

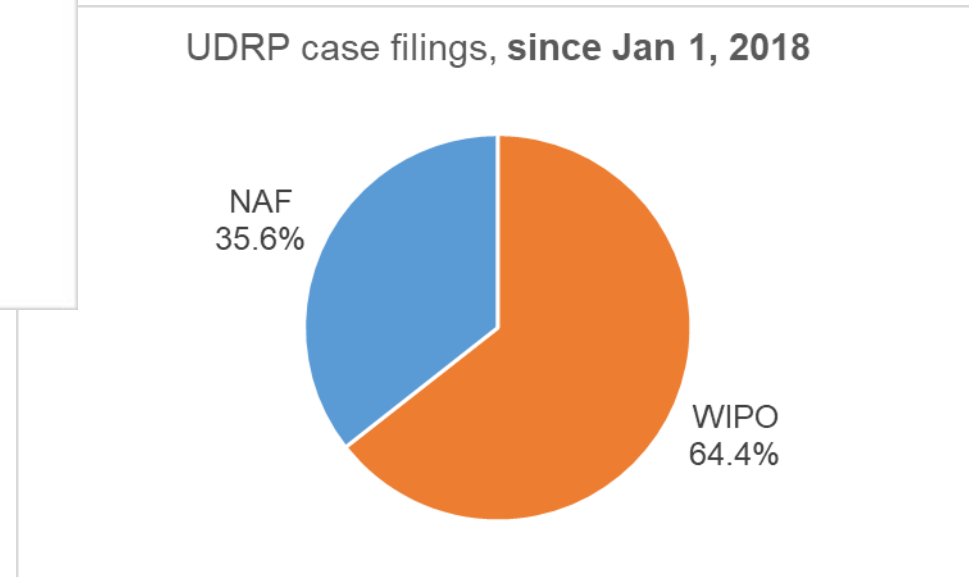
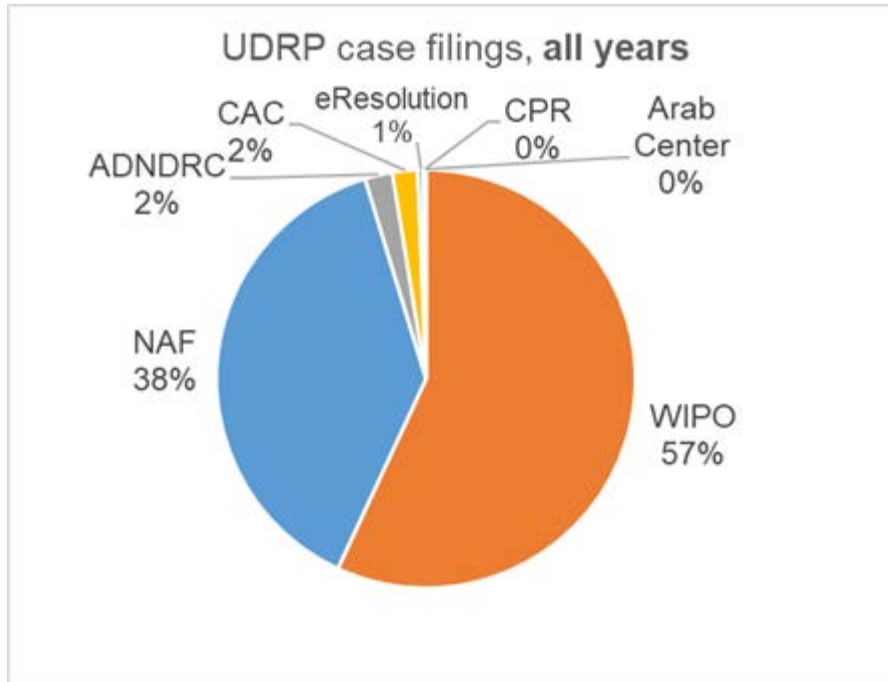
■ The UDRP in numbers

