

CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE

500 – 666 Burrard Street, Vancouver, BC Canada V6C 3P6

Email: resolution@ciidrc.com

www.ciidrc.com

APPLICATION FOR APPROVAL AS SERVICE PROVIDER UNDER ICANN'S DISPUTE RESOLUTION POLICIES

General Information

A.	Name of Applicant: CANADIAN INTERNATIONAL INTERNET DISPUTE RESOLUTION CENTRE, (the "CIIDRC") , a division of British Columbia International Commercial Arbitration Centre	
B.	Head office address: 500 – 666 Burrard Street, Vancouver, British Columbia V6C 3P6, Canada	
C.	Telephone: 604-684-2821	Contact Person: Ina Ergasheva
D.	Facsimile: 604-684-2825	E-mail: admin@bcicac.com
E.	Place of incorporation / registration Vancouver, BC, Canada	Year of incorporation / registration 1986

PART 1: An overview of the capabilities and background in providing alternative dispute-resolution (ADR) services, including a description of the track record of handling the clerical aspects of expedited ADR proceedings.

Please see the attached Annex A

PART 2: A list of the names and qualifications of the panelists and a description of the screening requirements used in selecting panelists to be included on the list.

Please see the attached Annex B

PART 3: A description of training and educational measures proposed to employ for listed panelists with respect to domain-name disputes, the relevant policy, and the associated Rules.

Initially, we will retain panel members with significant experience in domain name disputes. As demand increases, training will be required and will be offered as needed. It will cover all aspects of the UDRP policies and rules.

CIIDRC will have a blog page on the website available for interactions between its panellists. The goal of this blog is to create a platform for continuous discussion on current issues related to the UDRP Rules, Policies, and Procedures, in order to achieve the highest quality and consistency of the decisions rendered by our panellists.

The Continuing Legal Education Society of British Columbia, Canada (CLE) is the most respected and relied upon source of continuing professional education. CLE is available to assist CIIDRC by organizing courses on domain name dispute resolution under UDRP policies.

CIIDRC will organize yearly conferences dedicated to promotion of online domain name dispute resolution.

PART 4: A commitment not to prevent or discourage any of the listed panelists from serving as panelists for domain-name disputes administered by other approved providers.

CIIDRC will not prevent or discourage any of its listed panelists from serving as panelists for disputes administered by other approved providers.

PART 5: Supplemental rules (including fee schedule).

Please see the attached Annex C

Part 6: Internal operating procedures.

Please see the attached Annex D

Part 7: Schedule for implementation of the program for administering proceedings under the policy; a statement of administrative capacity in terms of number of proceedings initiated on a monthly basis.

We intend to implement the UDRP project presented within 2 to 4 months from its approval by ICANN. CIIDRC is equipped and prepared to administer up to 200 cases per month. This capacity can be increased.

Part 8: Statement of requested limitations on the number of proceedings handled, either during a start-up period or on a permanent basis.

CIIDRC does not ask for any limitations on the number of proceedings that CIIDRC will undertake during the start-up period or on a permanent basis. CIIDRC is capable of successfully administering a large number of cases.

Part 9: A description of how the applicant proposes to administer proceedings, including its interactions with parties, registrars, ICANN, and other approved providers.

CIIDRC will efficiently administer proceedings via electronic communications in accordance with the UDRP Rules and Policies. An interactive website will allow parties in a dispute to file a complaint and a response online. CIIDRC will offer a secure online channel for the parties use.

If required, CIIDRC will notify an ICANN designated officer and the registrar affected on all the proceedings opened and decisions rendered. CIIDRC will provide quarterly statistics to the ICANN designated officer.

CIIDRC will interact with other approved providers to maintain joint collaboration to insure that services provided to the public are impartial, effective and efficient. CIIDRC will seek feedback from its users.

Part 10: Description of intention to publish decisions of panels in proceedings it administers and a commitment to provide ICANN with copies of all portions of decisions of panels not published.

