

Dispute Resolution in the Digital Economy
Japan's proposal on stocktaking of dispute resolution in the
modern context
March 30-31, 2021

Dispute Resolution in the Platform Economy: Legal Anatomy, Recent Trends, and Regulatory Challenges

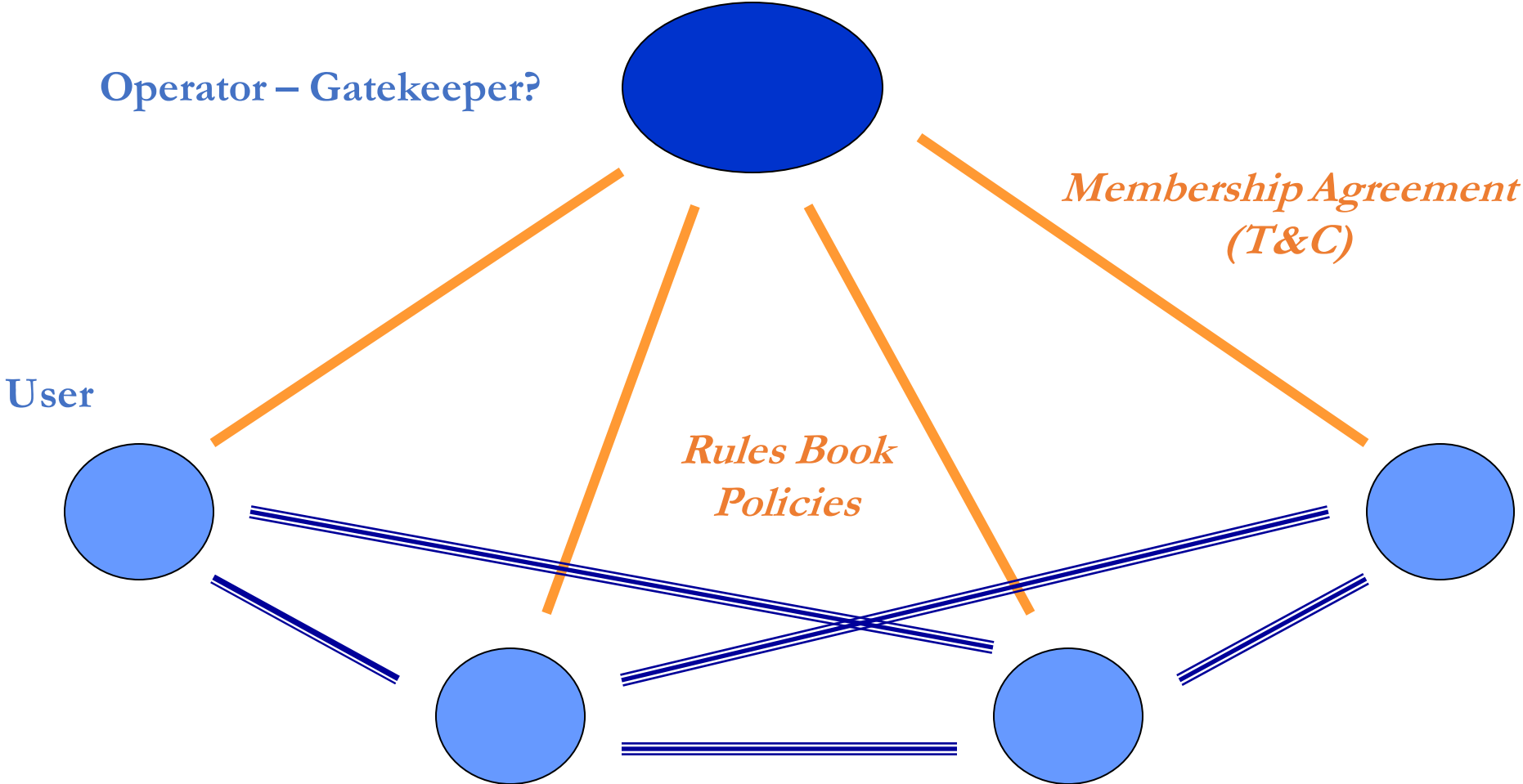
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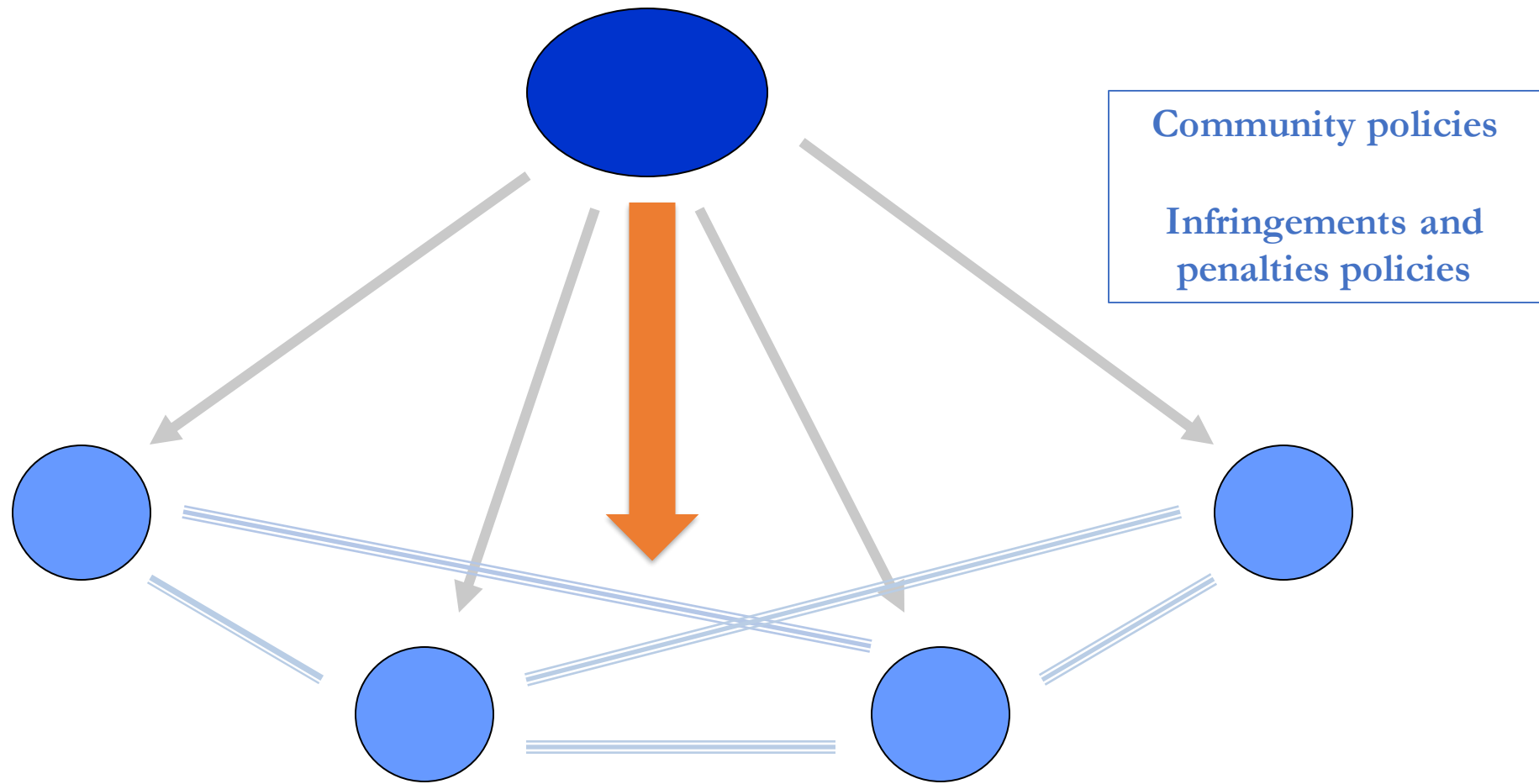
Expert Group to the EU Observatory on Online Platform Economy

