



# Online Dispute Resolution A Design for Trader-Consumer Disputes

Approved by Competition and Consumer Protection Commission in Ireland  
and Certified by Chartered Trading Standards Institute in the UK

Jo DeMars  
NetNeutrals EU

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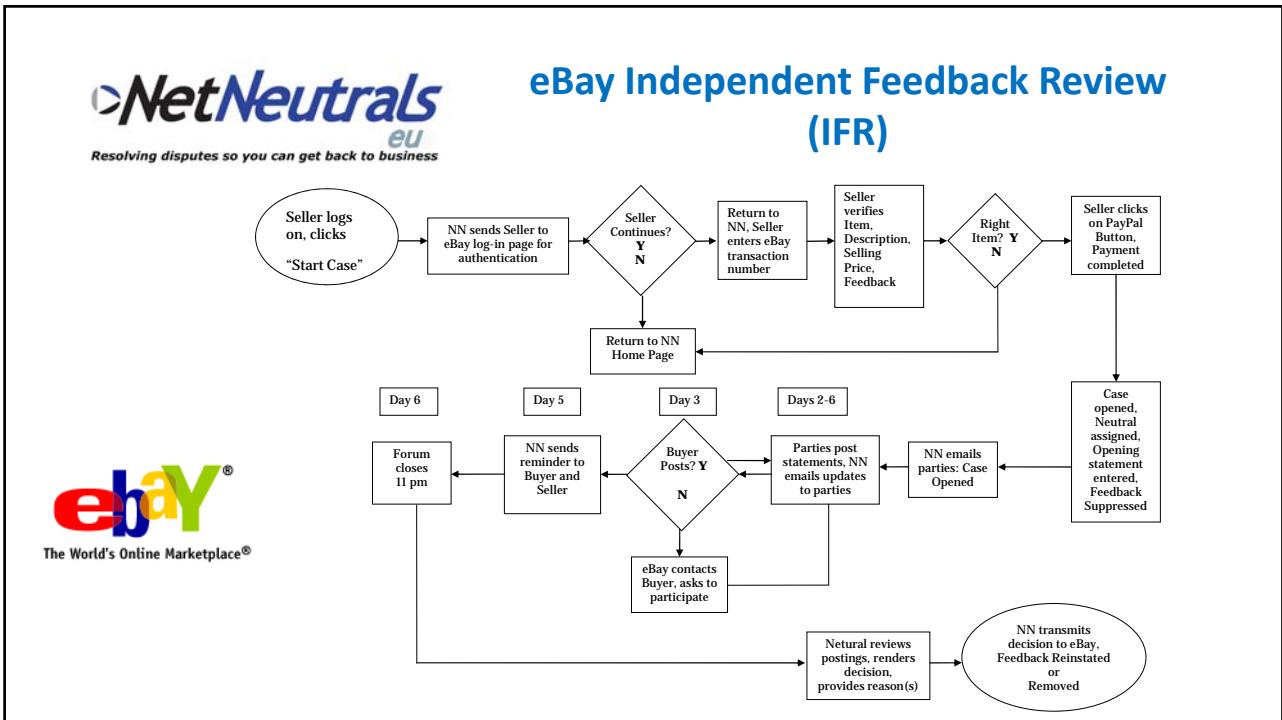
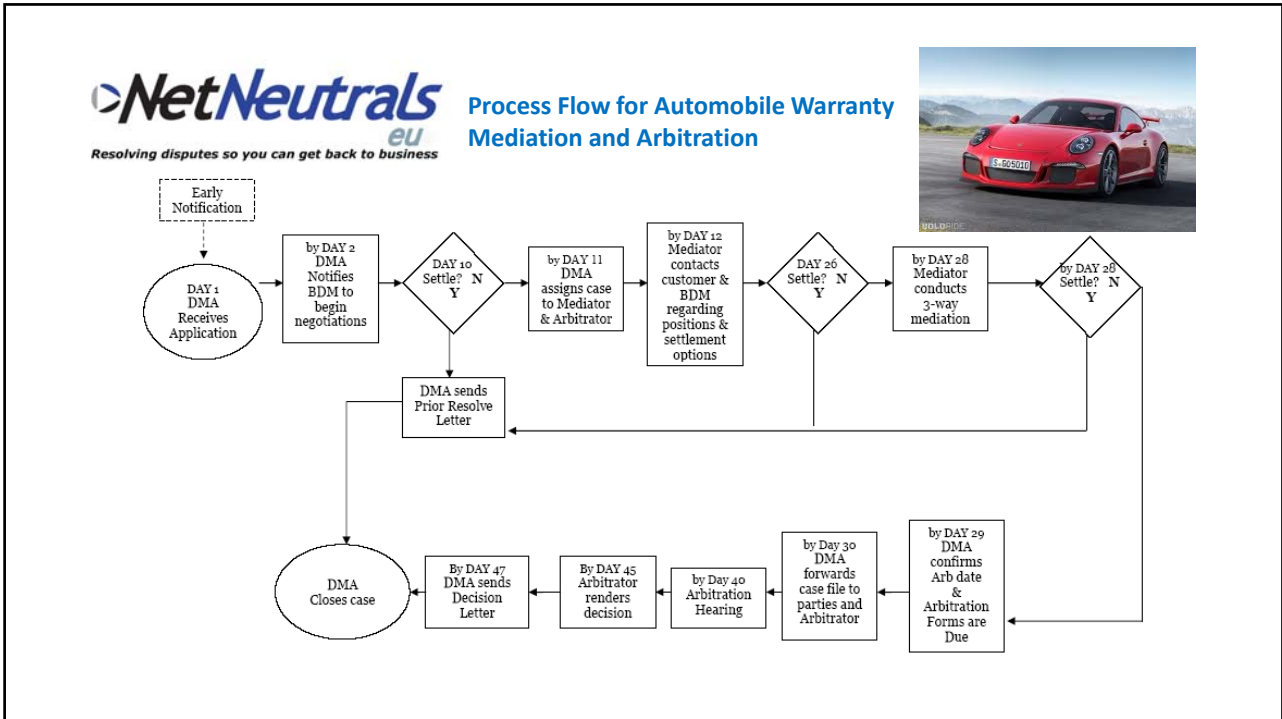