WIPO Conference: As the UDRP Turns 20:
Looking Back, Looking Ahead

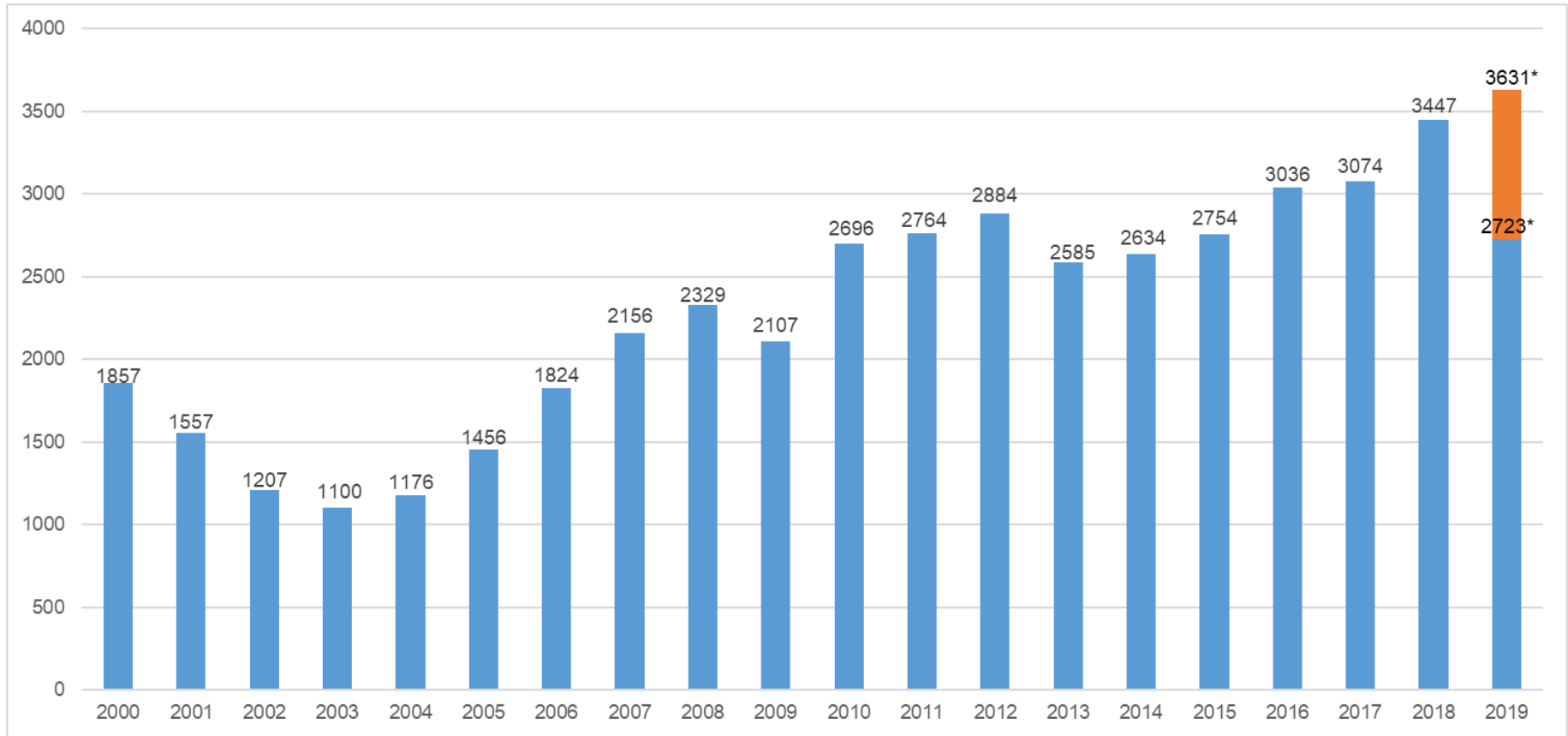
Geneva
October 21, 2019

Gonzalo Bleda
Ty Gray

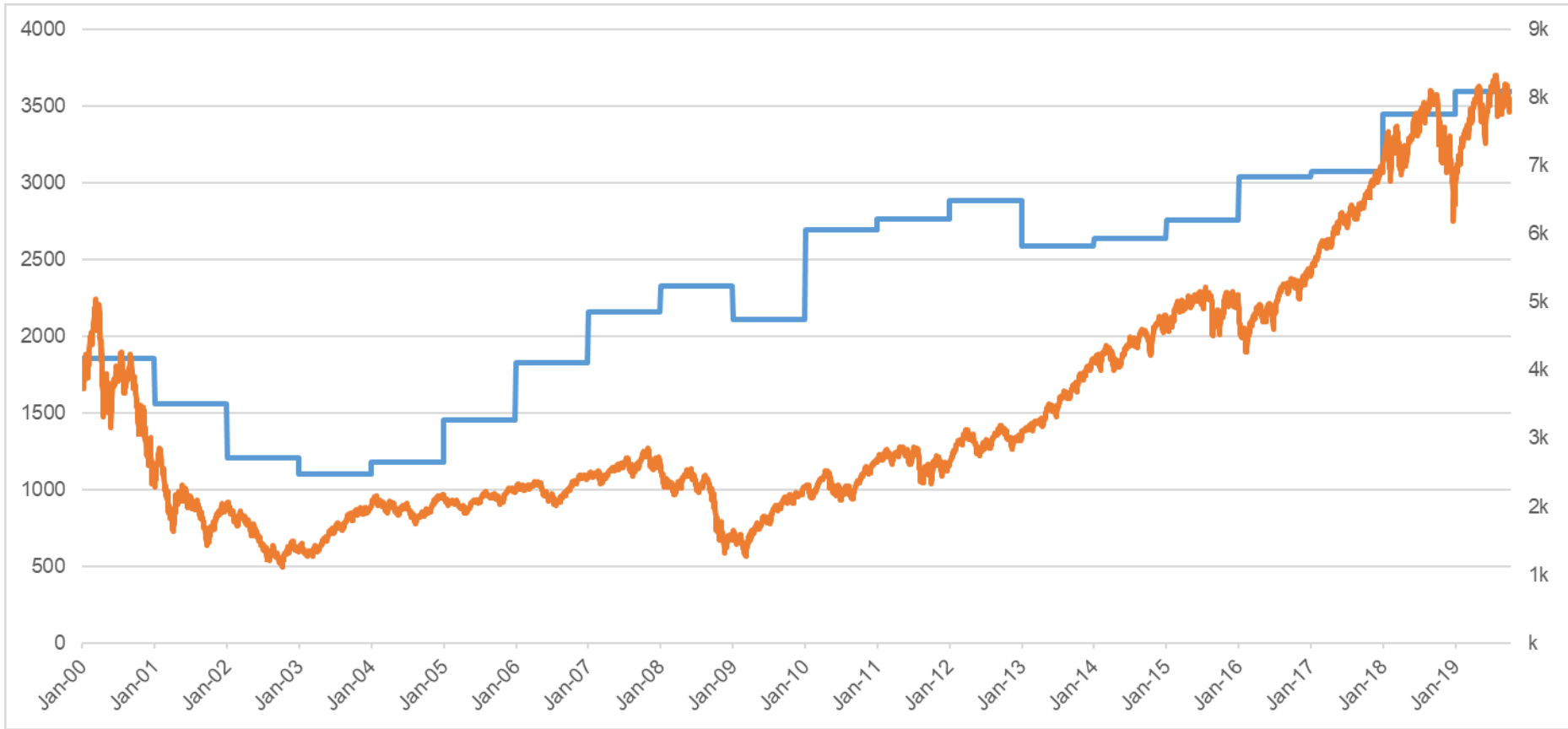
UDRP provider filing stats



WIPO domain name cases by year

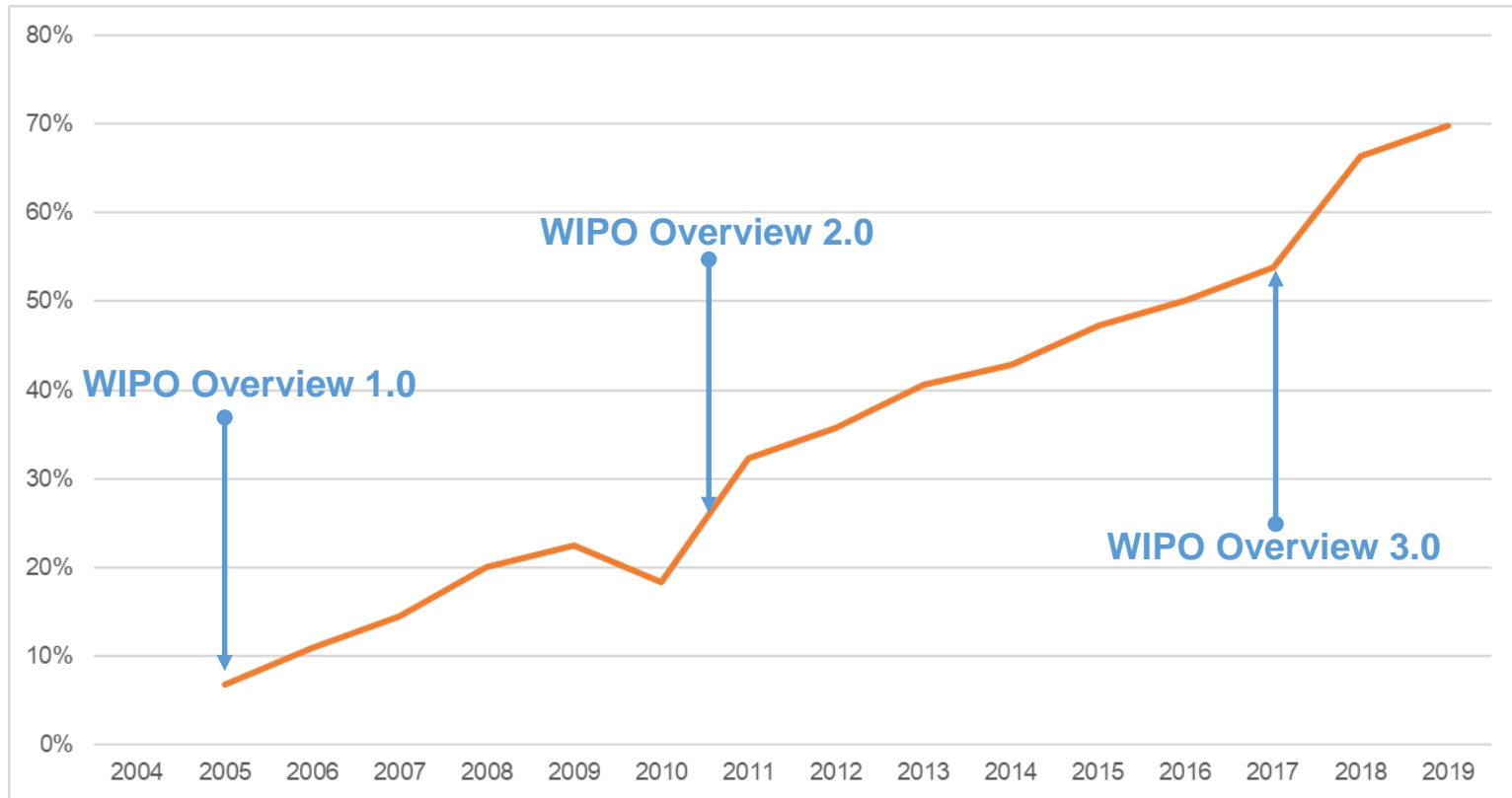


WIPO domain name cases by year



■ Nasdaq composite index

WIPO Overview citations in WIPO decisions

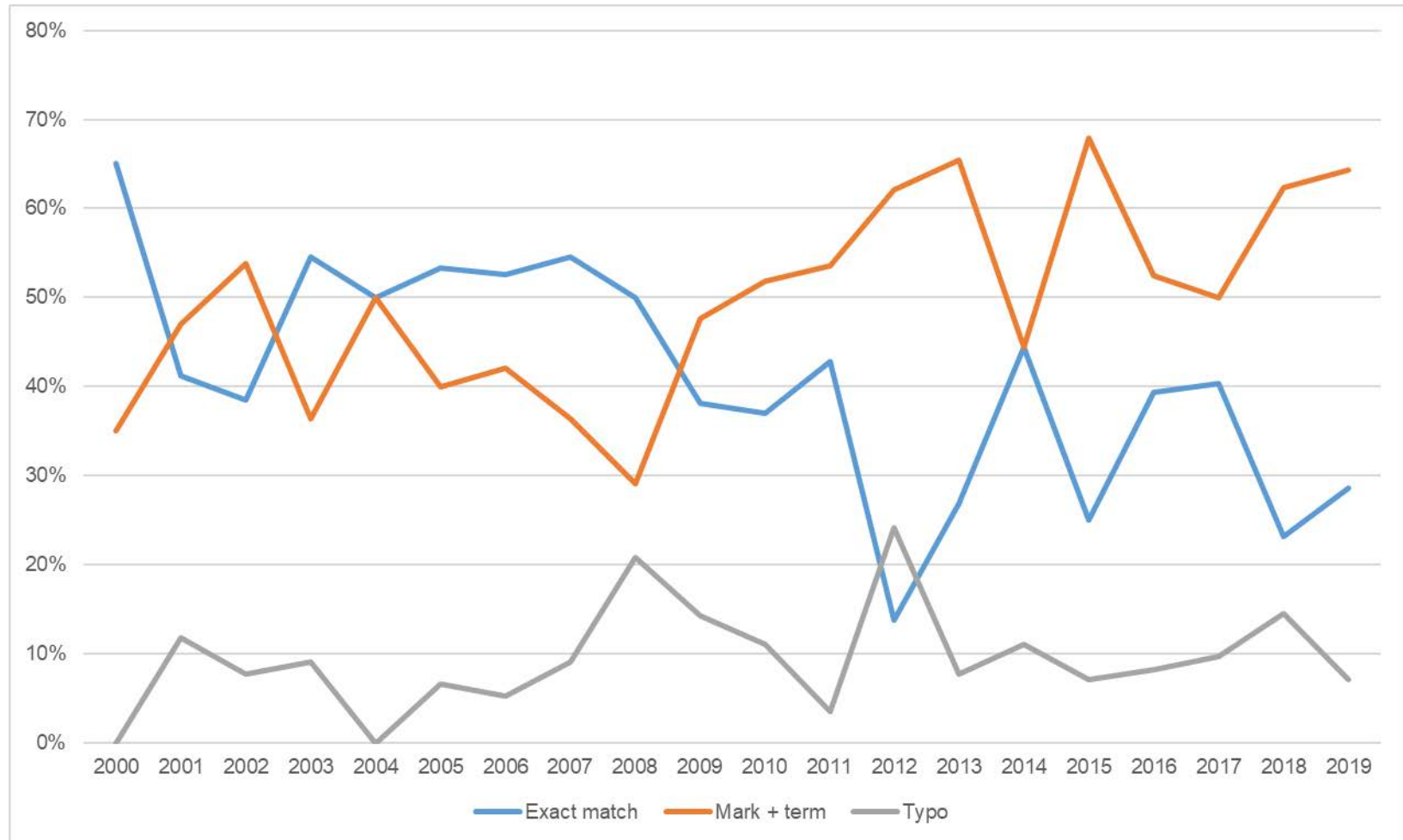


56% of NAF decisions in 2018 cite WIPO Overview

Top 10 WIPO Overview citations in WIPO decisions

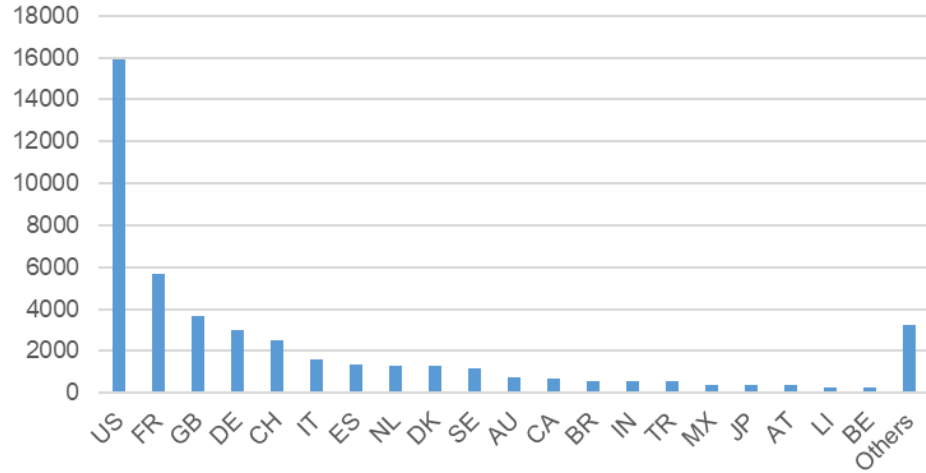
Rank	WIPO Overview Section	% Citations
1	2.1 How do panels assess whether a respondent lacks rights or legitimate interests in a domain name?	16.0%
2	1.7 What is the test for identity or confusing similarity under the first element?	11.8%
3	1.8 Is a domain name consisting of a trademark and a descriptive or geographical term confusingly similar to a complainant's trademark?	9.7%
4	1.11 Is the Top Level Domain relevant in determining identity or confusing similarity?	6.1%
5	3.3 Can the " passive holding " or non-use of a domain name support a finding of bad faith?	5.3%
6	4.3 Does a respondent's default /failure to respond to the complainant's contentions automatically result in the complaint succeeding?	2.8%
7	2.5.1 The nature of the domain name	2.6%
8	1.9 Is a domain name consisting of a misspelling of the complainant's trademark (i.e., typosquatting) confusingly similar to the complainant's mark?	2.2%
9	1.2.1 Do registered trademarks automatically confer standing to file a UDRP case?	2.1%
10	3.1.4 How does a complainant prove that a respondent has intentionally attempted to attract, for commercial gain, Internet users to its website by creating a likelihood of confusion with the complainant's mark?	1.8%

