



Internet governance and  
the  
The cloud name

# Schedule

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**9th March** Contract drafting skills, transfers of domain names - MK

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**16th March** Introduction to alternative dispute resolution and ODR, domain names within the .cz domain and .eu domain, preparation for moot court - PL

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**23rd March** UDRP Case-Law - PL

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**30th March** Procedural elements of alternative dispute resolution, beginning of the moot court (seminar) 1st round of moot court - PL

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**6th April** Elements of unfair competition and personal rights, comparison of UDRP and Czech rules, EU - MK

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**13rd April** Consumer protection online (alternative dispute resolution) / new forms of online dispute resolution / online courts, 2nd round of moot court – PL

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**20th April** Practical experience from the chair and secretary of Arbitration court attached to the Czech Chamber of Commerce and the Agricultural Chamber of the Czech Republic – PL, Juraj Szabo, Lenka Náhlovská

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**27th April** Wider regulatory framework of on-line marketing - MK

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**4th May** Targeted online marketing - MK

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**11th May** Protection of vulnerable groups – MK, PL

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**18th May** Wrap-up, awarding colloquia, mootcourt feedback – MK, PL

# 02 Contract writing exercise

How to write a contract to buy or sell a website or domain

Groupwork

Please bring your laptops if possible

# 02 alternative dispute resolution

Understanding ODR in general

Understanding of country code domain names,

preparation for moot court

# 03 UDRP Case law

Deep knowledge of  
specific rules to  
write a complaint



# 04 - Procedural elements of alternative dispute resolution,

How to file an UDRP complaint properly

1st round of moot court!

# 05 – National law

Unfair competition

Personal rights,

Trademark rules

comparison of alternative and traditional resolution

# 06 – Consumer protection on-line

alternative dispute resolution for consumer contracts,

new forms of online dispute resolution

2nd round of moot court !



# 07 – Quest lecture

Practical experience from the chair and secretary of Arbitration court attached to the Czech Chamber of Commerce and the Agricultural Chamber of the Czech Republic – PL, Juraj Szabo, Lenka Náhlovská

# 08 Regulatory framework of on-line marketing

Understand who is responsible for commercial presentations

Misleading and predatory advertising

Procedural tools to tackle them

# 08 – Targeted marketing



# 09 – protection of vulnerable groups

Children

People with disabilities

People with gambling addictions

People with addictions

# Domain vs domain name?

- Domain name:
  - muni.cz
- Domain:
  - .cz = domain
  - muni = subdomain

# How the system works?

The user enters a domain name into the browser



The browser sends an inquiry to the "name server"



Name server searches the "domain sentence" in the DNS database and "translates" the domain name into the IP address