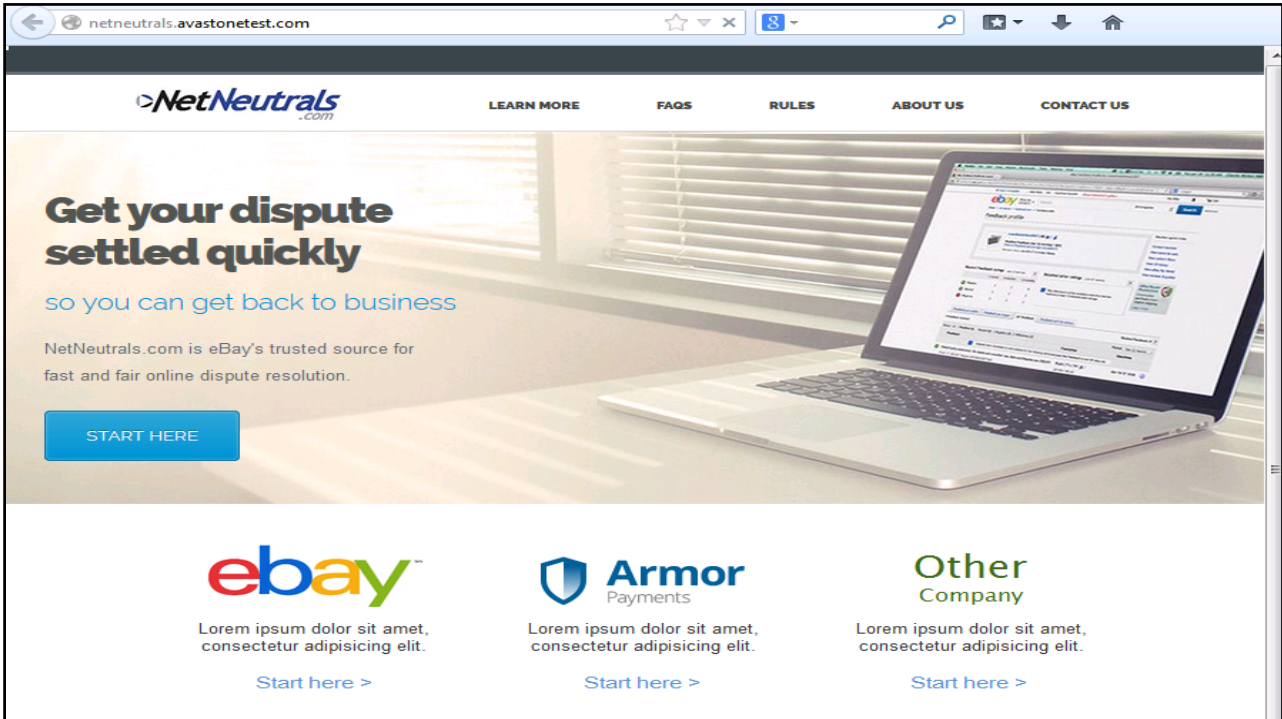
## Designing and Administering Dispute Resolution Systems Since 1988