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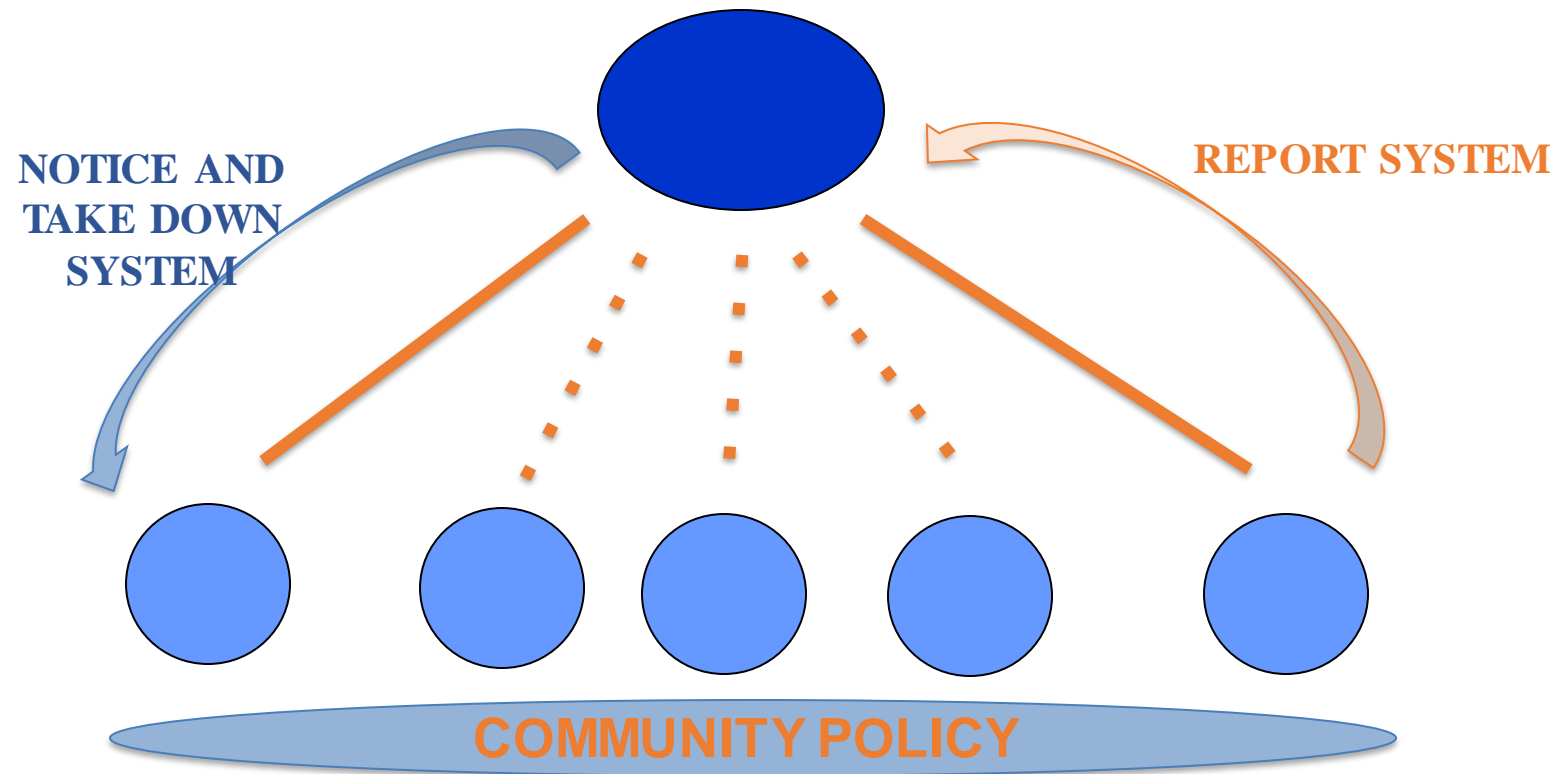
Legal Anatomy of Platforms