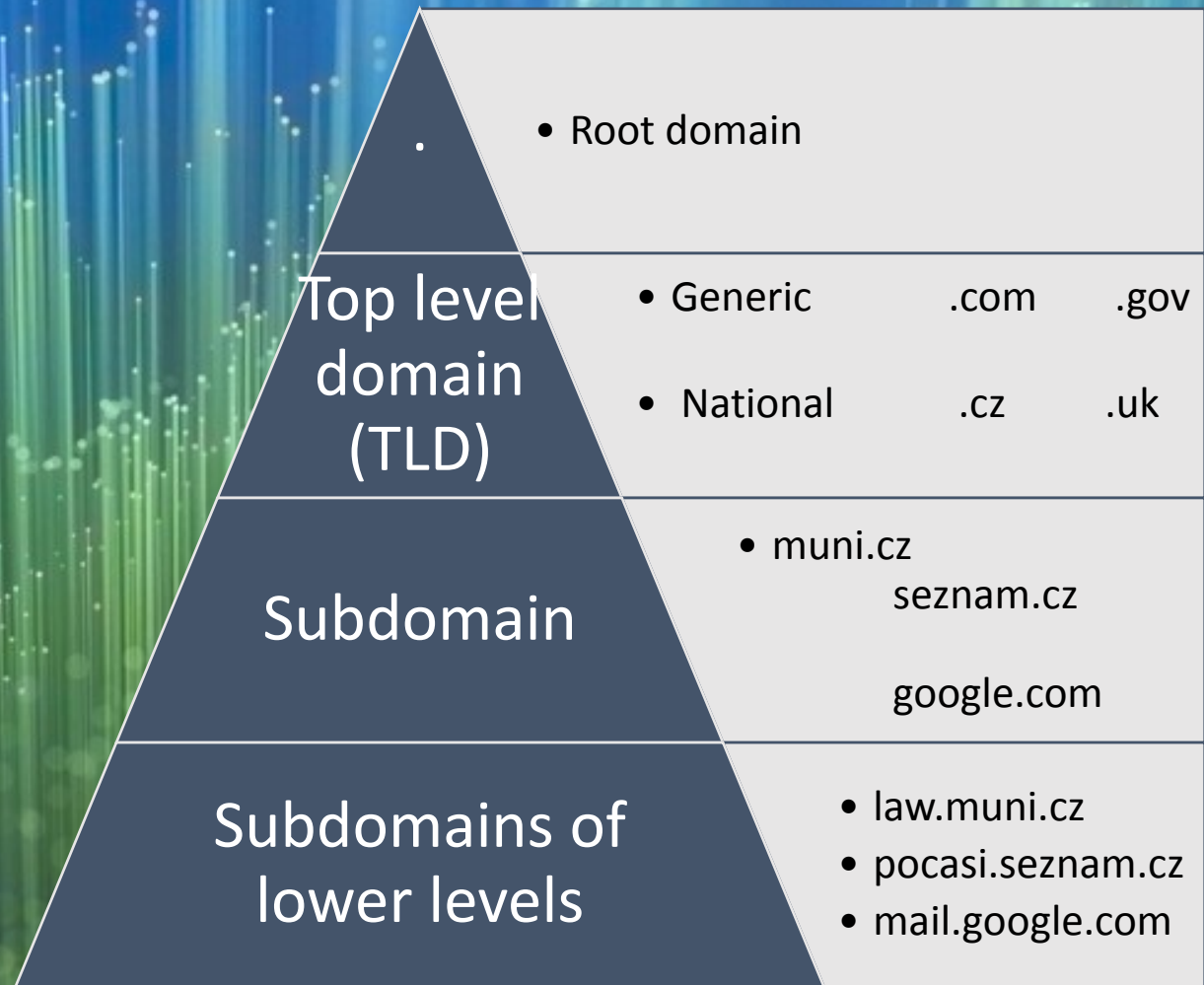


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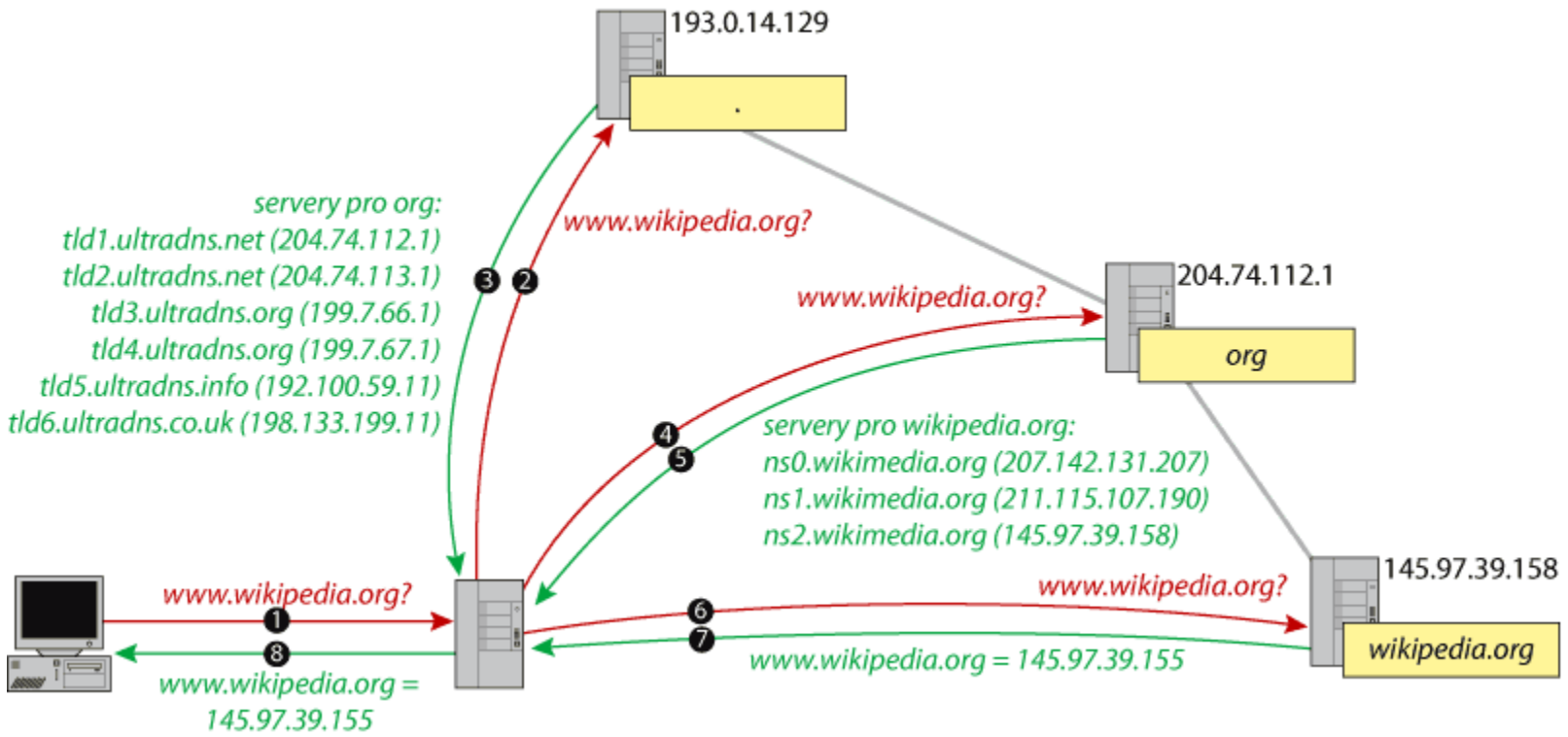


=> DNS (domain name system)

# Structure of a domain name



# wikipedia.org





# Functions of a domain name

Technical

Identification?

- Not necessarily – e.g. goodwill.com

Search

Promotion

Competitive

# How domain names are assigned

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Assignment is based on registration

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The database of domain names is maintained by Administrators/Sponsors

Each top level domain has its administrator ICANN, EURid, CZ nic

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The main task of administrator is to run DNS

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The registration of domain names to individual users is performed by REGISTRARS

Registrars are entrepreneurs and compete

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# Main principles of registration

## Singularity principle (uniqueness)

- The domain name can be registered only for one user
- One user can have more domain names

## Priority principle

- First come first served

# ICANN – top authority

- Internet corporation for assigned names and numbers
- responsible for managing and coordinating the Domain Name System (DNS)
- ICANN is also responsible for accrediting the domain name registrars





# Domain speculations

And abusive  
registrations


# The ultimate consequence of priority and singularity principles

Competition for privileged domain names

Fastest user wins the race

Creates space for abusive domain name registrations

- Cybersquatting
- Typosquatting
- Domain Kiting
- Domain Hijacking

A close-up photograph of two people shaking hands in an office environment. The person on the left is wearing a blue and white checkered shirt, and the person on the right is wearing a grey sweater. The background is slightly blurred, showing a wooden desk with a laptop, a water bottle, and some papers. The text "Legal concept of a domain name" is overlaid in white, sans-serif font across the center of the image.