- Business – Consumer
- Business- Business
- Face to Face
- Online

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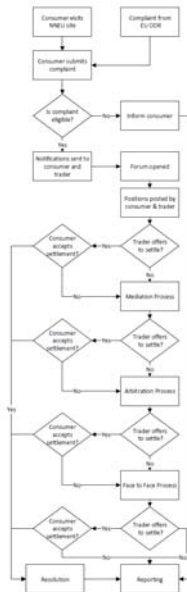
Other Company

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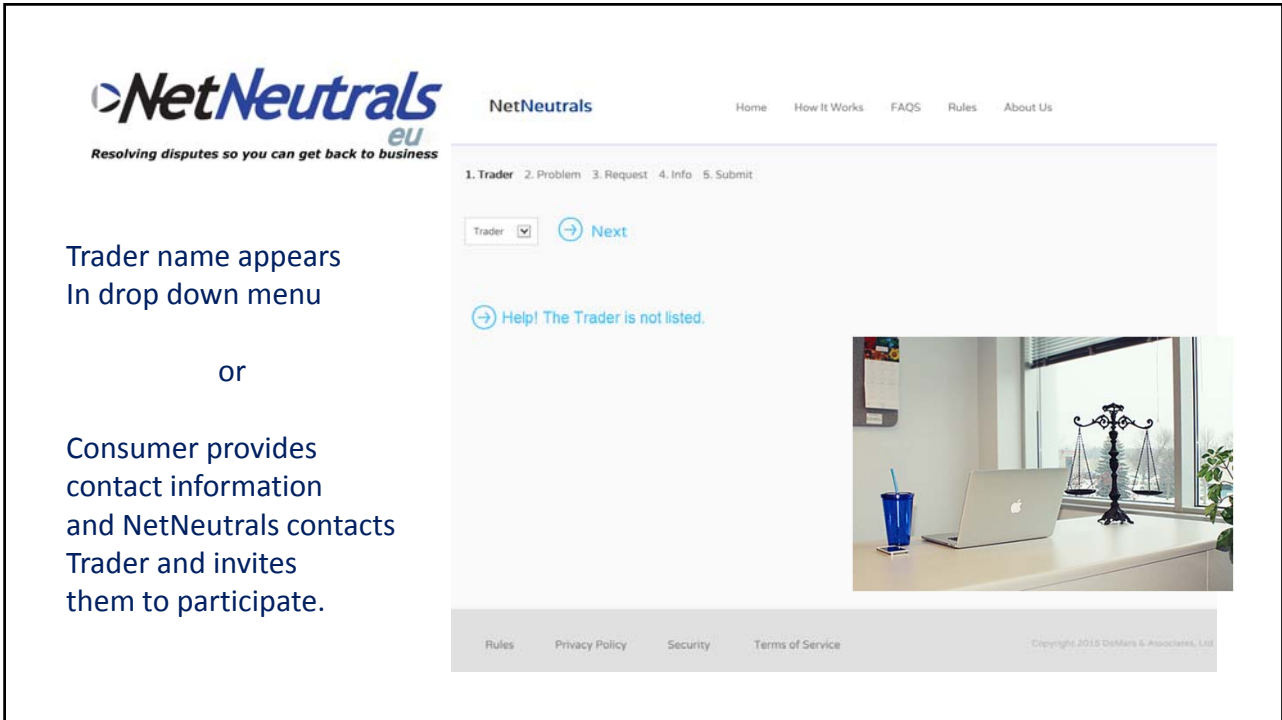
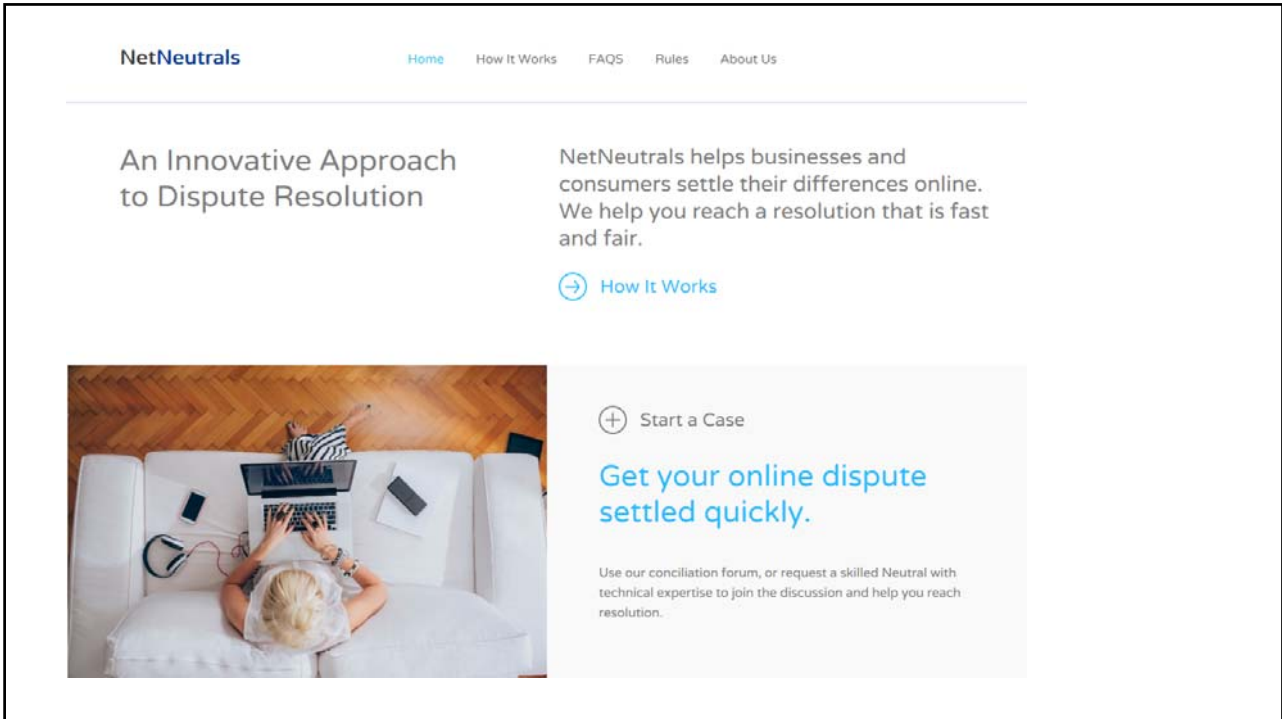
### NetNeutrals EU Online Dispute Resolution Process Flow



**1. Direct Negotiation**  
Trader and Consumer work together to find a solution

**2. Mediation**  
ADR Professional (the Neutral) facilitates a discussion with the Trader and Consumer to find a mutually acceptable agreement

**3. Adjudication (if available)**  
ADR Professional makes final decision



Trader name appears  
In drop down menu

or

Consumer provides  
contact information  
and NetNeutrals contacts  
Trader and invites  
them to participate.












