

A Study of E-Commerce Consumer Dispute Resolution Mechanism in Taiwan based on the EU's experience—The FACEBOOK's "Happy Harvest" Game Case

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Abstract

The article will give analytical descriptions over consumer protection issues in e-commerce with particular reference to disputes evolved in the famous Internet game "FACEBOOK Farmville". It will include difficulties of dispute resolution regarding "Application Programming Interface" and "characteristic of borderless" in ecommerce. As well as implements of "self-regulatory" and "information disclosure" to web vendors, protective provisions in civil procedure would provide an equal footing to the weaker party of the trade to negotiate with vendors. In particular, because of non-profession the protective provisions secure access to justice by consumers and to settle their disputes.

Including rules of OECD and UNCITRAL, this article will also focus on European consumer protection provisions in civil proceedings; they are rules of jurisdiction and choice of law in the Brussels I and Rome I Regulations and European Small Claims Procedure. Regarding dispute resolution in "FACEBOOK Farmville" cases, Taiwanese legal instruments should provide clear and certain interpretations in the application of consumer protection law to e-commerce parties. Consumer protection organizations should also regulate web vendors in their contents of websites. Moreover, the Code of Civil Proceedings should be aware of consumers' inconveniences in accessing to justice through court-redress.

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Date submitted: March 25, 2010

Date accepted: September 27, 2010

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Keywords: Internet consumer protection, European Small Claim Procedure, Internet Jurisdiction, Self-regulatory, information disclosure, FACEBOOK.