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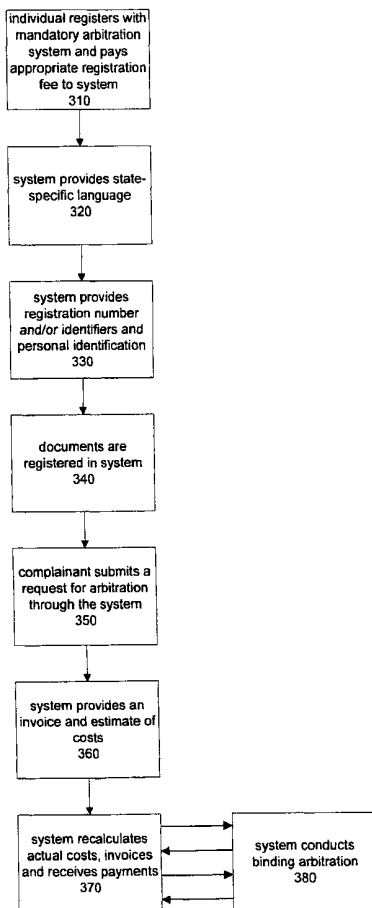
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(54) Title: METHOD AND SYSTEM FOR MANDATORY ARBITRATION



(57) Abstract: A method and system for arbitration resolution. The present invention provides for party (310) and document registration (340), a billing component (370) and a state specific language database (320).



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## METHOD AND SYSTEM FOR MANDATORY ARBITRATION

### Field of Invention

The present invention relates to a method and system for enrolling or registering  
5 one or more individuals or entities, such as a testator or contracting parties, in a program  
that requires resolution by binding arbitration of any challenge or complaint concerning  
any unilateral document, such as a will, codicil, trust, or power of attorney executed by  
such an enrolled individual or entity, or any challenge or complaint concerning any  
contractual document between two or more enrolled parties through a computer on a  
10 network.

### Background of the Invention

An enormous amount of money and valuable property is transferred through  
testamentary documents each year. People draft wills and trusts to transfer property to  
15 others, including family members, friends, loved ones, and charitable organizations in  
accordance with their exact wishes. However, when it is time for the disposition of a  
decedent's property, sometimes particular family members, friends, or other individuals  
are not satisfied with the decedent's testamentary wishes regarding the disposition of his  
or her money and property. Many feel they deserve more than what was left to them.  
20 Disputes may also arise concerning whether funds are being properly administered and  
whether the governing will or trust is being interpreted properly by a fiduciary or other  
individual. As a result, dissatisfied, disinherited, or allegedly "under-inherited"  
individuals often turn to the court system for relief by filing will contests, competency  
hearings, trust-related challenges, and other complaints. Some individuals may even file  
25 competency proceedings against one or both of their parents in an attempt to pre-empt  
their parents' rights to the disposition of their property. These proceedings aim to  
preclude their parents from deciding who their beneficiaries should be and exactly what  
those beneficiaries should or should not receive.

The courts are becoming increasingly more overwhelmed with angry family  
30 members and friends of decedents who file such challenges and complaints in response to  
what they perceive to be an unfair disposition of property. Many hours and large amounts  
of money are spent trying to resolve these disputes. Oftentimes, as a result of

compromises agreed to by the disputing parties or urged on them by the courts, the testator's final wishes are not carried through because of such challenges and complaints.

Alternative Dispute Resolution ("ADR") statutes allow for individuals and business entities to opt for mandatory and binding arbitration by contract as long as such an election to abide by arbitration is a voluntary decision. Arbitration involves the voluntary submission of a dispute to one or more arbitrators for a final and binding determination. The arbitrator hears and considers the merits of the dispute and renders a final decision that is binding on all parties involved. Arbitration can provide an effective method of resolving disputes privately, promptly and economically. It provides for the substitution of the award or decision rendered by the arbitrator for judgment of a court.

Many disappointed relatives and friends of a decedent often file will contests, trust challenges, and competency hearings in an attempt to override the decedent's written wishes. Such judicial procedures then often become very expensive and time consuming to the decedent's estate, the parties involved and the courts. Therefore, an automated system and method for requiring resolution through binding arbitration is desired to facilitate dispute resolutions of challenges and complaints to unilateral documents, such as wills, codicils, trusts, living wills, advanced directives, and powers of attorney.

Likewise, while there are presently ADR contractual opportunities, parties to contracts currently do not notify and enroll in an arbitrating entity unless and until one of the parties wishes to begin an arbitration process against another party. Such a procedure is inefficient and fails to optimize the advantages of ADR. The current arbitration procedures often become very expensive and time consuming to the parties involved. Therefore, an automated system and method for requiring resolution through binding arbitration that is in place and that the parties have enrolled in at the time the parties execute the contract or other multi-party document is needed to facilitate dispute resolution of challenges and complaints related to such documents.