Resolving disputes so you can get back to business

### List of Problems as identified in UNCITRAL Working Group III Draft Rules



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1. Trader 2. Problem 3. Request 4. Info 5. Submit

 Item/Service Not Received <input type="radio"/>	 Item/Service Not As Described <input type="radio"/>	 Late delivery <input checked="" type="radio"/> <p>Expected date 5/22/2015</p> <p>Actual date 5/29/2015</p>
 Payment For Cancelled Transaction <input type="radio"/>	 Charged twice <input type="radio"/>	 Incorrect amount charged <input type="radio"/>
 Fraudulent Transaction <input type="radio"/>	 Settlement Not Fulfilled <input type="radio"/>	 Other <input type="radio"/>

Next











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### List of Solutions as identified in UNCITRAL Working Group III Draft Rules




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1. Trader 2. Problem 3. Request 4. Info 5. Submit

 Refund <input type="radio"/>	 Replacement <input type="radio"/>	 Repair <input type="radio"/>
 Price Reduction <input checked="" type="radio"/>	 Return of Goods <input type="radio"/>	 Honor Original Agreement <input type="radio"/>
 Apology <input type="radio"/>	 Something Else <input type="radio"/>	

Next



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1. Trader    2. Problem    3. Request    **4. Info**    5. Submit

First Name

Sur Name

Email Address

Country

User Name

Password

Transaction Date

Transaction Id

Has trader been contacted

- By Phone
- By Email
- Online Chat
- Post
- In-person
- Other

Have you filed a complaint about this transaction with any other services?

- Yes
- No


[Next](#)

Required contact information

Creates User Name and Password

Consumer must first seek Resolution from Trader

Only one agency / scheme



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1. Trader    2. Problem    3. Request    **4. Info**    5. Submit


Trader: Avastone

What is the problem?  
Late Delivery

What do you request?  
Reduce Price

Transaction details:  
Transaction date: 5/15/2015 2:12:36 PM  
Transaction ID: 90002 2387613  
The trader has been contacted by email  
No other service has been used to attempt resolution

Your information:  
Name: Jane Smith  
Email: jane.smith@1234.com  
Password: jsmith



Summary of information consumer provided

If correct clicks submit

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**Jane Smith** – Cases

Change Password  
Change Email  
Change Address

**Case 10**

Avastone  
Transaction 90002 2387613  
15 May 2015

Status: Pending  
Alternative Dispute Resolution Official: None Assigned  
Problem: Late Delivery  
Request: Price Reduction

Customer can log in and see the case is pending  
**Confidential:** only the parties and the Neutral can access the case

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**Avastone** – Cases

Change Password  
Change Email  
Change Address

Balance: £75

**Case 10**

Jane Smith  
Transaction 90002 2387613  
15 May 2015

Status: Pending  
Alternative Dispute Resolution Official: None Assigned  
Problem: Late Delivery  
Request: Price Reduction

→ Accept and Pay  
⊗ Decline


Trader page  
Case is opened when Trader clicks  
Accept and Pay

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Jane Smith — Cases Change Password  
Change Email  
Change Address

**Case 10**


 Avastone  
Transaction 90002 2387613  
15 May 2015

[View Dispute Resolution Forum](#)  
[Request Mediation Process](#)

Status: Open  
Alternative Dispute Resolution Official: None Assigned  
Problem: Late Delivery  
Request: Price Reduction

**Case landing page for Trader representative, Mary**


**Choices:**  
Direct Negotiation (view Forum) or Request Mediation



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**Case 10** View modes: Threaded


 Jsmith - 9/22/2015 9:07:44 PM

I ordered the item in May and it was supposed to arrive by 22 May. That was just in time for my niece's birthday party and it was a give for her. But it didn't arrive then, so I had no gift for her at her party. It didn't arrive until 29 May, which is a week late!

So I was embarrassed at the party and had to give the gift more than a week late. I think I should get a discount from the original price!

