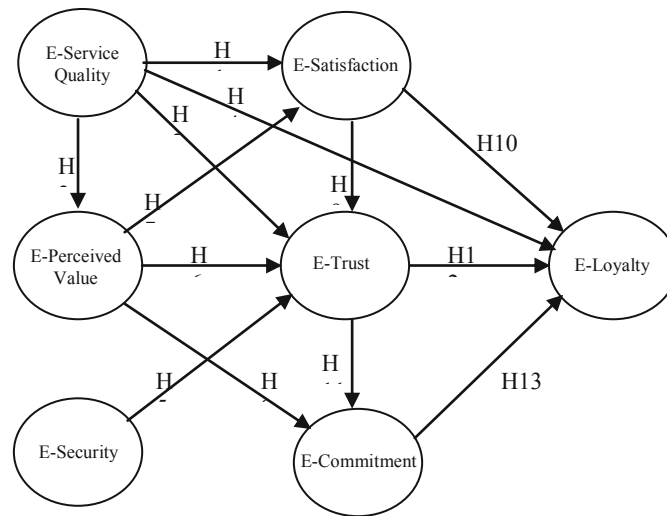


FIGURES



Proposed complete model of e-loyalty

Session 8.1: Professional Topics

Session Chair: Göran Svensson (Oslo School of Management)

Minding the Marketplace: Protection and Enforcement of the Marks that Matter Through Alternative Dispute Resolution

Diane Martin (LIM College)

MINDING THE MARKETPLACE: PROTECTION AND ENFORCEMENT OF THE MARKS THAT MATTER THROUGH ALTERNATIVE DISPUTE RESOLUTION

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ABSTRACT

The Internet has come to represent an enormous marketplace and alternative to traditional bricks and mortar establishments as well as virtual-only vendors. Though such a marketplace presents marketers with virtually unlimited access to millions of potential customers, it is nevertheless on a daily basis, the venue of choice for the unmitigated theft of highly prized, multi-billion dollar intellectual property. This theft is evidenced by the hijacking of corporate/trademark owner's Internet

domain names, (DN) by those who seek to profit from the misappropriation and re-selling of such names. For owners of corporate/trademark brands, the theft is untenable because consumers become confused, the property's secondary meanings are lost and revenues can be compromised. It is important that students of marketing become familiar with domain name hijacking and the various means used by organizations today to combat this growing problem. Because litigation is time-consuming and costly it is also vital that marketing students become familiar with the increasing use non-judicial options, commonly referred to as alternative-dispute resolution, (ADR). ADR can be an important tool for both organizations and celebrities interested in protecting their brands without the cost, complexity and notoriety that can accompany public trials.

This paper discusses and addresses the rationale for incorporating into the marketing undergraduate and/or graduate curriculum the Uniform Dispute Resolution Policy selected by the Internet Corporation for Assigned Names and Numbers, (ICANN). ICANN has accredited several ADR providers for the purpose of responding to complaints from organizations or individuals who allege that their trademarks and brand names have been registered by individuals who are not authorized to use them. The World Intellectual Property Organization, (WIPO) is one such provider. Thus, this paper discusses how WIPO responds to complaints and administers ICANN's Uniform Dispute Resolution Policy. In addition, this paper includes a description of an instructional goal designed to accommodate three hours of instruction.

This paper begins with a brief introduction to the Internet Corporation for Assigned Names and Numbers. In addition, the efficacy of the World Intellectual Property Organization's arbitration and mediation services is discussed as it relates to the work of ICANN. Statistics supporting the increasing problem of domain name hijacking are discussed in detail. Finally, methodology and ideas for discussion of ADR in general and the Uniform Dispute Resolution Policy in particular are described at length. In addition to accommodate faculty interested in modifying their curriculum, lesson objectives and appropriate case studies are also described in detail.

References available on request

Session 8.2: Special Session: International Cultural Issues in Pricing Strategy

Session Chair: Lynn R. Kahle (University of Oregon)

Cross Cultural Complaint Behavior Due to a Price Increase

Sarah Maxwell (Fordham University)

Larry King (Fordham University)

Sabine Anselstetter (University of Erlangen)

Carla Montenegro (Key Account Solutions)

Nicholas Maxwell (The Maxwell Statistics Corp.,)

Psychological and Cultural Factors in the Use of Just-Below Pricing

Robert M. Schindler (Rutgers University-Camden)

The Feed-in Tariff as a Pricing Mechanism for Residential Solar Panel Installations: Germany vs. the USA

Scott Owen (University of Oregon)

Lynn R. Kahle (University of Oregon)
