

Online Arbitration Contemporary Commercial Law

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[Arbitration: An Alternative to Litigation for Dispute Resolution Mediation and Arbitration: What You Need To Know Mediation/Arbitration: What's the Difference? International arbitration What is Commercial Law? LAW 531/631: Class 4 - Litigation/Arbitration/Mediation International arbitration: top trends in 2018 The Boundaries of Investment Arbitration Modern Arbitration: LIVE The Role of Procedural Soft Law in International Arbitration International arbitration \u0026 trade dispute resolution How Does Virtual Mediation \u0026 Arbitration Work? Resolve Disputes Remotely via Videoconferencing Chapter 1.2 Modern Arbitration: LIVE. Specific Issues of Dispute Resolution In Egypt | Mohammed S. Abdel Wahab Business Law: Module 1B, Part A - Dispute Resolution \(Acc. Grad. Cert.\)](#)

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Innovative initiatives for online arbitration are needed to aid in resolving cross-border commercial and consumer disputes in the EU, UK, US and China. This book provides a comparative study of online dispute resolution (ODR) systems and a model of best practices, taking into consideration the features and characteristics of various practical experiences/examples of ODR services and ...

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best practices, taking into consideration the features and characteristics of various practical experiences/examples of ODR services and technological development for ODR systems and platforms. The book begins with a theoretical approach, looking into the challenges in the use of online arbitration in commercial transactions and analysing the potential adoption of technology-assisted arbitration (e.g. Basic ODR systems and Intelligent/Advanced ODR systems) in resolving certain types of international commercial and consumer disputes. It then investigates the legal obstacles to adopting ODR by examining the compatibility of technology with current legislation and regulatory development. Finally, it suggests appropriate legal and technological measures to promote the recognition of ODR, in particular online arbitration, for cross-border commercial and consumer disputes. By exploring both the theoretical framework and the practical considerations of online arbitration, this book will be a vital reference for lawyers, policy-makers, government officials, industry professionals and academics who are involved with online arbitration.

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In a world governed by speed, the Internet plays a growing role in many of today's innovations, and the resolution of disputes using electronic means of communication may soon be part of everyday legal practice. This book offers a survey of the current state of play in online dispute resolution, from the methods and information technology currently in use to the range of regulatory solutions proposed by shareholders. Taking their analysis a step further, the authors also address this new field's most pressing issues, including possible amendments of existing legislation, treaties, and arbitration and other ADR rules. *Online Dispute Resolution: Challenges for Contemporary Justice* is an in-depth study of online dispute resolution today, discussing among other topics: the different methods of ODR; fields of use; ways to bring parties to online dispute resolution; validity and effects of clauses entered into online and providing for online mediation or arbitration; issues surrounding electronic communications and evidence in arbitration; and, enforcement of online dispute resolution outcomes, both through court proceedings and built-in enforcement mechanisms. This book also covers issues related to security and e-commerce in general. As a special feature, it contains a section on existing online dispute resolution providers, complete with interviews and statistics. *Online Dispute Resolution: Challenges for Contemporary Justice* is a significant resource for legal counsel, to arbitral institutions, ODR and ADR service providers, governments and governmental and non-governmental organizations, as well as to those with a more academic interest. This book will provide a greater understanding of online dispute resolution to persons in the fields of arbitration and ADR, e-commerce, intellectual property, civil procedure, international law, international trade and commerce, and information technology.

This book presents an overview of online arbitration and electronic contracting worldwide, examining their national and international contexts, and assessing their ongoing relevance. It offers solutions to the salient challenges facing both online arbitration and electronic contracting, dealing first – hand with online arbitration as an online dispute resolution technique for solving both traditional and electronic commerce disputes that may arise out of the breach of contractual obligations in international commercial contracts, while also comparing between common law and civil law countries. In the theory of law, this book analyses the international legal framework that regulates e – commerce, and its impact on electronic contracting, including Model Laws and International Conventions such as the Model Law on Electronic Commerce of 1996 and the Electronic Communications Convention of 2005. It also investigates whether the UN Convention on Contracts for the International Sale of Goods of 1980 ‘ The CISG ’ applies to e – commerce contracts. In addition, it extensively examines the possibility for the enforcement of online arbitration agreements and online arbitral awards under the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958. Regarding the practice of law, the volume examines how national courts apply both national laws and the New York Convention of 1958 when dealing with the enforcement of online arbitration agreements, and whether courts apply the provisions of national laws of arbitration liberally. As such, it encourages the adoption of a more liberal judicial regime in favour of the enforcement of online arbitral awards and online arbitration agreements in national courts. This book represents a valuable resource for academics, arbitrators, practicing lawyers, corporate counsels, law students, researchers, and professionals who are willing to solve their cross – border commercial disputes through online arbitration.