[Reply](#) | [Quote](#) | [Subscribe to post](#) [Edit](#) [Delete](#) [Attachments](#) [Report abuse](#)

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The screenshot shows the NetNeutrals trader landing page. At the top, there is a navigation menu with links for Home, How It Works, FAQs, Rules, and About Us. The NetNeutrals logo is in the top right corner. Below the navigation, the page title is "Avastone — Cases". On the right side, there are links for "Change Password", "Change Email", and "Change Address". The main content area shows "Balance: £0" and "Case 10". The case details include a folder icon, the trader's name "Jane Smith", transaction ID "90002 2387613", and date "15 May 2015". Below this, there are two buttons: "View Dispute Resolution Forum" and "Request Mediation Process". To the right of the case details, the status is "Open", and the "Alternative Dispute Resolution Official" is "None Assigned". The "Problem" is "Late Delivery" and the "Request" is "Price Reduction". There is also a small image of a laptop and a scale of justice on a desk.

Trader landing page lists status of each case and cash balance

The screenshot shows the NetNeutrals dispute resolution forum for Case 10. At the top, there is a navigation menu with links for Home, How It Works, FAQs, Rules, and About Us. The NetNeutrals logo is in the top right corner. Below the navigation, the page title is "Case 10". On the right side, there is a "View modes:" dropdown menu set to "Threaded". The main content area shows a dialogue between a trader and Avastone. The trader's message is dated "21/9/2015 9:47PM" and describes a problem with a late delivery. Avastone's response is dated "22/9/2015 8:03AM" and offers an apology. Below each message, there are links for "Reply", "Quote", and "Subscribe to post", as well as "Edit", "Delete", "Attachments", and "Report abuse". At the bottom of the page, there are links for "Rules", "Privacy Policy", "Security", and "Terms of Service", and a copyright notice for "Copyright 2015 DeMars & Associates, Ltd". There is also a small image of a portable cassette player.

System stores a record of the dialogue

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Avastone – Cases

Balance: £0

Change Password  
Change Email  
Change Address

**Case 10**

Jane Smith  
Transaction 90002 2387613  
15 May 2015

Status: Open  
Alternative Dispute Resolution Official: None Assigned  
Problem: Late Delivery  
Request: Price Reduction

→ View Dispute Resolution Forum  
+ Request Mediation Process

**Negotiation unsuccessful -Trader requests Mediation**

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**Request Mediation Process**

One of the three Alternative Dispute Resolution Officials will be assigned to your case.

Please review and indicate your first, second and third choice.

Your ratings and the ratings of the consumer will be combined to determine which Official is assigned to your case.

**Anne**  
18 years in certified arbitration and dispute resolution. Holds an advanced degree in business administration  
Ranking:

**James**  
18 years in certified arbitration and dispute resolution.  
Ranking:

**Brad**  
18 years in certified arbitration and dispute resolution.  
Ranking:

**Trader and Consumer rank Neutrals  
Highest ranked is appointed**


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Jane Smith – Cases Change Password  
Change Email  
Change Address


**Case 10**

 Avastone  
Transaction 90002 2387613  
15 May 2015

[View Dispute Resolution Forum](#)

[Request Adjudication Process](#)

Status: Open  
 Alternative Dispute Resolution Official: Anne  
 Problem: Late Delivery  
 Request: Price Reduction




Trader and Consumer log in to view form

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Case 10


View modes:  
Threaded ▾

 Jsmith - 21/9/2015 9:47PM

I ordered the item in May and it was supposed to arrive by 22 May. That was just in time for my niece's birthday party and it was a give for her. But it didn't arrive then, so I had no gift for her at her party. It didn't arrive until 29 May, which is a week late!

So I was embarrassed at the party and had to give the gift more than a week late. I think I should get a discount from the original price!


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 Avastone - 22/9/2015 8:03AM

We are sorry for the inconvenience the delivery delay caused you, but the item was shipped from our facility immediately. The strong storms that caused delays in shipping throughout the country are beyond our control.

We are not able to offer you a discount. Please accept our apology.

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 Anne - 24/9/2015 11:16AM

After reviewing the information provided, I recommend that Avastone issue a formal letter of apology. The delay was beyond their control.

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Mediation  
Ends in Impasse.

Mediator  
files Proposed  
Settlement



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**Jane Smith** — Cases [Change Password](#)  
[Change Email](#)  
[Change Address](#)

**Case 10**


Avastone  
Transaction 90002 2387613  
15 May 2015

[→ View Dispute Resolution Forum](#)  
[+ Request Adjudication Process](#)

**Status:** Open  
**Alternative Dispute Resolution Official:** Anne  
**Problem:** Late Delivery  
**Request:** Price Reduction

Settlement offered on 26 September 2015  
**Apology**

Trader and Consumer comment on proposal. Consumer rejects Proposed Settlement.