All decisions rendered by our panellists will be posted on the CIIDRC website so that complainants, respondents, their counsel, panellists, providers and the public, who have an interest in the rights of domain name holders and trademark owners, will have easy access to the decision.

CIIDRC is committed to provide ICANN with copies of all decisions including all portions of decisions of the panel that are not published.

We trust that you will find the above information to be satisfactory. Please let us know if there is anything else you need.

Thank you for your consideration.

RESPECTFULLY SUBMITTED THIS 15 DAY OF MAY, 2018.

ANNEXES INDEX

- a. Annex A - Overview of the Canadian International Internet Dispute Resolution Centre capabilities and background in providing alternative dispute resolution services.**
- b. Annex B - A list of the names and qualifications of the panelists.**
- c. Annex C - Supplemental Rules, including fee schedule**
- d. Annex D - Internal Operating Procedures**

ANNEX A

Overview of the Canadian International Internet Dispute Resolution Centre capabilities and background in providing alternative dispute resolution services:

Canadian International Internet Dispute Resolution Centre (the "CIIDRC") is a division of the British Columbia International Commercial Arbitration Centre (the "BCICAC"), which was established by the government of the Province of British Columbia with the support of the Federal Government of Canada in 1986. BCICAC operates under the BCICAC Foundation, a non-profit foundation incorporated under the Society Act of B.C. (RSBC 1996), Chapter 433. The Foundation is managed by a Board of Directors consisting of business leaders, lawyers, academics, and a former Supreme Court of British Columbia Judge.

BCICAC has a "public" mandate; Section 22 of the *Arbitration Act* of British Columbia states that the rules of BCICAC for domestic arbitrations are the default rules for any arbitral proceeding in British Columbia unless the parties agree otherwise.

One of the purposes of the Centre is to promote arbitration as a dispute resolution mechanism for international and domestic commercial disputes. In that capacity, BCICAC has developed a structure and mechanism to manage arbitrations. This includes, among other things, the initiation of arbitration and mediation of disputes, providing administrative support, appointing arbitrators from a select and qualified panel of potential arbitrators, assisting in funds management and generally acting as a depository or registry.

BCICAC has 123 panellists, of which 48 are international. Although "international" is included in the name BCICAC, we also address domestic arbitrations, CIRA (Canadian Internet Registration Authority), UMP (Underinsured Motorist Protection) for ICBC (Insurance Corporation of British Columbia), and mediations. BCICAC also successfully acted as the Registry for Woodlands School abuse class action for six years.

In general, BCICAC offers the international and domestic business community a streamlined administrative service to ensure that arbitrations are conducted in an efficient, cost effective, and expeditious manner.

BCICAC and the Canadian International Internet Dispute Resolution Centre's office is located in the centre of Vancouver and fully equipped to deal with a large number of cases.

Domain Name Disputes

BCICAC is a service provider for the Canadian Internet Registration Authority (CIRA). CIRA was incorporated in December 1998 and became the official .ca (ccTLD – country-code Top- Level Domain) registry in the year 2000. CIRA developed a CDRP Rules and Policies based on ICANN's Uniform Domain Name Dispute Resolution Policy (UDRP) in 2002.

On April 14, 2002 BCICAC entered into an Agreement with CIRA and was appointed as the Provider of on-line dispute resolution services under the CDRP and Resolution Rules. Thus, BCICAC now has more than sixteen (16) years' experience in successfully managing .ca domain name disputes, and over thirty (30) years of experience in assisting businesses and individuals resolve their differences outside of the court process.

BCICAC has a well trained and experienced staff to handle all the aspects of expedited ADR proceedings. Please visit our website: www.bcicac.com

In conclusion, the Canadian International Internet Dispute Resolution Centre, as a division of BCICAC, is willing and able to act as a Service Provider under ICANN dispute resolution policies. **We are committed to promoting and providing efficient, cost-effective and speedy online dispute resolution services.** We believe that under the leadership of ICANN, CIIDRC would be an excellent addition to the list of providers resolving internet domain name disputes.

We welcome any questions or comments about our experience and resources that we can offer.