### **Summary of the Invention**

An object according to the present invention is to overcome these and other drawbacks with existing systems.

It is an object of the present invention to preclude individuals and entities from filing a challenge or complaint to a unilateral document and instead force those

individuals and entities to resolve disputes through binding arbitration through a mandatory arbitration system of the present invention. Unilateral documents are documents that are created by a single entity. Unilateral documents may include wills, codicils, trusts, living wills and other testamentary documents. Other examples of unilateral documents may include advanced medical directives and powers of attorney.

It is another object of the present invention to preclude individuals and entities from filing a challenge or complaint to a contract or other multi-party document and instead force those individuals and entities to resolve disputes through binding arbitration through a mandatory arbitration system of the present invention. Such documents may include contracts as well as other agreements involving two or more entities.

It is another object of the present invention to enable a system to provide, when necessary, state-specific language for insertion in a unilateral document, that specifies that any challenge to that unilateral document, is to be presented to a mandatory arbitration system of the present invention for binding arbitration, rather than a court proceeding.

It is another object of the present invention to enable a system to provide, when necessary, state-specific language for insertion in a contract that specifies that any challenge to that contract, or other multi-party document, by any party to the contract or document is to be presented to a mandatory arbitration system of the present invention for binding arbitration, rather than a court proceeding.

It is another object of the present invention to enable a system to provide a membership identification code for insertion in a unilateral document, to identify the individual as a member of a mandatory arbitration system and to register that unilateral document in the mandatory arbitration system.

It is another object of the present invention to enable a system to provide a membership identification code for insertion in a contract or other multi-party document to identify the parties to the contract, or document, as members of a mandatory arbitration system and to register that contract and document in the mandatory arbitration system.

It is another object of the present invention to provide a database of electronic copies and/or virtual originals of a member's unilateral documents.

It is another object of the present invention to provide a database of electronic copies and/or virtual originals of a member party's contracts and other documents.

The present invention enables an individual to register one or more unilateral documents in a mandatory arbitration system through a computer on a network. The present invention also enables contractual parties to register one or more contractual or other multi-party documents in the mandatory arbitration system through a computer on a network. The mandatory arbitration system requires resolution by arbitration concerning any dispute or complaint to the one or more registered unilateral, contractual or other documents. A member may be charged a fee for registration for a predetermined period of time. For example, a member testator may be charged a fee for lifetime registration. Member parties to a particular contract may each be charged a fee for a particular contract and any amendments to that contract or other document. The system may provide state-specific language specifying binding arbitration for insertion in a member's one or more unilateral documents or for insertion in a member parties' one or more contracts or other documents. The present invention may also assign a coded registration number or personal identifier for insertion into the member's unilateral document or the member parties' contract. The coded registration number or personal identifier verifies that the member has voluntarily agreed or the contractual member parties have voluntarily agreed to binding arbitration through a mandatory arbitration system of the present invention. A database of the present invention may contain copies and/or virtual electronic originals of the member's unilateral documents and/or the members parties' contracts or other documents. With respect to any challenge or complaint related to a member's unilateral document, a complainant must submit a request for arbitration through the mandatory arbitration system. The system may then process an invoice estimating arbitration fees, costs, and expenses. This invoice may be sent to a fiduciary, executor, trustee, or other designated entity, where payment may be made to the mandatory arbitration system by the estate, trustee, or other designated entity. Alternatively, the member may have previously authorized the mandatory arbitration system to be paid directly by the entity holding the decedent's property in cases, for example, where a testator anticipated that the fiduciary, executor, or trustee might refuse to pay such an invoice from the mandatory arbitration system. The present invention provides a service where a member is assured that the wishes expressed in his or her testamentary or other unilateral documents are, in fact carried out accordingly through a professional private arbitrator, where the arbitrator is chosen by the mandatory arbitration system. In appropriate matters and as determined by

the mandatory arbitration system or the particular arbitrator, additional assistance for the arbitrator may be obtained through arrangements with one or more accounting firms, law firms, consultants, assistants, experts, and other professional firms.

5 Oftentimes, court proceedings are delayed and prolonged. The present invention addresses the need for thoughtful and speedy resolutions and expeditious dispositions of complaints and challenges regarding unilateral documents, contracts and other agreements. After a request for arbitration has been made to the system and the invoice has been paid, the arbitrator may schedule dates and times for petitions to be filed and the arbitration hearing to be held. The present invention provides an expedient and efficient  
10 private manner of handling disputes arising from will and trust contests and challenges and of handling disputes arising from contract disputes without expensive and time consuming court proceedings. The awards and decisions made by the arbitrators in the present invention are then enforceable in the courts.