Trademark use in disputed domain name

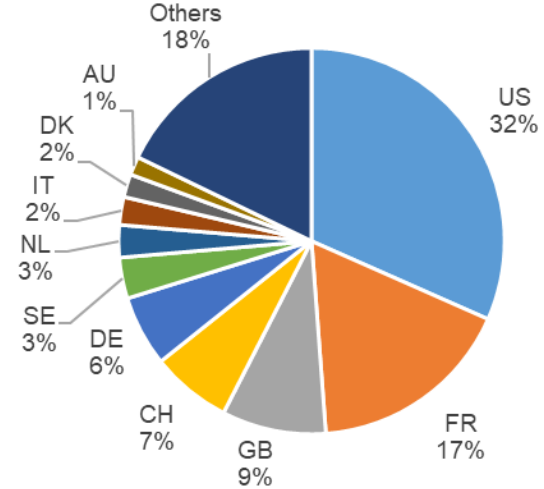


* Based on WIPO case sampling

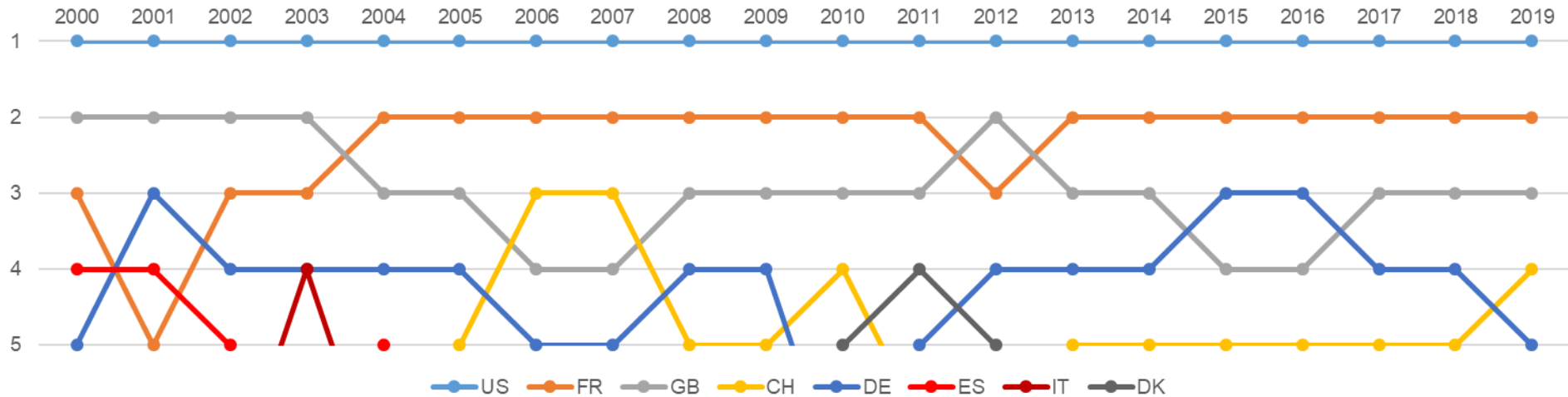
Top 20 WIPO complainant countries, all years



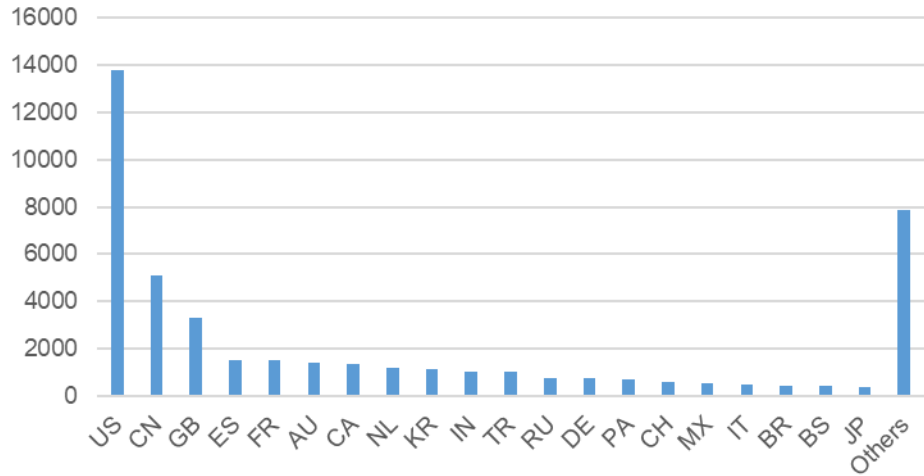
Top 10 WIPO complainant countries, 2019



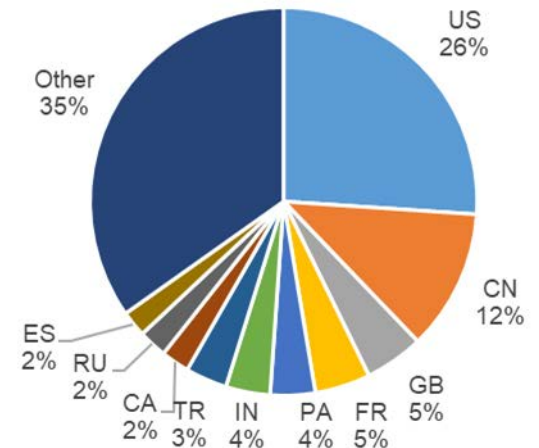
Top WIPO complainant countries, yearly rank