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**Avastone** — Cases [Change Password](#)  
[Change Email](#)  
[Change Address](#)

Balance: £0

**Case 10**


Jane Smith  
Transaction 90002 2387613  
15 May 2015

[→ View Dispute Resolution Forum](#)  
[+ Request Adjudication Process](#)

**Status:** Open  
**Alternative Dispute Resolution Official:** Anne  
**Problem:** Late Delivery  
**Request:** Price Reduction

Settlement offered on 26 September 2015  
**Apology**

Trader requests Adjudication (if available)




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**Request Adjudication Process**


One of the three Alternative Dispute Resolution Officials will be assigned to your case.

Please review and indicate your first, second and third choice.


Your ratings and the ratings of the consumer will be combined to determine which Official is assigned to your case.



**Joe**  
18 years in certified arbitration and dispute resolution. Holds an advanced degree in business administration  
Ranking:



**Debbie**  
18 years in certified arbitration and dispute resolution.  
Ranking:



**Stan**  
18 years in certified arbitration and dispute resolution.  
Ranking:

**Consumer and Trader Rank Neutrals**

**Highest ranked Neutral is appointed**


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**Avastone — Cases**

Balance: £0

**Case 10**

 Jane Smith  
Transaction 90002 2387613  
15 May 2015


[View Dispute Resolution Forum](#)

Status: Open  
Alternative Dispute Resolution Official: Stan  
Problem: Late Delivery  
Request: Price Reduction

---

Settlement offered on 30 September 2015  
Apology and Shipping Discount Offer

[Change Password](#)  
[Change Email](#)  
[Change Address](#)




**Neutral posts final decision**

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Jane Smith – Cases Change Password  
Change Email  
Change Address

**Case 10**

 Avastone  
Transaction 90002 2387613  
15 May 2015

[View Dispute Resolution Forum](#)

Status: Open  
Alternative Dispute Resolution Official: Stan  
Problem: Late Delivery  
Request: Price Reduction

Settlement offered on 30 September 2015  
Apology and Shipping Discount Offer

Consumer views apology and terms of refund.

Consumer accepts.

Case closed.


**Trader Sign up Page**

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Home How It Works FAQs Rules About Us Login

English

**Sign-Up Process**




Tell us about your business



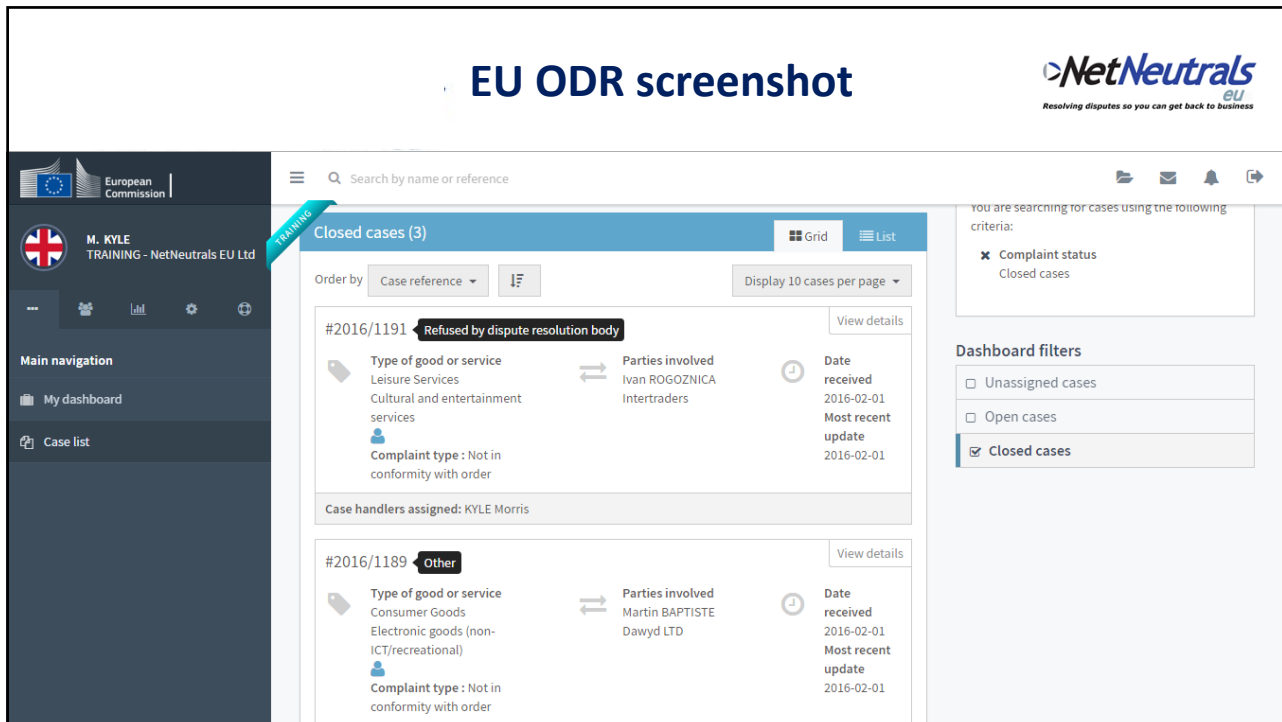
A Net Neutrals account exec will contact you within 1 business day.