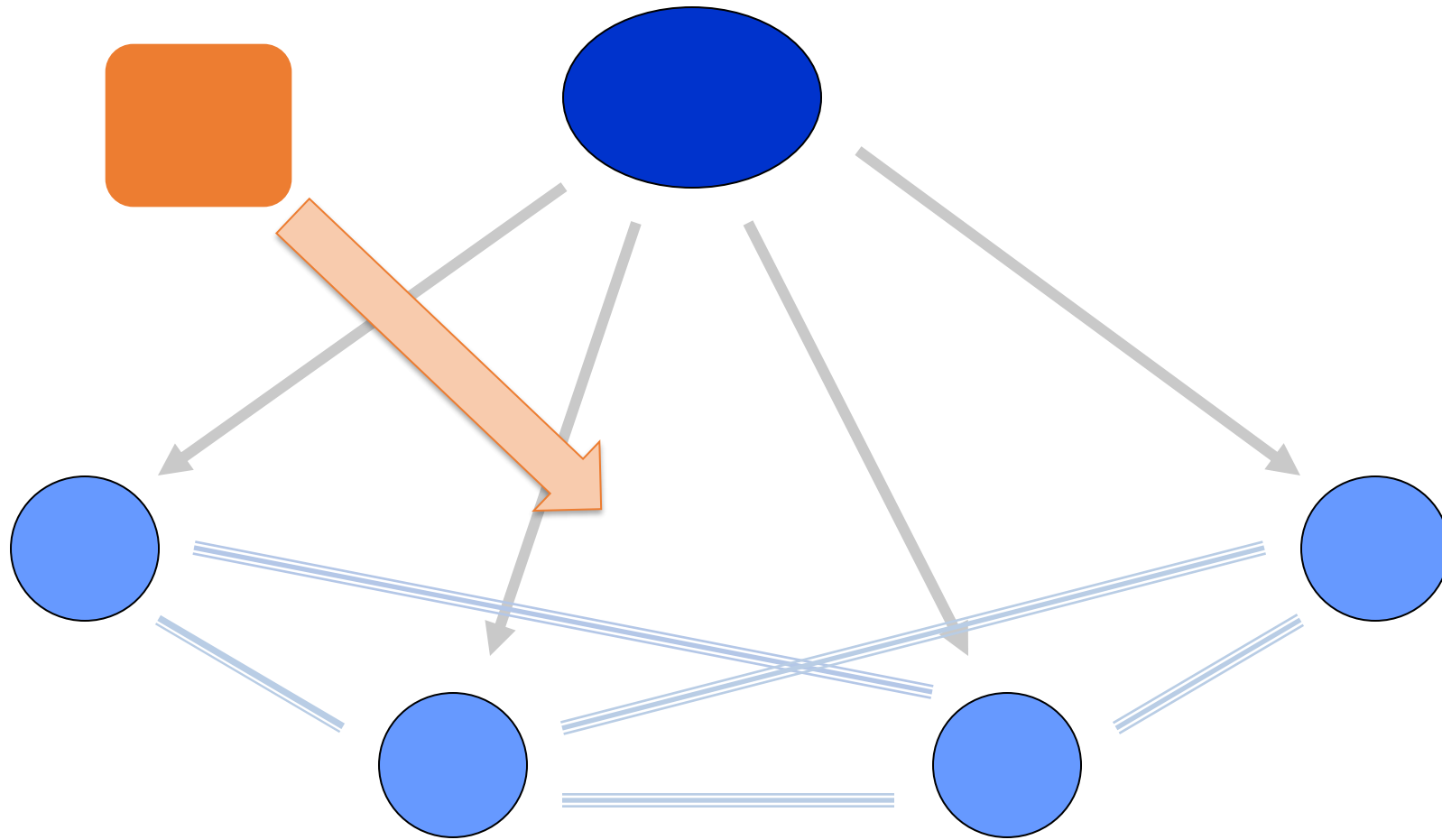
1.- Centralized Regulation and Supervision Models



