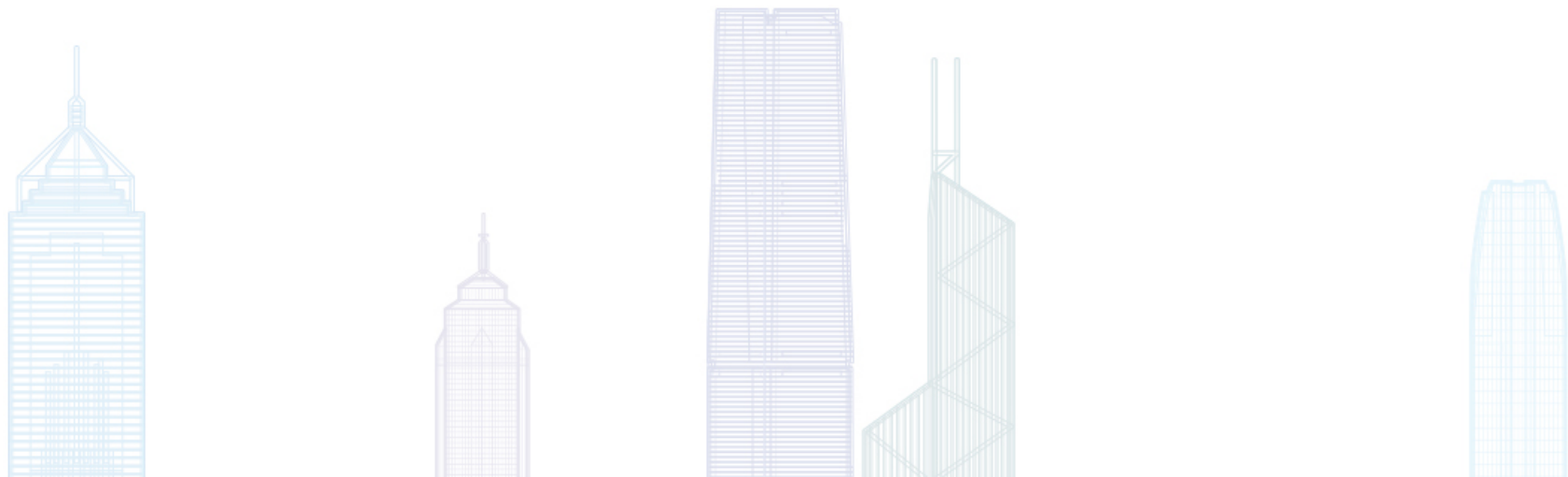


# Open ODR

Zbynek Loeb, PRK Partners, Czech Republic  
November 2020



# The future of dispute resolution

- The future resolution of disputes (courts, arbitration, mediation, adjudication, direct negotiation etc.) will be mostly digital (i.e. online dispute resolution, ODR) and data driven (i.e. end-to-end processes with machine learning (AI)). Key for preserving the independence of judges, arbitrators, mediators or panelists will be who controls the ODR-related data.
- Yet at present there is a huge asymmetry of power between the current controllers of data – largest internet companies and governments – and us, people. This asymmetry will grow exponentially with mass implementation of machine learning in ODR.