The development of new technologies places new challenges to the interpretation and implementation of legislation in the information society. The recent deployment of service-oriented computing and cloud computing for online commercial activities has urged countries to amend existing legislation and launch new regulations. With the exponential growth of international electronic commercial transactions, a consistent global standard of regulating the legal effects of electronic communications, the protection of data privacy security and the effectiveness of Internet-related dispute resolution are motivating factors to build users’ trust and confidence in conducting cross-border business and their sharing information online. The second edition of this book continues taking a ‘ solutions to obstacles ’ approach and analyses the main legal obstacles to the establishment of trust and confidence in undertaking business online. In comparing the legislative frameworks of e-commerce in the EU, US, China and International Organisations, the book sets out solutions to modernise and harmonise laws at the national, regional and international levels in response to current technological developments. It specifically provides information on the key legal challenges caused by the increasing popularity of service-oriented computing and cloud computing as well as the growing number of cross-border transactions and its relation to data privacy protection, Internet jurisdiction, choice of law and online dispute resolution. It considers how greater legal certainty can be achieved in cloud computing service contracts and other agreements resulted in service-oriented computing. The second edition of *Law of Electronic Commercial Transactions* is a

clear and up to date account of a fast-moving area of study. It will be of great value to legislators, politicians, practitioners, scholars, businesses, individuals, postgraduate and undergraduate students. It provides in-depth research into finding solutions to remove eight generic legal obstacles in electronic commercial transactions and offers insights into policy making, law reforms, regulatory developments and self-protection awareness.

China's ever-expanding commercial influence has attracted global attention on how its civil and commercial disputes are resolved. This compelling new book, *Dispute Resolution in China*, offers a detailed examination of the elements in the Chinese legal system and the relevant reforms to the multiplicity of approaches to civil and commercial disputes in China today. This book reveals how civil litigation, commercial arbitration, mediation, and their hybrid dispute resolution have distinctly responded to, reformed, and developed in the context of China's transformational economic growth, societal development, and international interaction in the last two decades. It situates these developments and continued experimentation within a unique hybrid of empirical, contextual, and comparative analytical framework, while paving productive pathways towards the future. This book argues that, rather than being a legal project, China's civil and commercial dispute resolution system is essentially a social development project, which distinguishes the Chinese approach to civil justice reform from contemporary civil justice movements elsewhere. Among the primary methods of dispute resolution, commercial arbitration in China today uniquely transcending the traditional socio-political constraints, its reform has developed in favor of market-oriented considerations and shaped by China's socio-economic dynamics and internationalization needs. By contrast, civil litigation and mediation being more instrumentalist in nature, their reform is socio-politically embedded and continues to prioritize social stability. This book also shines a fresh light on comparative assessments of top-down and bottom-up changes in China's dispute resolution discourse, as well as on how China speaks to international dispute resolution systems. Original and rich in its analysis, this book will be essential reading and invaluable reference tool for scholars with a focus on Chinese law, comparative and international dispute resolution, and on broader legal, institutional, economic, social, political and cultural dimensions of dispute resolution development.

This book examines the intersection between contemporary International Commercial Arbitration and Shari'a law in order to determine possible tensions that may arise between the two systems. It develops evidentiary and procedural rules under Shari'a, as well as examining the consequences of stipulating qualifications of arbitrators based on gender and/or religion. The author extensively analyses the prohibition against interest (riba) and uncertainty (gharar) under Shari'a and its impact on arbitration agreements, arbitral awards and public policy. The book also explores the prohibition against riba in light of international conventions, such as the United Nations Convention on Contracts for the International Sale of Goods. Case studies in the book include the Asian International Arbitration Centre, formerly the Kuala Lumpur Regional Centre for Arbitration, and the International Islamic Centre for Reconciliation and Arbitration, as well as the 'Shari'a Standards' developed by the Accounting and Auditing Organization for Islamic Financial Institutions. The book will be a valuable resource for academics, students and practitioners working in the areas of Islamic law and the Islamic finance industry.

Contemporary and Emerging Issues on the Law of Damages and Valuation in International Investment Arbitration, edited by Christina L. Beharry, examines a broad range of damages topics, building on basic principles and surveying current developments to identify trends in the jurisprudence.

Individuals, groups, and organizations have solely relied on the court system to resolve disputes for quite a long time. On the contrary, many people today are able solve their disagreements successfully without involving the courts. Mechanisms through which disputes are resolved outside the court system are known as Alternative Dispute Resolutions. In order to make Alternative Dispute Resolutions less expensive and more efficient, modern technologies can be integrated into the dispute resolution process. This book specifically focuses on Online Arbitration procedures as one of the methods of Alternative Dispute Resolutions. Whenever they encounter disagreements in transactions, business to business (B2B) organizations prefer Online Arbitration, also known as Electronic Arbitration (hereto referred to as Online Arbitration) to other mechanisms of resolving disputes to come into agreements. This is because Online Arbitration allows those involved in the dispute to choose a professional they both trust to help solve their disagreement, while at the same time ensuring that all the necessary procedures are followed to the latter. Moreover, disputes that arise from business to business transactions are often resolved faster, and parties easily get access to relevant documents from their locations and at any time whenever Online Arbitration is used to resolve disputes. Currently, no legal framework exists to help guide Online Arbitration procedures. For this reason, rules that have traditionally governed commercial arbitration are applied in arbitrations that are conducted online. Although the existing rules for conventional commercial adjudication outlines rules that also take care of the online version, online arbitration requires rules that are specifically designed for it due to its unique features. A legal framework for online arbitration must specify how technology will be used in the dispute resolution process, how performance of notifications will be carried out, and how acknowledgement of receipt will be granted. Furthermore, it should state the obligation of the parties to maintain high ethical standards during the dispute resolution process and allow parties to freely select the most appropriate extra-judicial mechanisms for faster and easier enforcement of the proposed ruling.

The director of communication is an impassioned profession that discovers which strategies are the best and the most intelligent. There are few manuals, and there are some that offer general and sparsely updated information about the change that new technologies imply. We find the literature isolated that can be directly useful. However, we will say that there is no single recipe for DirCom or communication consultants. Each one will offer different models according to the variables or factors that seem to them to be able to rectify the direction of a company according to his or her personal mood.

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