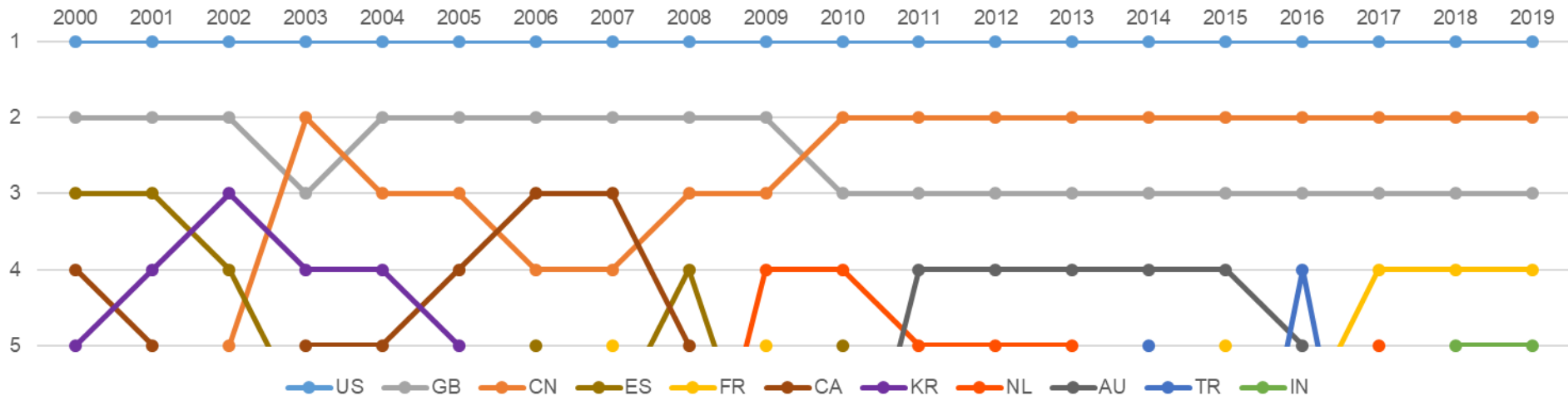
Top 20 WIPO respondent countries, all years



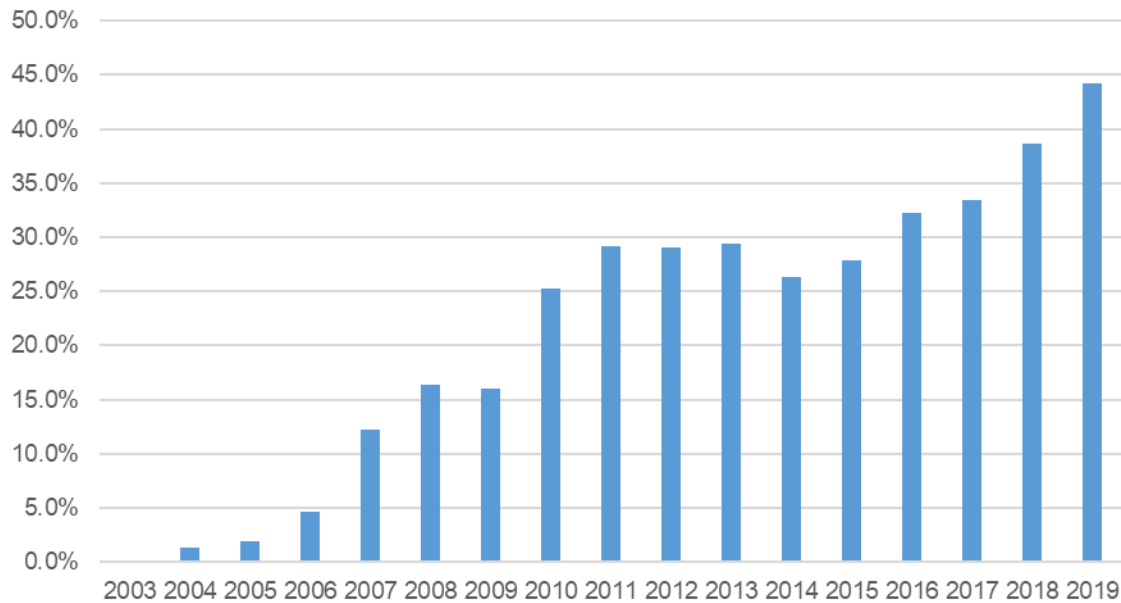
Top 10 WIPO respondent countries, 2019



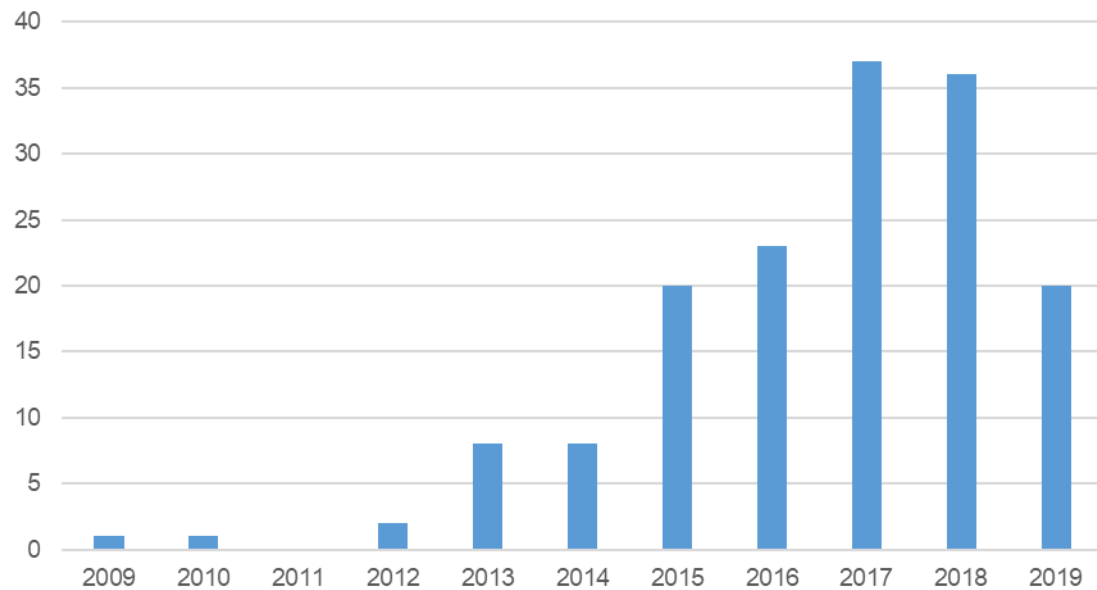
Top WIPO respondent countries, yearly rank