Legal concept of a domain name

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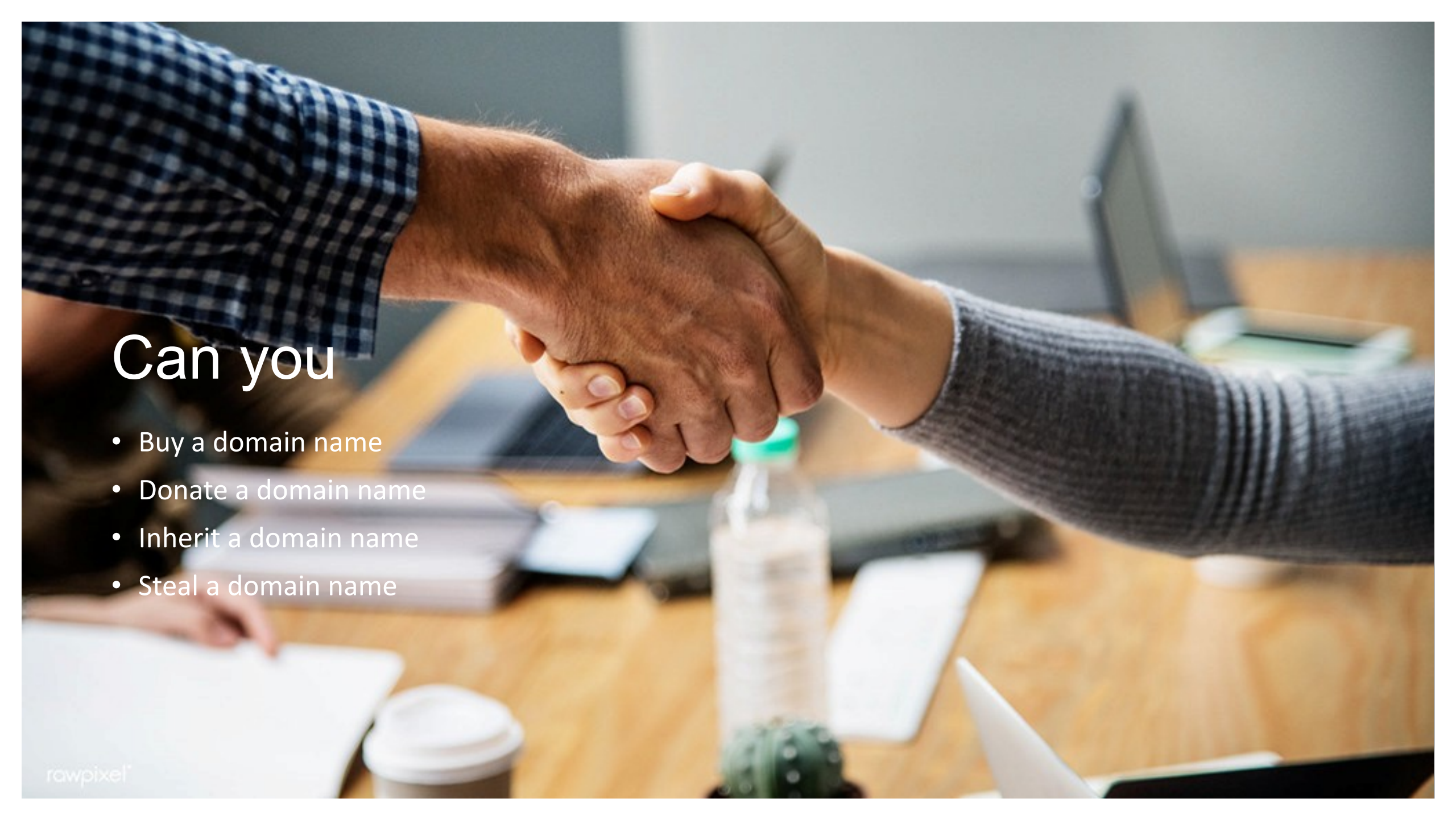
# Legal definition of a domain name