ANNEX B

A list of the names and qualifications of the panelists:

1. Sir. Ian Barker, Auckland, New Zealand
2. Hon. Neil Brown, Q.C., Melbourne, Australia
3. Tina Cicchetti of Fasken, Vancouver, Canada
4. Craig R. Chiasson of BLG, Vancouver, Canada
5. Robert J.C. Deane of BLG, Vancouver, Canada
6. Barry Effler, Winnipeg, Canada
7. Michael Erdle, Toronto, Canada
8. Bradley J. Freedman of BLG, Vancouver, Canada
9. Robert A. Fashler, FCI Arb., Vancouver, Canada
10. Claude Freeman, Toronto, Canada
11. Peter R. Day, JD, DESS, FCI Arb, LLC WA USA
12. Duarte G. Henrique of BCH Lawyers, Lisboa, Portugal
13. Doug M. Isenberg, Esq. LL.C. of the GigaLaw Firm Atlanta GA USA (ODRL)
14. David L. Kreider, Auckland, New Zealand
15. Richard Levin, Houston, USA
16. Tom Manson, Q.C. Vancouver/Beijing , Canada/China
17. Anton Melnyk, Q.C., Edmonton, Canada
18. Mark S. McNeil of Shearman & Sterling LLP, Paris, France
19. Peter L. Michealson, Q.C. , New York, USA
20. Robert Morton, Dallas, USA
21. John Rogers, Richmond, Canada
22. Melvyn Simburg of Simburg Ketter Sheppard & Purdy LLP, Seattle, USA
23. Murray Smith, Vancouver, Canada
24. Robert Smith, San Francisco, USA
25. David Wotherspoon of MLT Aikins LLP, Vancouver, Canada
26. Jerry-Yulin Zhang of Lawjay Partners, Beijing, China

Profiles are enclosed.

The above list consists of panelists who are currently on the CIIDRC Roster. During the implementation stage, CIIDRC will invite more candidates from all over the world to become panelists.

Description of the screening requirements in selecting panelists.

The Board of Directors is responsible for approving admission to the CIIDRC Panel.

Domestic Panel:

Panel applicants must meet or exceed the following requirements:

- Possess a degree, and have a minimum of 5 years' experience in particular practice areas.
- Demonstrate competency to initiate, carry out, and complete an engagement as an arbitrator or in a similar decision making process.
- Appropriate practical experience in the area of practice in which he/she sits as an arbitrator.
- Required to have heard and evaluated evidence in accordance with applicable rules, including the ability to assess conflicting points of view, evaluate the validity of arguments presented, determine the award, and write the award.
- Knowledge of the law applicable to arbitration.
- Knowledge of the statutes pertaining to the area of practice in which he/she sits as an arbitrator.
- Knowledge of the relevant Rules and Procedures and their importance and necessity to abide by them.
- Conduct himself or herself freely from bias and prejudice.
- Conduct himself or herself in such a way as to maintain the integrity of the profession.
- Panel members will have shown a commitment to the advancement and promotion of the CIIDRC.
- Sign and comply with the CIIDRC Code of Ethics (enclosed)
- Produce a copy of current Professional Errors & Omissions Liability Insurance (minimum \$1 million).

International Panel:

In addition to the above, international panelists must provide:

- 2 letters of recommendation from; a BCICAC or CIIDRC panel member, judge, former client or employer.
- A personal letter explaining why CIIDRC should qualify the candidate.

Removal from Panels

The Board of Directors will have the right to remove a person from a Panel upon giving due notice. A person so removed will have the right to appear before the Board of Directors or its appointees in order to review their case.

CODE OF ETHICS

Introduction

Panelists undertake serious responsibilities, not only to the parties involved in a dispute, but also to the general public. These responsibilities include ethical obligations.

This Code has been established to provide ethical guidelines for the conduct of panelists and applies generally to all Canadian International Internet Dispute Resolution Centre's panelists in their capacity as Panelists, and specifically in their undertaking an appointment.

