation lists for names, trademarks, etc.

Self-regulation (policies)



Adresse <http://twitter.com/help/verified>

twitter Login Join Twitter!

Verified Account BETA

What is a verified account?

To prevent identity confusion, Twitter is experimenting (beta testing) with a 'Verified Account' feature. We're working to establish authenticity with people who deal with impersonation or identity confusion on a regular basis. Accounts with a  are the real thing!

What does it mean?

With this feature, you can easily see which accounts we know are 'real' and authentic. That means we've been in contact with the person or entity the account is representing and verified that it is approved. (This does not mean we have verified who, exactly, is writing the tweets.)

This also does not mean that accounts without the 'Verified Account' badge are fake. The vast majority of accounts on the system are not impersonators, and we don't have the ability to check 100% of them. For now, we've only verified a handful of accounts to help with cases of mistaken identity or impersonation.

One thing you can do if we haven't verified an account you're wondering about is to check the official web site of the person and see if there's a link back to their Twitter profile. (Again, lack of a link does not imply impersonation, either.)

Who has a 'Verified Account' badge?

We're starting with well-known accounts that have had problems with impersonation or identity confusion. (For example, well-known artists, athletes, actors, public officials, and public agencies). We may verify more accounts in the future, but because of the cost and



How to identify a verified account

The 'Verified Account' badge will appear in the top-right portion of a user's profile page just above the name, location and bio—as shown in the screenshot above. The badge will click-through to this page.

It will always have a badge followed by the words 'Verified Account'

If the verified account badge appears anywhere else on a user's profile page (e.g. in the avatar or the background) it is not a verified account



The Verified Account badge can not be used unless it is provided by Twitter. Accounts using the badge as part of profile pictures, background images, or in any way implying false verification will be

www.twitter.com/help/verified

Self-regulation (policies)



Twitter: Verified Accounts

- Experimental stage
- Confirmation of the authenticity of the person who uses the account
- Limited to a certain number of accounts: well-known artists, athletes, actors, public officials and public agencies (no defined criteria)
- Not open to businesses / trademark owners

Self-regulation (policies)



Content Control – Facebook’s Terms of Use

*“If you select a **username** for your account **we reserve the right to remove or reclaim it** if we believe appropriate (such as when a trademark owner complains about a username that does not closely relate to a user's actual name)”.*

*“**We can remove any content or information** you post on Facebook if we believe that it violates this Statement”.*

Self-regulation (policies)



Content Control – Twitter

Terms of Service

*„We reserve the right at all times (but will not have an obligation) **to remove or refuse to distribute any Content** on the Services and **to terminate users or reclaim usernames.**“*

The Twitter Rules

*„**We reserve the right to reclaim user names** on behalf of businesses or individuals that hold legal claim or trademark on those user names. Accounts using business names and/or logos to mislead others will be permanently suspended.“*

Self-regulation (policies)



Twitter's complaint procedures

- Copyright Policy
- Trademark Policy
- Impersonation Policy
- Name Squatting Policy

Self-regulation (policies)



Weak IP protection

- Each operator has different policies and procedures
- Evidence requirements not clear
- Criteria of complaint assessment not clear

Need for a Uniform Dispute Resolution Policy ?



A UDRP for social networks:

- ICANN's UDRP not applicable to user names
- Common procedural standards and assessment criteria for complaints
- Risk minimization for operators
- Cooperation by platform operators?

Thank you for your attention

WP DR. WIDMER & PARTNERS · ATTORNEYS-AT-LAW

Deutsch | **English** | Print | Home | Contact | Site credits

Home

About us

Services

News & Events

Publications

Contact

Disclaimer

Home | Welcome

Welcome to Dr. Widmer & Partners, attorneys-at-law, Berne/Switzerland. We are a law firm active exclusively, both nationally and internationally, in the fields of IT, Internet, E-Business and Telecommunications (ICT) law. For over 25 years, we have provided professional legal services in these areas to national and international clients, including both providers and users of information and telecommunication technologies. Together with our clients, we elaborate solutions that will minimize the legal risks of their business transactions and, by doing so, contribute to our clients' economic success.

News | Switzerland: Extensive monitoring of Internet traffic planned

It was recently announced that the opportunities for monitoring Internet traffic are to be expanded. In a confidential consultation in June, Internet providers were able to express their opinion on the drafts for the organizational and administrative requirements regarding the monitoring of telecommunications and for a corresponding technical guideline. In spite of confidentiality, the consultation was subsequently publicised.

[continue](#)

WP Dr. Widmer & Partners, attorneys-at-law - Schosshaldenstr. 32 - CH-3000 Berne 31
Phone: +41 31 351 66 33 - Fax: +41 31 351 66 50
E-mail: lawyers@widmerpartners-lawyers.com



Visit us at

<http://www.widmerpartners-lawyers.com>

Dr. Widmer & Partners, attorneys-at-law
Schosshaldenstrasse 32
3000 Berne 31, Switzerland

phone +41 (0)31 351 66 33, fax +41 (0) 31 351 66 50
e-mail: lawyers@widmerpartners-lawyers.com

**Dr. Ursula Widmer, attorney-at-law**

Dr. Widmer & Partners · Attorneys-at-law

Schosshaldenstrasse 32

3000 Berne 31, Switzerland

phone: +41 (0)31 351 66 33

fax: +41 (0)31 351 66 50

E-mail: lawyers@widmerpartners-lawyers.com

www.widmerpartners-lawyers.com

Dr. Ursula Widmer, Rechtsanwältin, attorney-at-law, studied law at the University of Berne. Bar admission in 1982. Academic collaborator of the Institute of Swiss Private and Comparative Law. Thesis on the subject of «Liability for software defects». Founding partner of Dr. Widmer & Partners, attorneys-at-law, Berne, Switzerland, a commercial law firm specialising in Information Technology, Internet and Telecommunications Law. Lecturer in IT and Internet Law at the University of Berne and lecturer in Information Security Law at the Swiss Federal Institute of Technology Zurich (ETHZ). Former member of the Swiss Government's Expert Commission for Cybercrime and a former member of the Swiss Federal Data Protection Commission (federal arbitration and appeal court). Board member of the German Foundation for Law and Computer Science (DSRI). President of the International Technology Law Association (ITechLaw).