Property

Contract

Legal institute sui generis

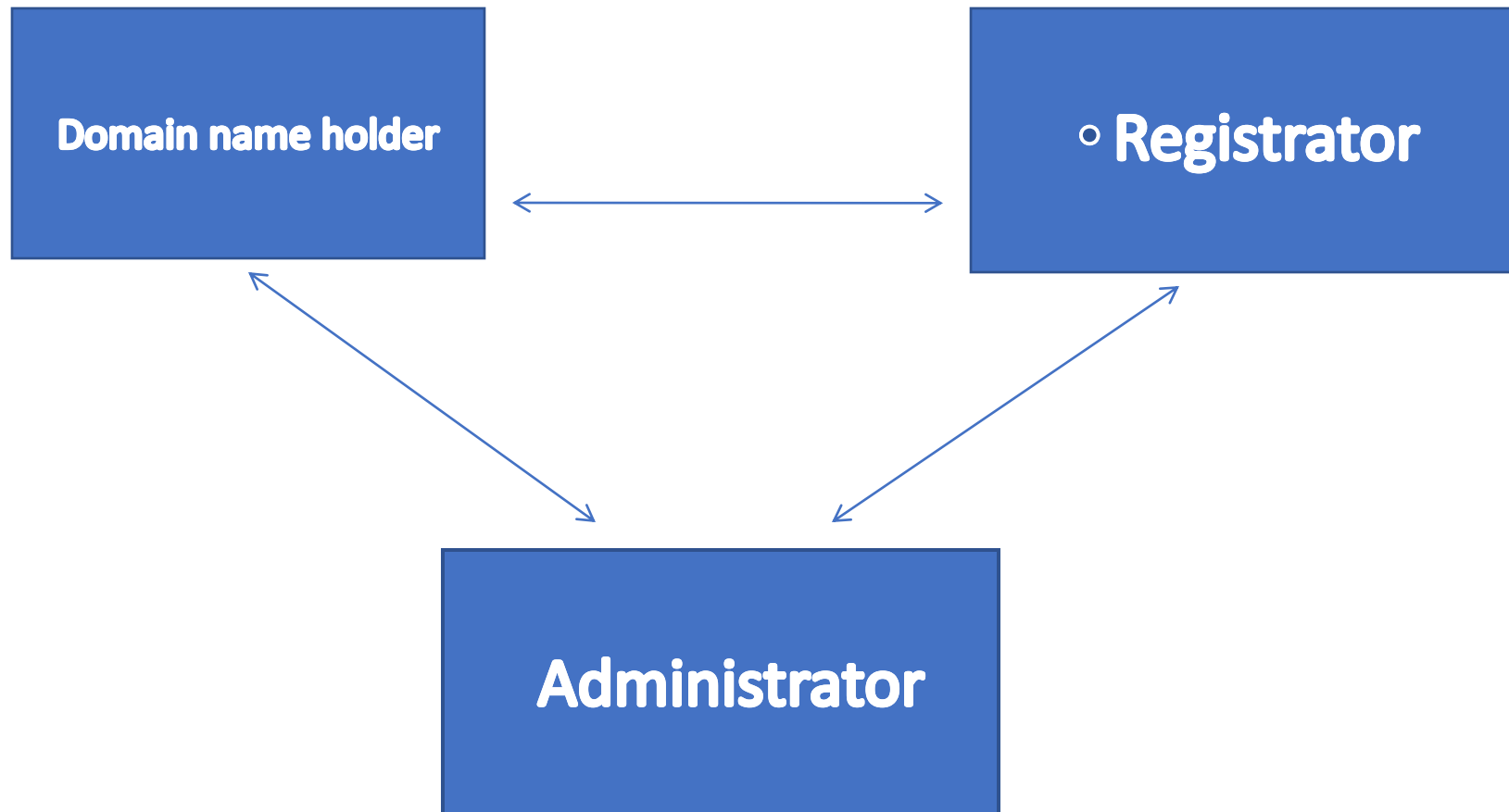


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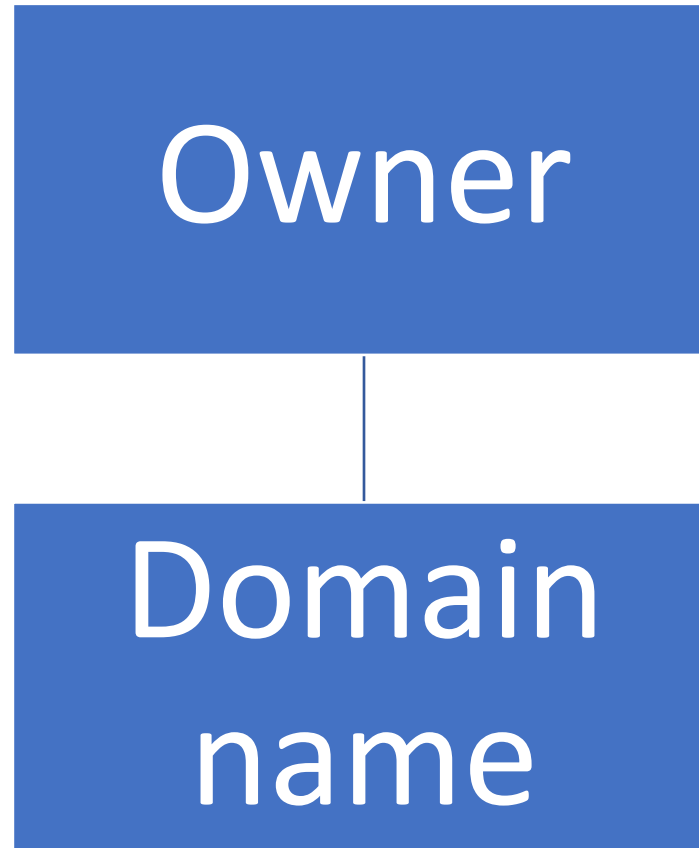
# Can you

- Buy a domain name
- Donate a domain name
- Inherit a domain name
- Steal a domain name

# Domain name as a contractual relationship?



# Domain name as a Property ?



# International perspective

(US, UK,)

- Domain names are creatures of contract
- Discussion – they are also **intangible property** with limitations (UK, US)

Germany

- Not a „thing“ but „contract“ (*vertraglich Anspruch*)
- It is a part of property/has value (*Vermögenswert*)

Protected by trademark law (globally) in certain cases

Discussion –

- Should the concept be reviewed

Who controls the DNS?

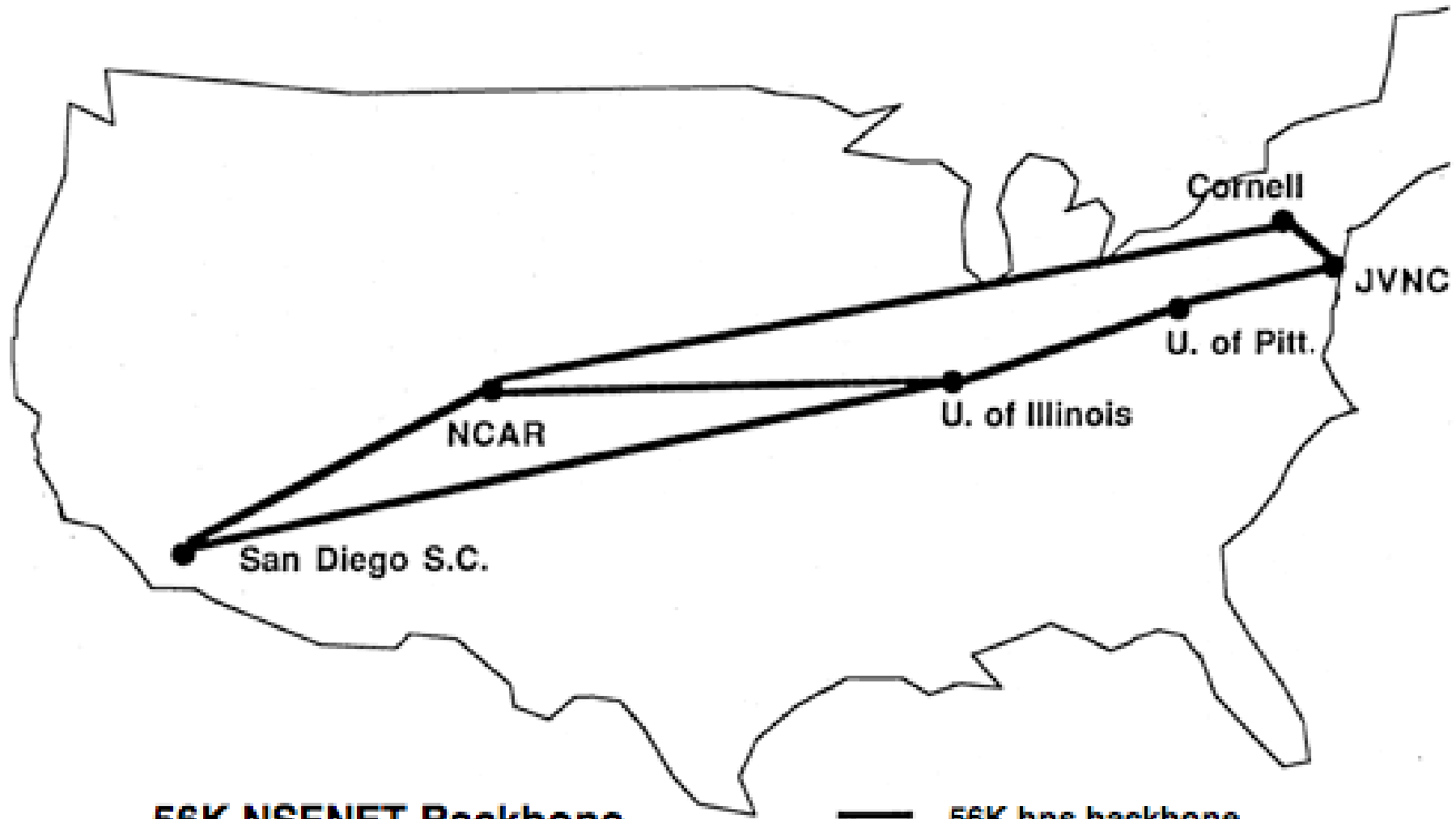
# Internet governance



# ARPA Network, Geographic Map

September 1973





**56K NSFNET Backbone**  
**July 1986 - July 1988**

— 56K bps backbone  
● Fuzzball nodes



# Proprietary or open format ?

- The first proprietary format was unsuccessful
  - Telecommunications
  - Cable TVs
  - Banks(SWIFT)
  - Intranet
  - LAN

# 1982

- TCP/IP –
  - Vyvinul Stanford a UCL
  - Army – the first user
  - After that IBM, AT&T and DEC