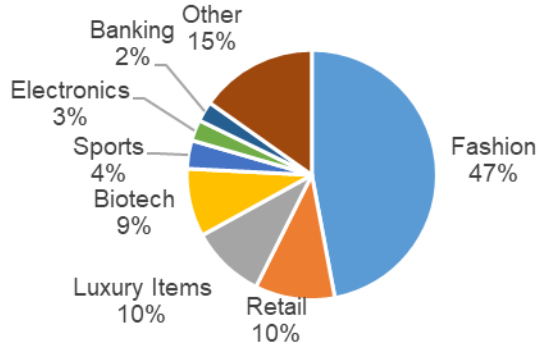
Respondent use of privacy services, WIPO cases



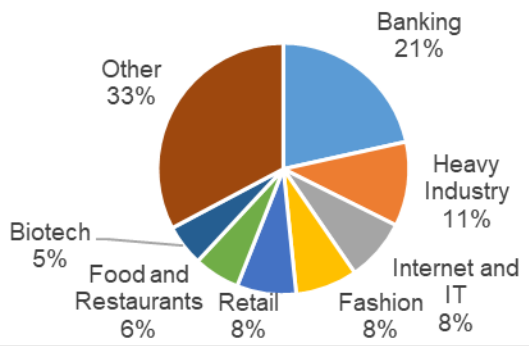
Number of "Name Redacted" WIPO decisions



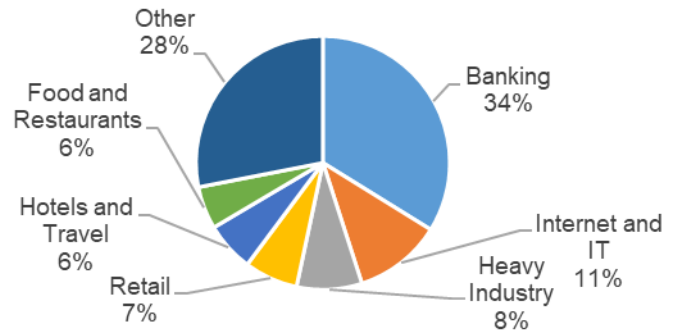
WIPO decisions involving "counterfeit" by industry type



WIPO decisions involving "fraud" by industry type



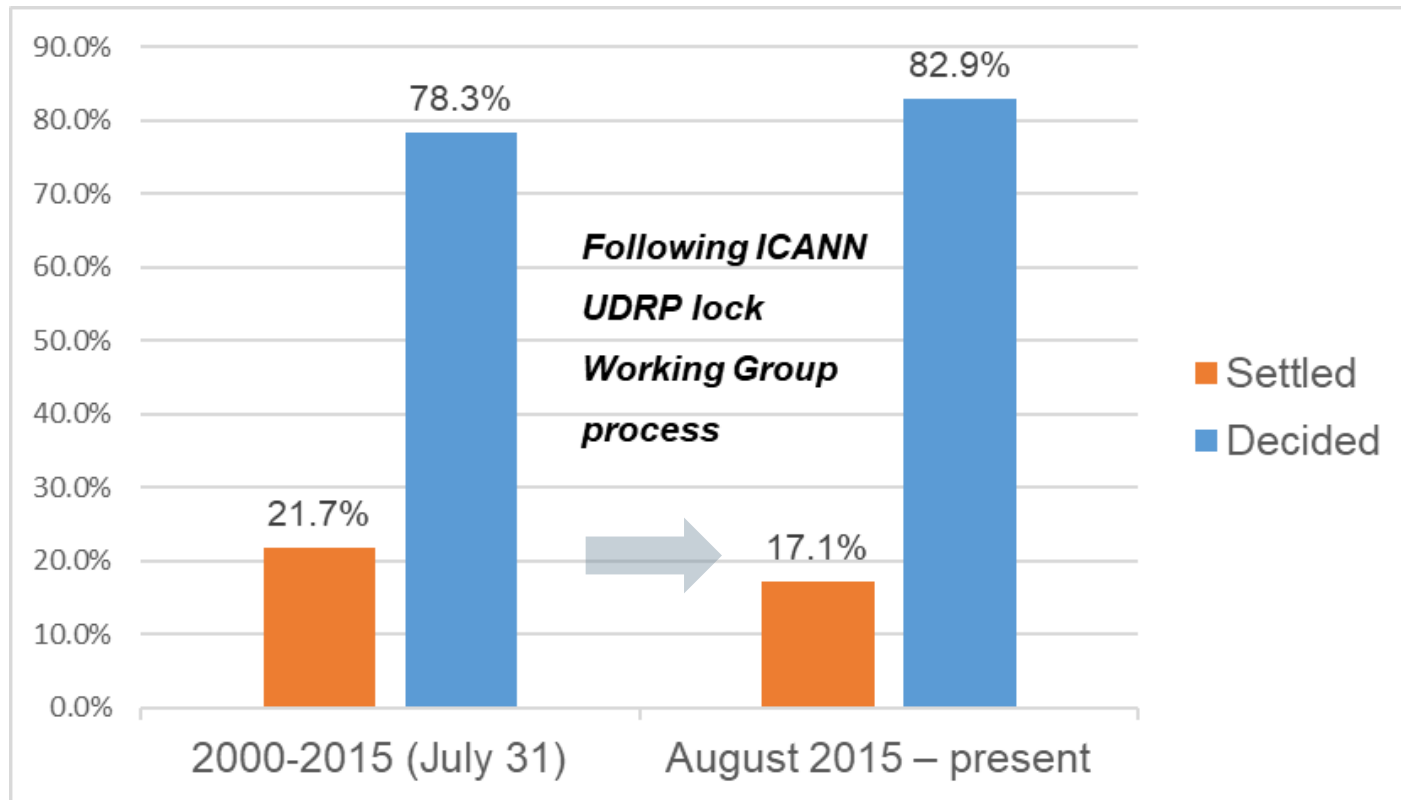
WIPO decisions involving "phishing" by industry type