Verify your details / Pay registration fee  
Sign agreements




Registration complete!  
You earn a credit toward your first case.


## EU ODR screenshot



The screenshot displays the NetNeutrals EU ODR dashboard. The header includes the NetNeutrals EU logo and the tagline 'Resolving disputes so you can get back to business'. The main content area shows a list of 'Closed cases (3)'. The first case, #2016/1191, is labeled 'Refused by dispute resolution body' and details a complaint about 'Leisure Services' involving 'Ivan ROGOZNIKA' and 'Intertraders'. The second case, #2016/1189, is labeled 'Other' and details a complaint about 'Consumer Goods' involving 'Martin BAPTISTE' and 'Dawyd LTD'. A sidebar on the left contains navigation options like 'My dashboard' and 'Case list'. A search bar at the top allows searching by name or reference. A 'Dashboard filters' section on the right shows 'Closed cases' selected.



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**Resource:** [www.netneutrals.eu](http://www.netneutrals.eu)

**About us:** Links to DMA's most recent conference presentation - Cyberweek 2015.  
<http://www.adrhub.com/forum/topics/webinar-netneutrals-product-demonstration>  
 Follow this link directly to the video: <https://vimeo.com/144760004>  
 Includes ODR / ADR articles and links to current topics

Resource: [http://ec.europa.eu/consumers/solving\\_consumer\\_disputes/docs/adr-odr\\_for\\_web.pdf](http://ec.europa.eu/consumers/solving_consumer_disputes/docs/adr-odr_for_web.pdf)



Resolving disputes so you can get back to business



## The NetNeutrals Book on Online Dispute Resolution

### Authors and Subjects:

- |                          |                       |
|--------------------------|-----------------------|
| Marc Grainer             | Complaint Handling    |
| Jo DeMars                | ODR Design            |
| Pablo Cortes             | ODR for Business      |
| Immaculada Barral-Viñals | Trust                 |
| Riikka Koulu             | Enforcement           |
| Amy H. Koltz             | Practical Application |
| Katherine G. Newcomer    | Practitioner's View   |
| Adrian Lawes             | The Future: ADR ODR   |



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## Contact us:

NetNeutrals EU  
10 Fitzwilliam Square  
Dublin 2 D02EE78  
Ireland  
+353 1 531 2836



[www.netneutrals.eu](http://www.netneutrals.eu)

NetNeutrals EU  
Armley Court  
Armley Road  
Leeds, LS12 2LB  
+44 113 2376 423



[www.netneutrals.uk](http://www.netneutrals.uk)

NetNeutrals  
507 North Grand Avenue  
Waukesha WI 53186  
U.S.  
+1 262 549 6700



[www.netneutrals.com](http://www.netneutrals.com)