2.- Decentralized supervision models



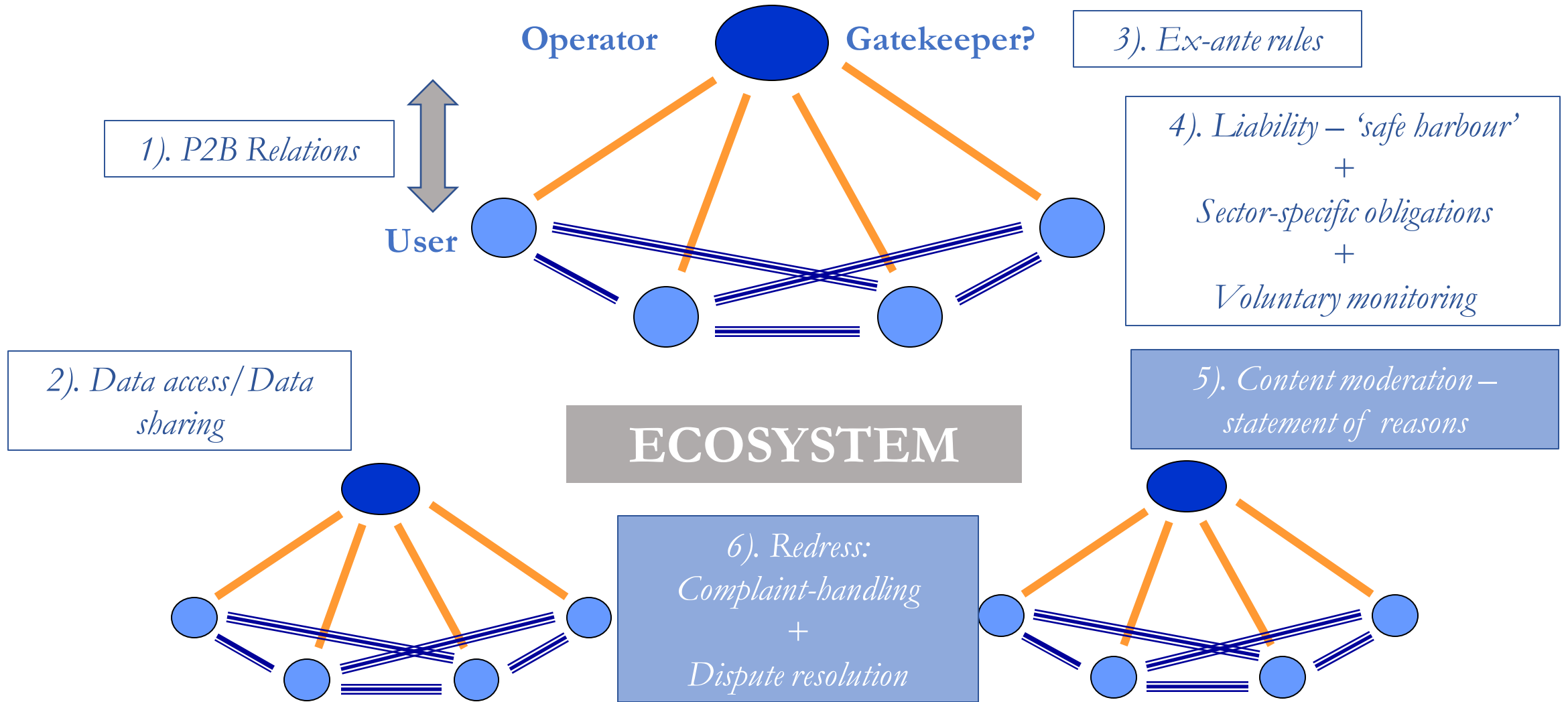
3.- Outsourced Models (TTP)