Incidence of "counterfeit", "fraud", and "phishing" keywords among WIPO decisions in 2019



WIPO UDRP settlement rate



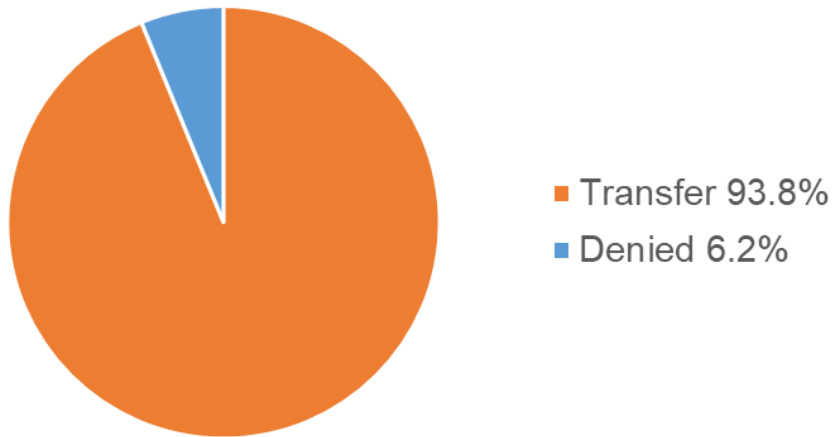
WIPO refunds the panel portion if the parties reach a settlement before appointment
(apparently 6.7% cases settled at NAF in 2018)

UDRP decisions

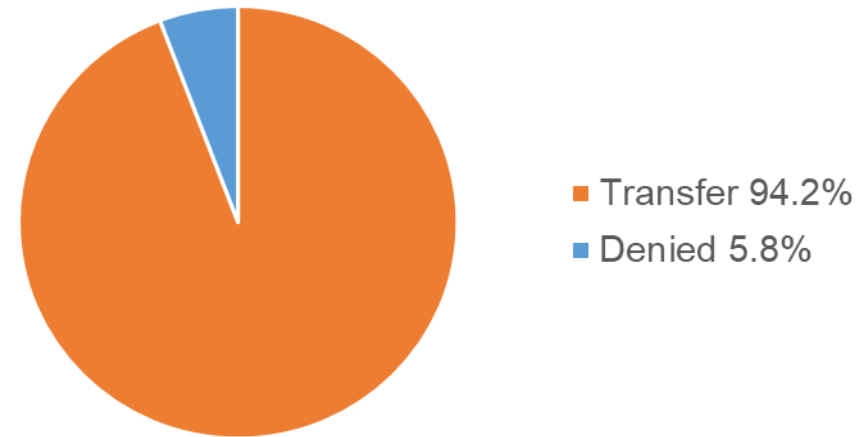


UDRP decision outcomes

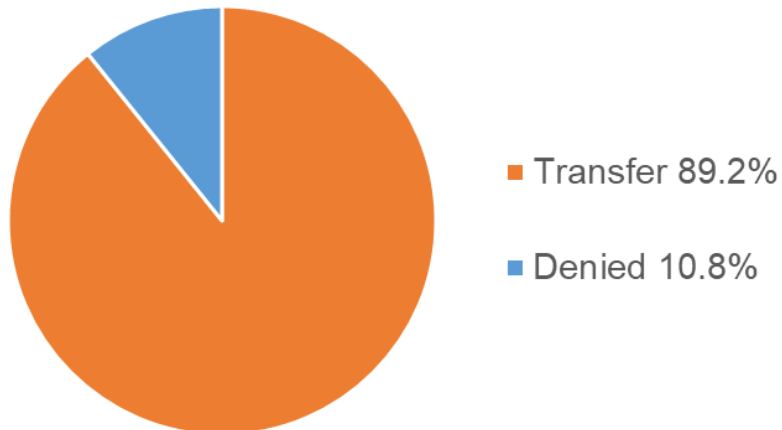
WIPO, in 2019



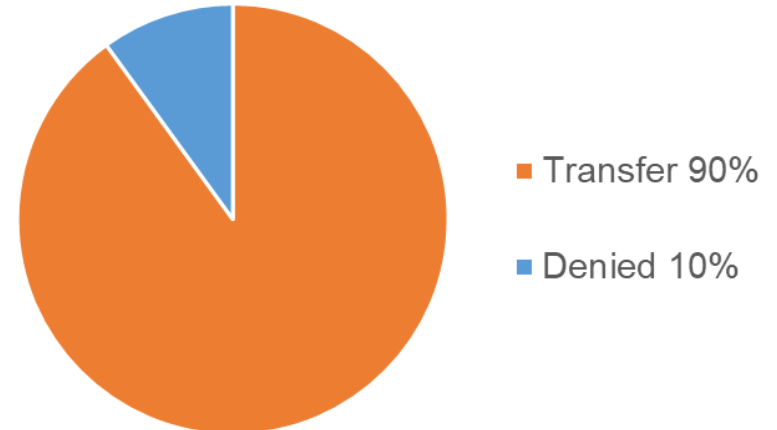
NAF, in 2019



WIPO, all years



NAF, all years



WIPO case outcomes, all years

All three-member panels
(4.6% of appointments)



** Three-member panel decisions tend to represent a calculated assessment of chances to successfully defend a registration*

All single-member panels
(95.4% of appointments)