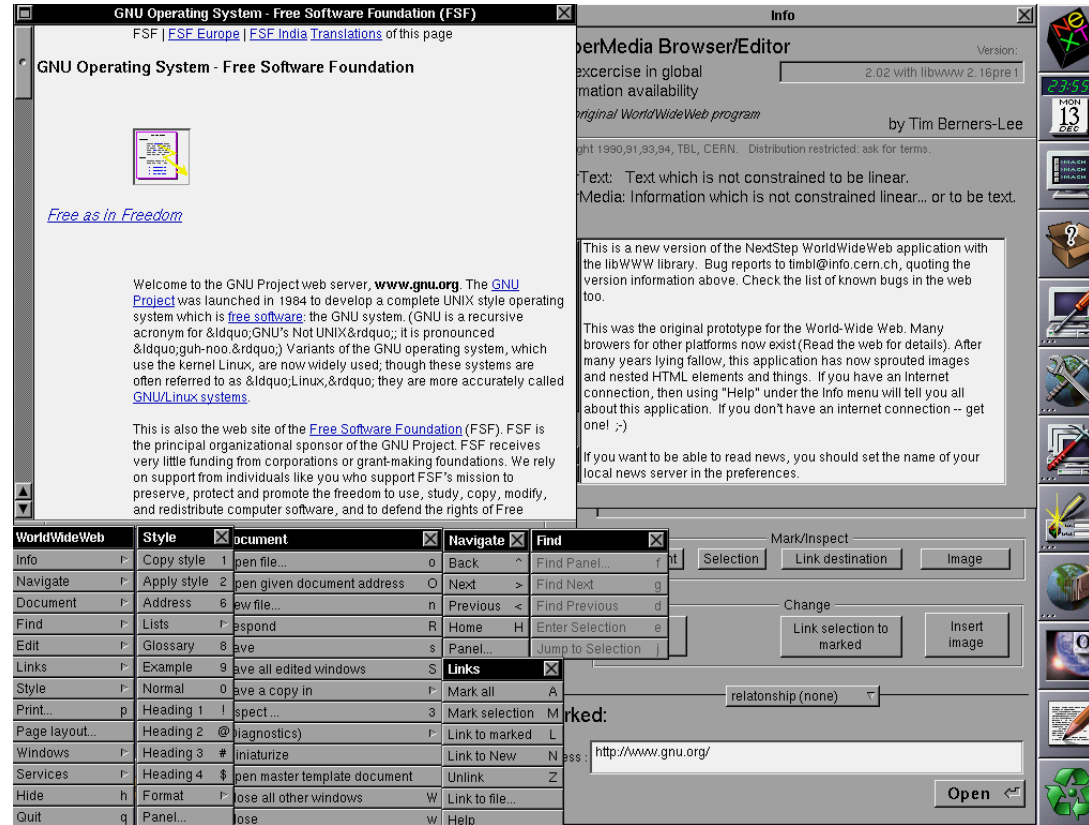
1988



Internet Assigned Numbers Authority

- Established by US government
- Administers IP addresses and domains
- LDNS“ Office

# 1991 Browser



# ISOC 1992

- Non-profit organization
- Standards coordination
  - [Internet Engineering Task Force](#) (IETF),
  - [Internet Architecture Board](#) (IAB),
  - [Internet Engineering Steering Group](#) (IESG),
  - [Internet Research Task Force](#) (IRTF).



# 1998

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- Internet Corporation for Assigned Names and Numbers
- From „single stakeholder“ to „multi-stakeholder“

# ICANN



# After 2016

- The contract between USA and ICANN runs out
  - Either – completion of multi-stakeholder model
  - Or – return under US government



# ICANN – top authority

- Internet corporation for assigned names and numbers
- responsible for managing and coordinating the Domain Name System (DNS)
- ICANN is also responsible for accrediting the domain name registrars

## ICANN sends plan for Internet transition to US gov't

By Eden Estopace | 2016-03-14



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**Caption:**  
ICANN's Board Chair Dr. Stephen D. Crocker

The Internet Corporation for Assigned Names and Numbers (ICANN), the agency responsible for the global coordination of the DNS Root, IP addressing, and other Internet protocol resources, said the [plan for the global stewardship of the Internet](#) has been submitted to

the US government for review.

The plan is the result of an inclusive, global discussion among representatives from government, large and small business, technical experts, civil society, researchers, academics and end users.

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<https://www.icann.org/en/system/files/files/iana-stewardship-transition-proposal-10mar16-en.pdf>

**Proposal to Transition the Stewardship of the  
Internet Assigned Numbers Authority (IANA) Functions  
from the U.S. Commerce Department's National  
Telecommunications and Information Administration (NTIA)  
to the Global Multistakeholder Community**

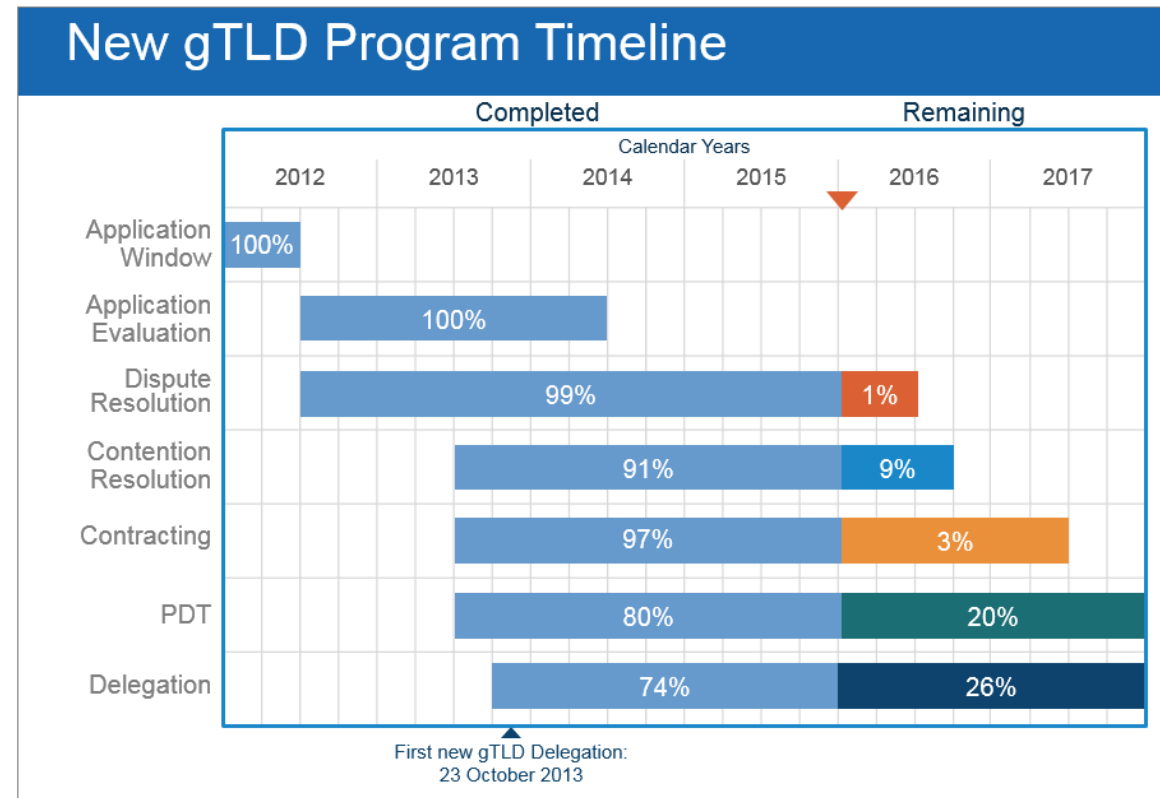
**IANA Stewardship Transition Coordination Group (ICG)**