# How to change the current trend?

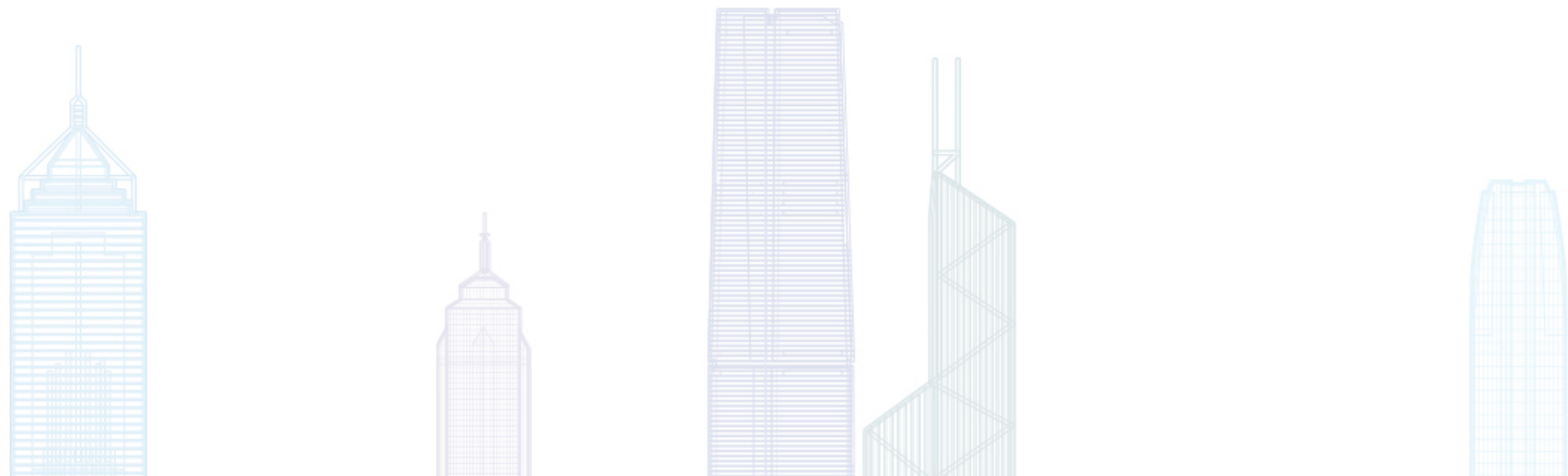
- By voluntary sharing anonymized data related to resolving dissatisfactions between individuals who generate such data. This is the core idea behind Open ODR.
- Open ODR is a concept of a decentralized online environment for resolving dissatisfactions of people. It proposes a voluntary data sharing among people as data generators for the purposes of providing AI based public services again for the people.

# The concept of Open ODR

- Data generators (mainly individuals) will voluntarily share their anonymized ODR-related data through an open digital system (Open ODR environment) which will provide people with smart AI support for resolving their dissatisfactions based on all the shared data;
- People - data generators will be able to share „their own“ data also with third parties, including large Internet firms, but NOT the general shared data and services provided by the Open ODR environment;
- There will be security safeguards; and
- There will be minimum new self-governance and regulatory supervision.

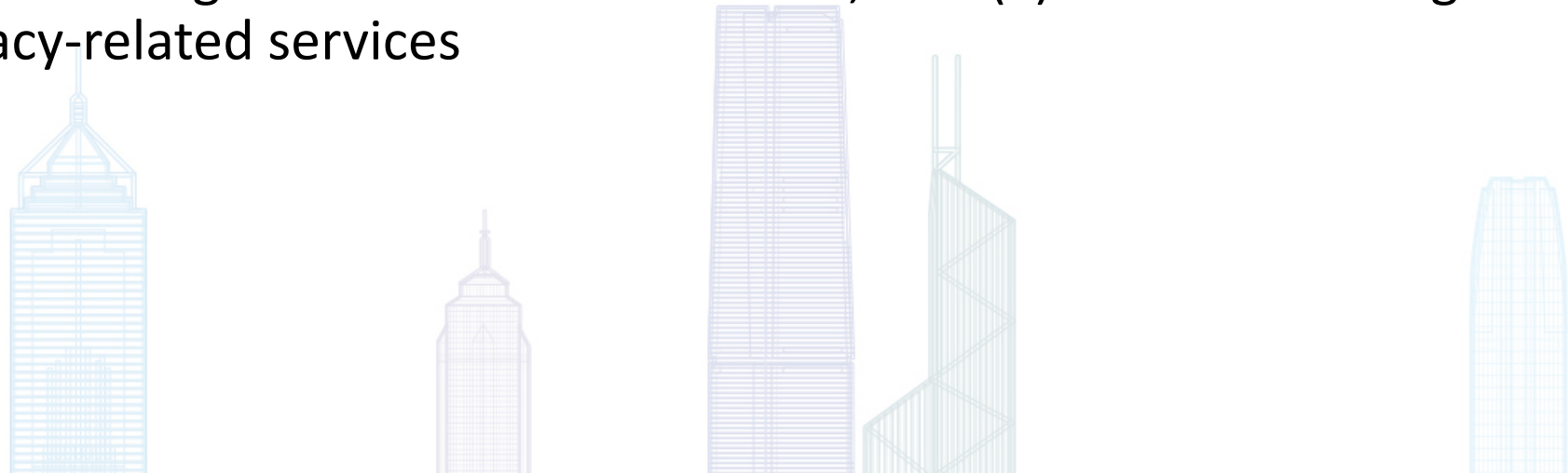
# Three layers of Open ODR

- Access layer for accessing ODR systems anywhere in the world;
- Integration layer for flexibly implementing various ODR platforms for different needs (e.g. related to covid issues); and
- AI layer for providing public AI-based services trained on voluntarily shared anonymized data