CODE OF ETHICS

1. Panelists shall be independent and impartial.
2. Panelists shall uphold the integrity and fairness of the arbitration processes.
3. Panelists shall treat each party to an administrative proceeding with dignity and respect.
4. Panelists shall satisfy him/herself that he/she is qualified to undertake and complete an appointment in a professional manner.
5. Panelists shall disclose any interest or relationship likely to affect impartiality or which might create an appearance of partiality or bias.
6. Panelists must not communicate with the parties directly.
7. Panelists shall conduct all proceedings fairly and diligently, exhibiting independence and impartiality.
8. Panelists shall perform their official duties and responsibilities fully and diligently.
9. Panelists shall conduct all proceedings related to the resolution of a dispute in accordance with applicable law and their professional Codes of Conduct.

ANNEX D

Internal Operating Procedures

1. Purpose

These “Internal Operating Procedures” apply to the process of administering domain name disputes under ICANN Rules and Policies.

The Canadian International Internet Dispute Resolution Centre, (the “CIIDRC”) is committed to promoting and providing efficient, cost-effective and speedy online dispute resolution services.

2. Case Administration

Case Administrators are responsible for administering the cases filed with CIIDRC with respect to domain name disputes under ICANN Rules and Policies. The Case Administrator is responsible for providing administrative support to the Panel.

All communications between the parties and the Panel should be made through a Case Administrator.

Upon receipt of a Complaint and the required commencement fee, the Case Administrator shall:

- i. Open a new file; assign the file a new case number;
- ii. Enter the names of the parties and the domain name in dispute into a data spreadsheet;
- iii. Conduct an administrative review of the Complaint and Annexes in accordance with UDRP Rule 3 and Supplemental Rule 5;
- iv. If the Complaint is in compliance with the UDRP Rules, notify the Registrar and the ICANN office of the domain name in dispute, this will prevent the transfer of the disputed domain name to a third party after an administrative proceeding has commenced;
- v. If the Complaint is not in compliance, the Case Administrator shall notify the Complainant of such deficiencies and invite the Complainant to rectify them within 5 calendar days.

- vi. Verify the name of the Respondent by contacting the ICANN office or the Registrar;
- vii. As soon as practicable the Case Administrator shall send a Notification of Commencement of Proceeding, Schedule C of the Supplemental Rules and Written Notice, Schedule D or E of the Supplemental Rules, to the Respondent;
- viii. Notify parties, the Registrar of the disputed domain name and the ICANN office of the commencement date and deadline date (which is 20 days after the commencement date) for the Respondent to file its Response;
- ix. If requested, consider extending the time for the Registrant to file a response, up to a total of 24 calendar days;
- x. Upon receipt of a Response, review the Response in accordance with UDRP Rule 5 and Supplemental Rule 5;
- xi. Send a copy of the Response to the Complainant via e-mail and a copy to the ICANN office by e-mail;
- xii. Request a deposit towards the Panel fee from the Complainant if the Complainant elects a Single Member Panel, and a deposit from the Respondent if the Respondent chooses a Three Member Panel;
- xiii. Within 5 calendar days and upon receipt of the deposit towards the Panel fee, appoint a Panel in accordance with UDRP Rule 6 and Supplemental Rule 8;
- xiv. Upon receipt of a Decision, notify the ICANN office, the parties and the Registrar of the disputed domain name by e-mail;
- xv. Pay a Panel fee to the Panelist(s) in accordance with the Schedule B of the Supplemental Rules;
- xvi. Post a decision on the CIIDRC website;
- xvii. Close the file;
- xviii. Update the data spreadsheet.

3. Board of Directors

The Board of Directors will consist of the Directors of the British Columbia International Commercial Arbitration Centre (the "BCICAC").

The Board of Directors is responsible for:

- i. Supervising and monitoring the administration of the CIIDRC;
- ii. Auditing and reviewing practices to ensure compliance with procedures;
- iii. Making recommendations regarding administrative, organizational, an operational problems;

- iv. Reviewing, evaluating, and approving any proposals for hardware or software acquisition;
- v. Monitoring and evaluation of performance and initiating corrective or disciplinary actions.