**March 2016**

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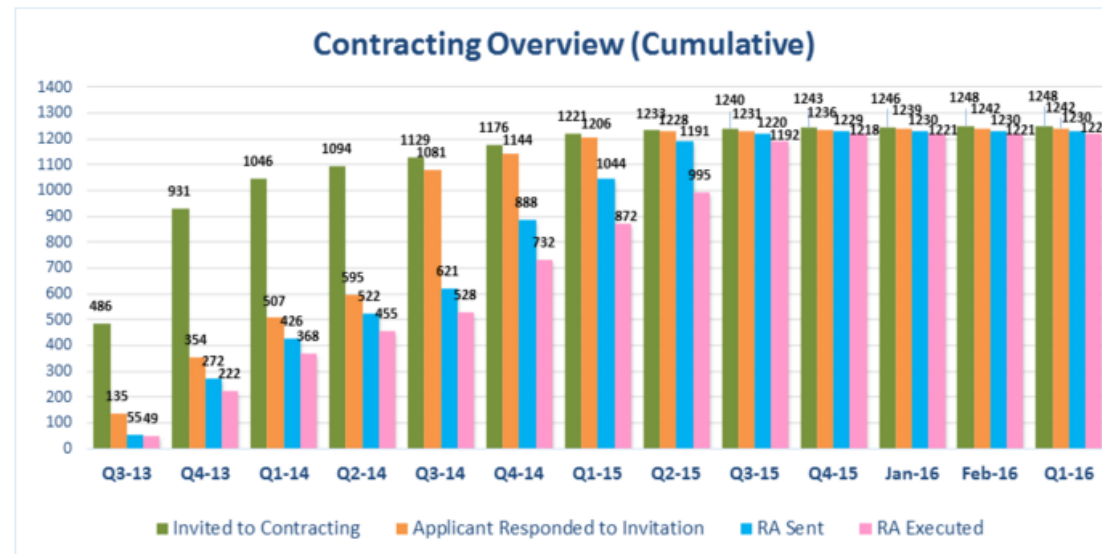
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# How to get a new TLD?



# HOW many TLD are there now?

- CCA 1400
- [https://en.wikipedia.org/wiki/List\\_of\\_Internet\\_top-level\\_domains](https://en.wikipedia.org/wiki/List_of_Internet_top-level_domains)



# What do they have in common?

In terms of registration eligibility?

- Not much

In terms of registration proces?

- Not much – not every site needs to operate via „registrators“

In terms of jurisdiction

- Not much

# What is harmonized?

- Trademark protection
  - Alternative dispute resolution
  - Applies to new TLD
  - LTD prior to such



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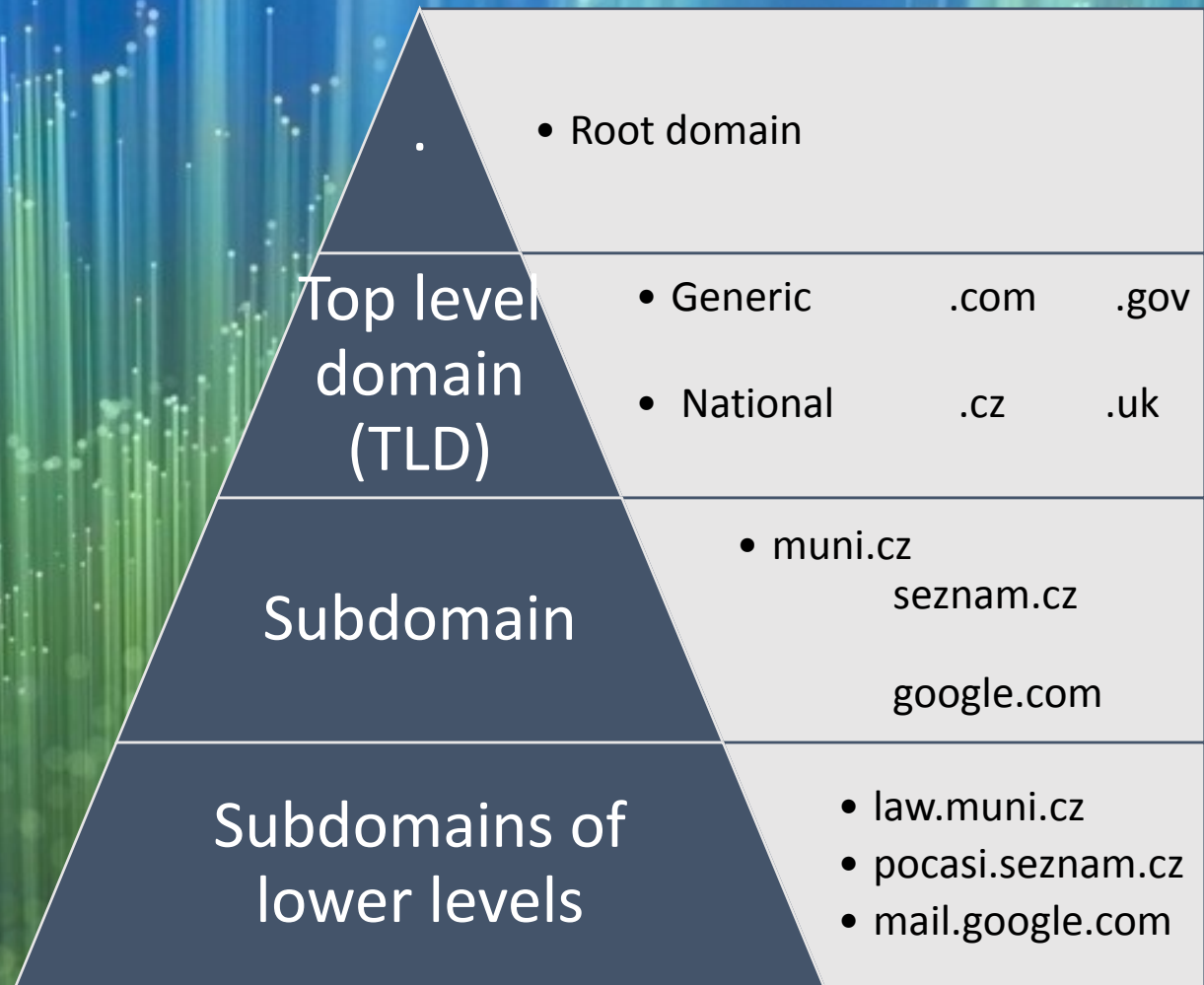