The process of selecting an arbitrator under current alternative dispute resolution  
15 organizations is time consuming and tedious. Both parties to the contract in dispute may receive a list of potential candidates for arbitrator. From the list of candidates, each party may disapprove of certain candidates for various reasons, including bias or conflicts of interests, or for no particular reason. If an arbitrator is not agreed on by both contracting parties, the parties may then receive another list of potential candidates and the selection  
20 process is repeated. At this stage of the dispute, it is often the case that both parties may not be willing to concede to any wishes of the other party, including the other party's choice of arbitrator. The present invention eliminates this process of selecting an arbitrator by assigning an arbitrator to the dispute through the system. Thus, since the system assigns an arbitrator to resolve the dispute, wasted time and effort in selecting an  
25 arbitrator are eliminated.

The specific type of arbitration hearing that will be held may vary with each case and circumstance. For example, if relatively uncomplicated matters or issues are involved, arbitration may be conducted by exchanging documents and a telephone hearing as the most appropriate method. For more involved matters, an arbitrator may be assigned  
30 to the dispute to personally conduct the arbitration and the hearing may be held at or near the geographic location of one or more of the parties or the arbitrator. Further resources may also be consulted or utilized through the system. Thus, the present invention seeks to

provide the most efficient type of resolution in the most cost and time effective manner while still allowing the parties the opportunity to be heard.

Other objects and advantages of the present invention will be apparent to one of ordinary skill in the art upon reviewing the specification herein.

5

### **Brief Description of the Drawings**

FIG. 1 is a diagram of a system for mandatory arbitration concerning a unilateral document dispute according to an embodiment of the present invention.

10 FIG. 2 is a diagram of a system for mandatory arbitration concerning a contractual or other multi-party document dispute according to an embodiment of the present invention.

FIG. 3 is a flowchart describing a process for mandatory arbitration according to an embodiment of the present invention.

### **Detailed Description of the Preferred Embodiments**

A system and method for mandatory arbitration precludes disenchanted individuals from presenting their grievances through court proceedings and instead provides mandatory resolution through arbitration in accordance with the present invention. An objective of the present invention is to discourage disheartened prospective  
20 petitioners and parties to a contract or other agreement from filing in the courts and to encourage individuals, beneficiaries, and parties to a contract or agreement to resolve all disputes amicably through compromise and settlement prior to filing for binding arbitration. The arbitrator assigned by the system of the present invention resolves to follow the language of the unilateral document or the contract or the agreement, as the  
25 case may be, and to ensure that the desires and wishes expressed in the document are followed. For example, the designated arbitrator resolves to carry out the testator's intent in determining a resolution arising from a testamentary document. Likewise, in contract dispute cases, the arbitrator resolves to follow the language of the contract and to ensure that the contract is enforced.

30 FIG. 1 is a diagram of an overall system for mandatory arbitration 100 concerning a dispute regarding a unilateral document according to an embodiment of the present invention. Unilateral documents include documents created by a single entity. One or



more users 101 may access mandatory arbitration system 110 through the Internet.

Access to mandatory arbitration system 110 may be established through the Internet, intranet, World Wide Web, software applications, telephone, cable, radio, television, magnetic, electronic communications, or other methods of establishing communications.

- 5 User 101 may possess or wish to prepare one or more unilateral documents 103, such as a will, a codicil, a trust, a living will, an advance directive, a power of attorney, or other document created by a single entity.

Mandatory arbitration system 110 may include a registration module 120, a request for arbitration module 130, an arbitration schedule 140, an account module 150,  
10 and other service modules. Mandatory arbitration system 110 may access copies or virtual original versions of wills, trusts, codicils and other testamentary and unilateral documents stored in database 170. Database 172 may contain state-specific language for inclusion in the user's unilateral documents. Database 174 may contain registration numbers and personal identification information. Database 176 may hold fee schedule  
15 information to maintain accurate accounting records. A collection of contacts including, for example, fiduciaries, executors, trustees, and beneficiaries may be stored in database 177. Changes or amendments made to the one or more unilateral documents may be maintained in database 178. The system may assign an arbitrator to determine a final and binding resolution from arbitrator database 179.