# Access layer

- Access of people to their preferred way of resolving dissatisfactions with any vendor or private/ public service provider anywhere in the world;
- Data sharing ONLY with invited parties – efficient consent; and
- Pre-transaction verification of vendors' reputation regarding their (i) track-record of resolving customer dissatisfactions; and (ii) track-record regarding their privacy-related services



# Integration layer

- Virtual „4D“ constantly growing open model of standard dispute resolution processes;
- Model will include open schemes and specifications of online processes regarding negotiation, mediation, arbitration, adjudication, online courts etc. and their component parts; and
- Enable to quickly set up ODR systems and platforms (public or private), connect them with other systems and flexibly modify them for a fraction of the current costs.

# AI layer

- Public AI-based services;
- Initial services will include:
  - Reputation indexes of vendors/service providers;
  - Negotiation robo-support for people;
  - Data-sharing protocols; and
  - AI supported multi-linguality.



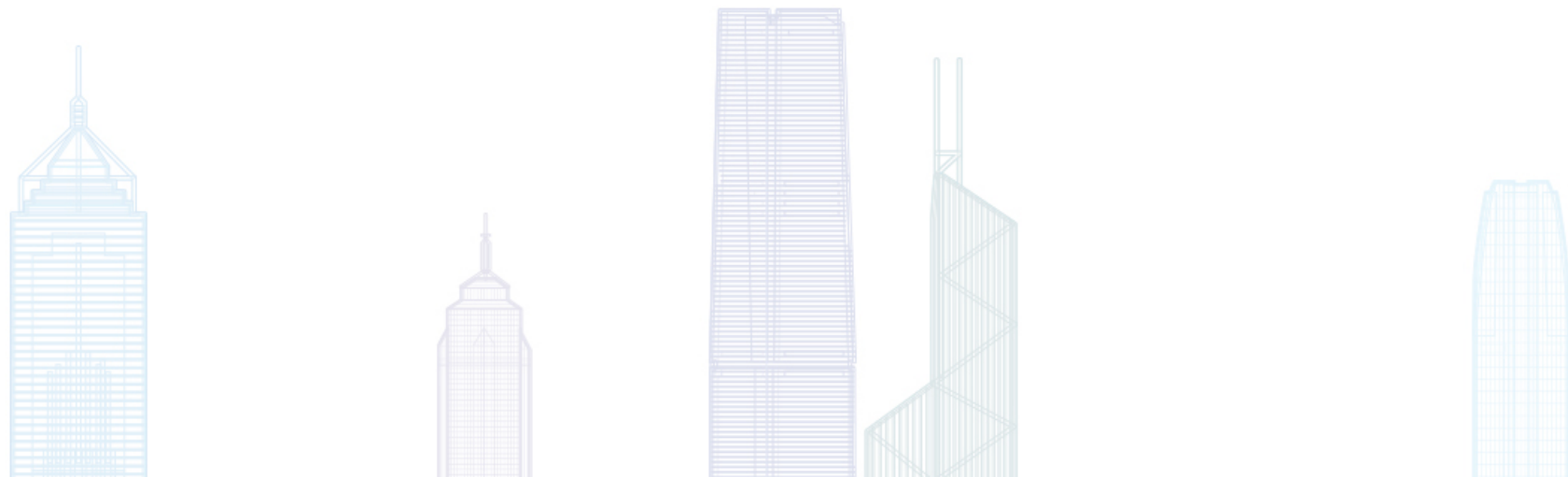


# Outcomes of Open ODR

- Access layer: personal communication tools (PCTs) – new type of smart „personal apps/agents“ enhancing features of mobile/browser;
- Integration layer: ODR Machine – open online technology for producing ODR platforms for any type of dissatisfactions and/or any ODR processes;
- AI layer: Open ODR environment – innovative online system interconnecting access and integration layers and their outcomes for the purposes of providing public services based on machine learning; and
- Open published schemes and specs related to all the outcomes.

# Open ODR Organization (openodr.org)

- Informal international think-tank of supporting experts and institutions;
- Our goal is to develop first projects and grow the Open ODR community;
- If you are interested, please email to: [zbynek.loebel@prkpartners.com](mailto:zbynek.loebel@prkpartners.com)





2 - 6 NOVEMBER 2020

# LEGAL WEEK HONG KONG

Thank you