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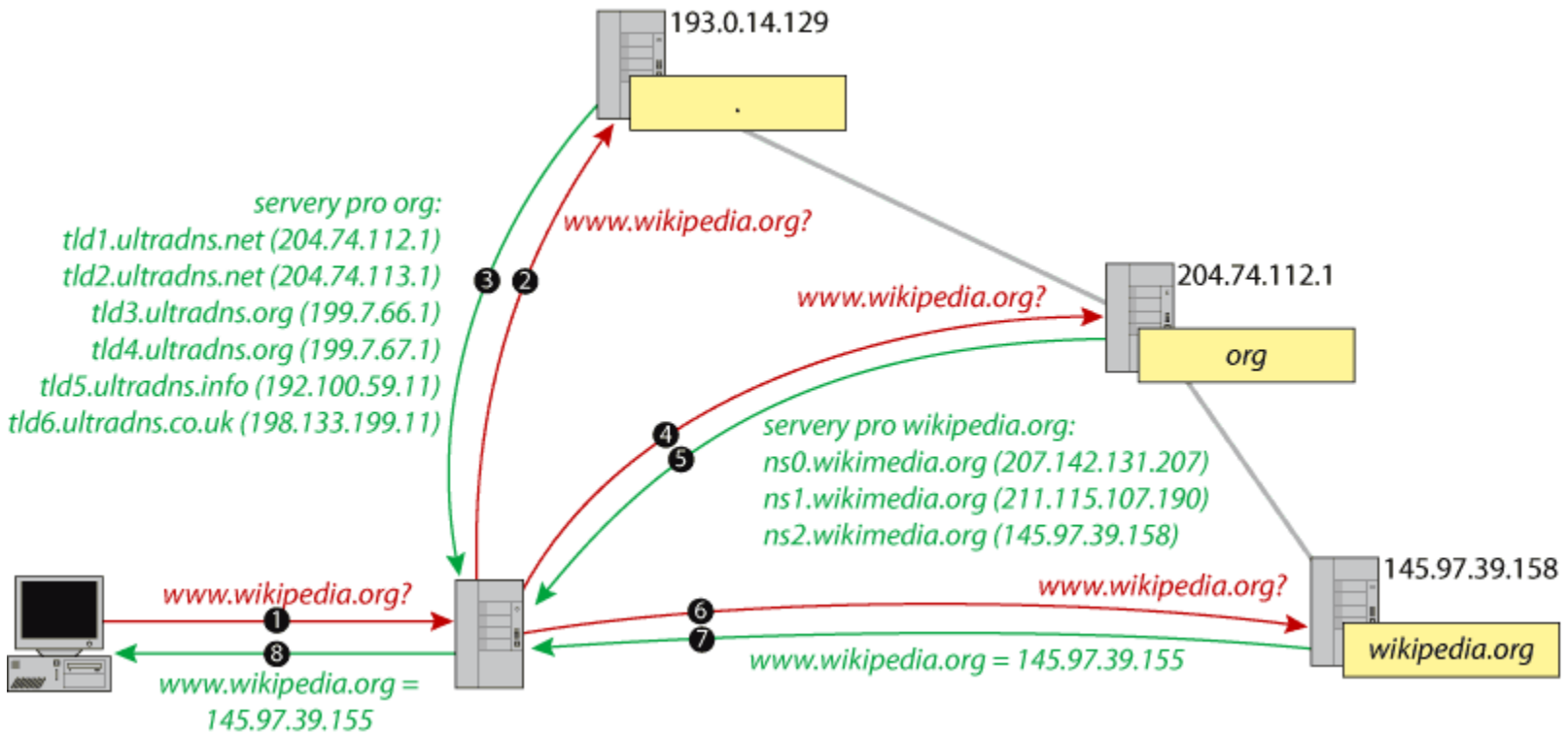


