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Cross-border Internet Dispute Resolution



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Pablo Cortés



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Internet and Dispute Resolution Norman Solovay, Cynthia K. Reed, 2003 The Internet and Dispute Resolution Untangling the Web shows you how ODR works and how it is already transforming dispute resolution in both business to business and business to consumer transactions *Intra-community Cross Border Disputes Over the Internet* Gráinne Callanan, 2003

Rethinking EU Consumer Law Geraint Howells, Christian Twigg-Flesner, Thomas Wilhelmsson, 2017-07-28 In Rethinking EU Consumer Law the authors analyse the development of EU consumer law on the basis of a number of clear themes which are then traced through specific areas Recurring themes include the artificiality of the EU's consumer image the problems created by the drive towards maximum harmonisation and the unexpected effects EU Consumer Law has had on national law The book argues that EU Consumer Law has the potential of enhancing the protecting of consumers throughout the EU and could offer a model for consumer law elsewhere in the world but in order to unlock this potential there needs to be a rethink with regard to the EU's approach to consumer law and policy *Online Resolution of E-commerce Disputes* Jie

Zheng, 2020-10-03 This book discusses how technological innovations have affected the resolution of disputes arising from electronic commerce in the European Union UK and China Online dispute resolution ODR is a form of alternative dispute resolution in which information technology is used to establish a process that is more effective and conducive to resolving the specific types of dispute for which it was created This book focuses on out of court ODR and the resolution of disputes in the field of electronic commerce It explores the potential of ODR in this specific e-commerce context and investigates whether the current use of ODR is in line with the principles of access to justice and procedural fairness Moreover it examines the major concerns surrounding the development of ODR e.g the extent to which electronic ADR agreements are recognized by national courts in cross border e-commerce transactions how procedural justice is ensured in ODR proceedings and whether ODR outcomes can be effectively enforced To this end the book assesses the current and potential role of ODR in resolving e-commerce disputes identifies the legal framework for and legal barriers to the development of ODR and makes recommendations as to the direction in which practice and the current legal framework should evolve In closing the book draws on the latest legislation in the field of e-commerce law and dispute resolution in order to make recommendations for future ODR design such as the EU Platform to Business Regulation on Promoting Fairness and Transparency for Business Users of Online Intermediation Services 2019 and the United Nations Convention on International Settlement Agreements

Resulting from Mediation 2018 which provide the legal basis for ODR's future development

Online Dispute Resolution for Consumers in the European Union Pablo Cortés, 2010-09-13 A PDF version of this book is available for free in open access via www.tandfebooks.com as well as the OAPEN Library platform www.oapen.org It has been made available under a Creative Commons Attribution Non Commercial No Derivatives 3.0 license and is part of the OAPEN UK research project E-commerce offers immense challenges to traditional dispute resolution methods as it entails parties often located in different parts of the world making contracts with each other at the click of a mouse The use of traditional litigation for disputes arising in this forum is often inconvenient impractical time consuming and expensive due to the low value of the transactions and the physical distance between the parties Thus modern legal systems face a crucial choice either to adopt traditional dispute resolution methods that have served the legal systems well for hundreds of years or to find new methods which are better suited to a world not anchored in territorial borders Online Dispute Resolution ODR originally an offshoot of Alternative Dispute Resolution ADR takes advantage of the speed and convenience of the Internet becoming the best and often the only option for enhancing consumer redress and strengthening their trust in e-commerce This book provides an in-depth account of the potential of ODR for European consumers offering a comprehensive and up-to-date analysis of the development of ODR It considers the current expansion of ODR and evaluates the challenges posed in its growth The book proposes the creation of legal standards to close the gap between the potential of ODR services and their actual use arguing that ODR if it is to realise its full potential in the resolution of e-commerce disputes and in the enforcement of consumer rights must be grounded firmly on a European regulatory model

Arbitration in the Digital Age Maud Piers, Christian Aschauer, 2018-01-25 Arbitration in the Digital Age analyses how technology can be efficiently and legitimately used to further sound arbitration proceedings The contributions from a variety of arbitration scholars report on current developments predict future trends and assesses their impact from a practical legal and technical point of view The book also discusses the relationship between arbitration and the Internet and analyses how social media can affect arbitrators and counsel's behaviour Furthermore it analyses the validity of electronic arbitration and awards as well as Online Arbitration OArb The volume establishes on a very practical level how technology could be used by arbitration institutions arbitrators parties to an arbitration and counsel This book will be of special interest to arbitrators and lawyers involved in international commercial arbitration

Internet Jurisdiction Law and Practice Julia Hörnle, 2021-01-07 From a technological standpoint geography is largely irrelevant Data flows through the internet without regard for political borders or territories Services communication and interaction can occur online between persons who may be in different countries Illegal activities like hacking cyberespionage propagating terrorist propaganda defamation revenge porn and illegal marketplaces may all be remotely targeted and accessed from various countries As such the internet has created an interesting and complex set of challenges for the concept of jurisdiction and conflicts of law This title takes a comparative approach covering the EU UK US

Germany and China Broken into four parts this book delves into the notion of jurisdiction as it relates to the internet Part I focuses on the different meanings of the concept of jurisdiction from a legal and historical perspective and distinguishing between the different branches of government It will highlight the challenges created by the internet including social media and cloud computing Part II analyses criminal jurisdiction in regards to both jurisdictions in cybercrime cases and jurisdictional issues relating to criminal investigations access to the cloud and enforcement Part III examines jurisdiction and applicable law in civil and commercial matters such as e commerce B2B and B2C contracts torts typically occurring online and online defamation and privacy infringement Finally Part IV looks at regulatory jurisdiction examining the power of the executive whether an arm of government or independent regulator to apply and enforce national law It will look at aspects like the provision of online audio visual media services and online gambling services both of which are heavily regulated but which can be easily provided remotely from different jurisdictions The book concludes by analysing how the concept of jurisdiction should be adapted to ensure the rule of law by nation states and prevent international conflicts between states This title gives a comprehensive look at the complicated subject of internet jurisdiction essential for all dealing with jurisdictions in the modern age

Cross Border Internet Dispute Resolution Cross Border Internet Dispute Resolution Book Review: Unveiling the Magic of Language

In an electronic era where connections and knowledge reign supreme, the enchanting power of language has been apparent than ever. Its power to stir emotions, provoke thought, and instigate transformation is actually remarkable. This extraordinary book, aptly titled "**Cross Border Internet Dispute Resolution Cross Border Internet Dispute Resolution**," published by a very acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound affect on our existence. Throughout this critique, we shall delve into the book's central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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