

## Conciliation proceedings before the DGRI Conciliation Office IT

Since 1991, the Conciliation Office IT of the German Association for Law and Informatics e.V. (DGRI) has been supporting companies in settling any disputes in the field of information and communication technology out of court. To this end, the Conciliation Office IT offers **mediation** and/or **conciliation** procedures in accordance with the [DGRI Conciliation Rules](#) by a conciliation team specially selected for the respective case.

### Advantages of a conciliation procedure

- ✓ Short **duration of proceedings** with a high **success rate** (approx. 60 %)
- ✓ High degree of **flexibility** (also with regard to the language of the proceedings)
- ✓ Maintaining stable business relationships through **amicable** conflict resolution
- ✓ **Highly qualified** and **experienced conciliation team** (> 110 proceedings, amounts in dispute from EUR 10,000 to EUR 110,000,000)
- ✓ **Protection of trade secrets** through a non-public procedure
- ✓ **Suspension of the statute of limitations** for the duration of the proceedings

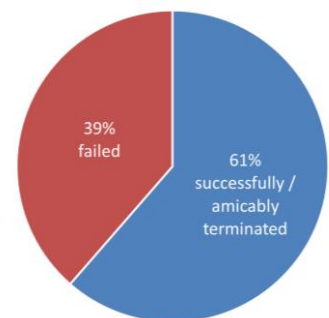


Figure 1: Prospects for success  
(as at 2023)

### Procedure for conciliation proceedings under the Conciliation Rules

The **agreement of both parties** is always required for the initiation of a conciliation procedure, e.g. expressed in advance by the inclusion of the [conciliation clause](#) in a (framework-)contract. The conciliation process can also be used to resolve conflicts during the course of a project. The procedure itself begins when the Conciliation Office IT receives the **request for conciliation** by email or post. The applicant shall make an **advance payment** towards the Conciliation Office's expenses. If both parties agree to the procedure, the Conciliation Office IT appoints the members of the **conciliation team**. The team usually consists of a fully qualified lawyer and an IT expert. The proceedings are then opened by **referring the case to the conciliation team**. The course of the proceedings is individually designed by the conciliation team in consultation with the parties and usually includes the exchange of **written submissions** and, if necessary, an **oral discussion or hearing**. If the parties reach an agreement during the proceedings, it is possible to conclude a **settlement**. Otherwise, the conciliation team can submit a **conciliation award**; unlike in arbitration or court proceedings, for example, the parties have the option of rejecting the conciliation award. If the conciliation procedure fails, the parties still have recourse to the ordinary courts.

### Your contact to the DGRI's Conciliation Office IT

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