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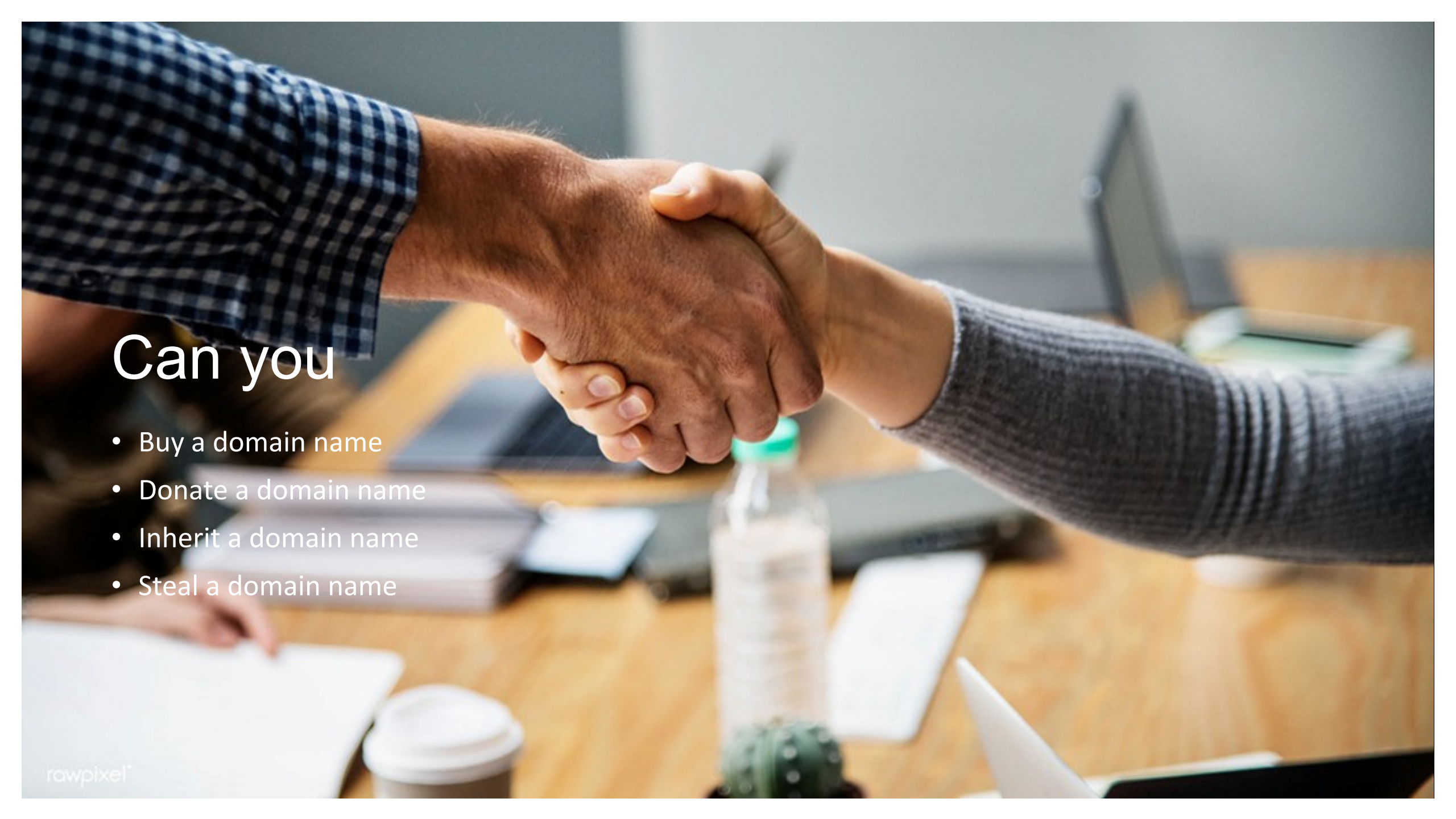
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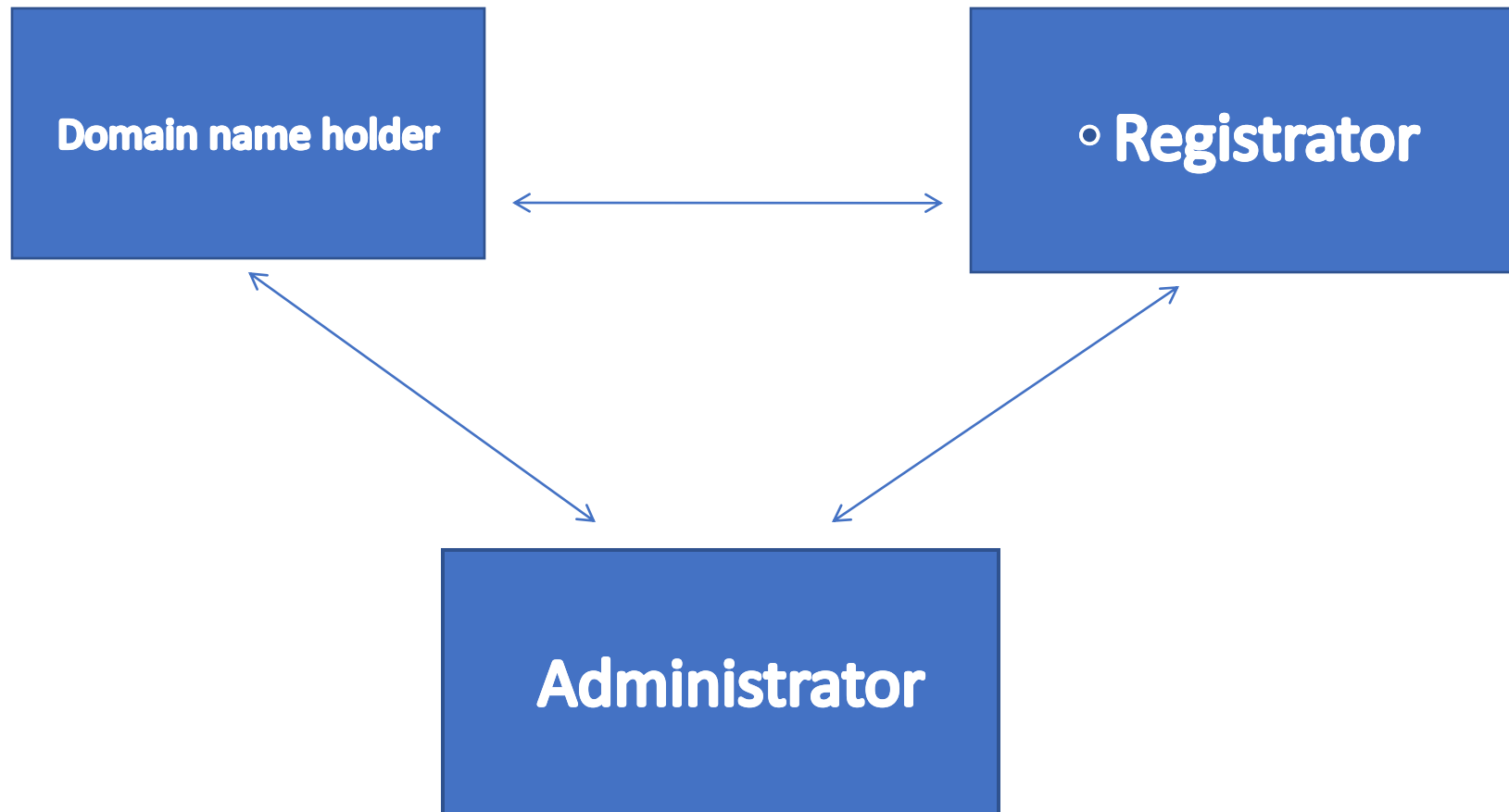
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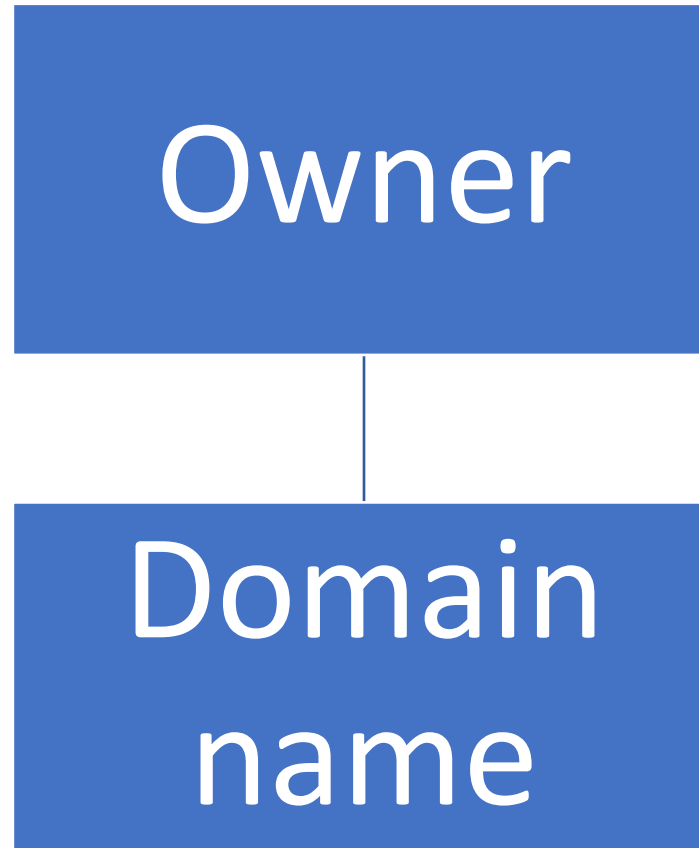
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