Internal ODR: SquareTrade de eBay

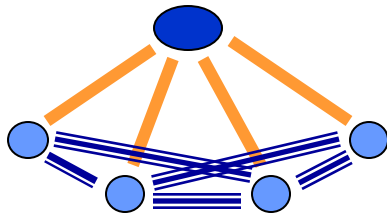


Platforms Ecosystem – Recent Trends



Regulatory / Legal Challenges

ODR Models

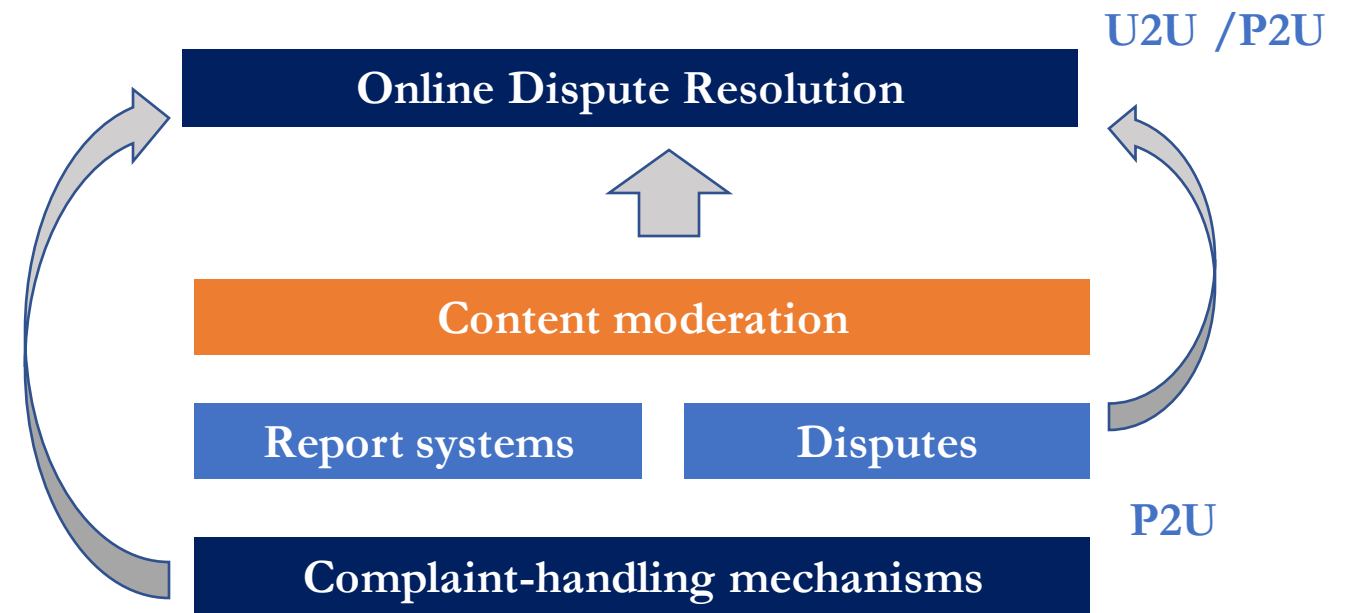


Opportunities

- a). Self-enforced remedies
- b). Automation:
risk or opportunity?
- c). Modulated remedies

Delimitation of Dispute Resolution in the Digital Economy

Dispute Prevention



Regulatory / Legal Challenges

A). Impartiality:

- *internal ODR v. ODR platform*
- *existing institutions v. TTP*

B). Internal policies: procedural rules?

C). Valid consent (clause) / Mandatory for Platforms?

D). Recognition and enforceability:

within the platform? Outside? Any jurisdiction?

E). Applicable Law: internal rules?

F). Redress and appeal

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