20 One or more users 101, which may include testators, may access registration module 120 to participate in a mandatory arbitration system 110 according to the present invention. Registration information may include, for example, identification information, residence information, location of assets subject to the will or trust, characteristics of assets subject to the will or trust, and other relevant information. Also, contact  
25 information regarding the executor, trustee, and fiduciary may also be entered. Different states may require different language and conditions for binding arbitration and that information may also be entered. In the case of a testamentary document, the location and type of assets may be subject to different treatment depending on the state the assets are maintained. For example, a testator living in Florida may own a rental house in  
30 California, a summer home in Alaska, a bank account in Maine, and a business incorporated in Delaware. By registering with the system, testators may obtain state-specific language for inclusion in the testator's will, codicil, trust, or other unilateral

document that makes arbitration through the present invention binding in accordance with the appropriate state laws. Language will be provided to be inserted in the unilateral document that will state that any challenge to the unilateral document may not be presented to any court, but must be presented to the mandatory arbitration system of the present invention for binding arbitration.

Because a living person has no heirs, no one, not even a spouse or a child, has rights to the testator's property during the testator's life. Therefore, no one needs to voluntarily agree to the arbitration agreement except the testator. The present invention provides an easy automated method for qualifying a testamentary document for binding arbitration. Also, the beneficiary of the trust does not have any right to the property in the trust until after the maker of the trust executes the trust. Likewise, no one has any right to be another person's attorney in fact. Thus, only the creator of a testamentary or other unilateral document needs to agree to arbitration.

Registration with mandatory arbitration system 110 through registration module 120 may involve a fee requirement for registration for a predetermined period of time. In the case of a testator, the fee requirement may be a lifetime registration. In return, members may receive a coded registration number and/or personal identifier for insertion into the unilateral document that verifies that the member has agreed that mandatory arbitration system 110 of the present invention will arbitrate any and all challenges or complaints related to that document.

Members may use the present invention to store and keep track of all unilateral documents and other related documents. Mandatory arbitration system 110 may maintain copies, virtual originals, and/or electronic versions of a member's documents. Because the most recent testamentary document may override previous testamentary documents, the database may place time and date identifiers on these documents so that the most recent documents may be easily accessible.

At any time after registration and execution of a particular document with the mandatory arbitration system, for example, after disposition of a decedent's assets and property pursuant to the decedent's wishes as expressed in a testamentary document, one or more individuals may feel they deserve more than what was left to them. One or more complainants 131 may access the system 110 through the Internet or other methods of communications. Access to mandatory arbitration system 110 may be established through

the Internet, intranet, World Wide Web, software applications, telephone, cable, television, radio, magnetic, electronic communications, or other methods of establishing communications. Because the creator of the unilateral document has registered with mandatory arbitration system 110 and prepared his or her unilateral documents in compliance with the requirements for binding arbitration according to system 110, an aggrieved individual's only avenue of third party recourse is through the mandatory arbitration system 110. Complainant 131 may submit a request for arbitration of the unilateral document through module 130. The complainant may then enter information identifying the unilateral document of interest.

10 Mandatory arbitration system 110 may process the request and prepare an invoice statement. For example, a lifetime registration fee paid by a testator may not include actual arbitration fees, costs, or expenses necessary to render a binding decision through mandatory arbitration system 110. Account module 150 may invoice the executor, trustee, fiduciary, or other party for the total estimated expected costs of the arbitration or 15 the underlying document may provide a mechanism for the payments necessary to arbitrate. The system provides a total estimated amount and once an amount is received may place the amount in a trust account and draw upon it as the arbitration progresses. If necessary, the funds may be supplemented or credited accordingly.

A neutral arbitrator may be assigned by the system to the dispute for resolution. 20 Depending on the type of disposition and the parties involved, resolution may be conducted in a variety of different ways. For example, for matters involving relatively small amounts or uncomplicated issues, arbitration may be conducted by exchanging documents and through a telephone hearing. For matters of greater consequence, an arbitrator may meet with the parties involved and conduct an extensive hearing process. 25 This may include document discovery, testimonies from witnesses, and submission of evidence. Also, experts or other assistants may be consulted. For example, one or more individuals may accompany an arbitrator to provide unbiased assistance to the arbitrator. In another situation, an arbitrator may need the assistance of a legal professional who is trained and experienced in wills, trusts and estates. The expertise of an accountant may 30 be needed in another instance. Also, an arbitrator may be accompanied by one or more independent experts in specific technical areas in which evidence is to be presented at an arbitration hearing. Thus, the mandatory arbitration system of the present invention 110

carefully examines the complainant's request and the unilateral documents in question and determines the type of arbitration that is most effective as well as what is most time and cost efficient.

An arbitration schedule may be available for users of the system at module 140.

5 The schedule may provide all parties to the arbitration hearing with information regarding the status of pending or upcoming arbitration proceedings. The present invention places particular emphasis on speed and expediency. Thus, arbitration hearings may be held soon after requests are submitted.

Mandatory arbitration system 110 may also establish arrangements with law firms  
10 180, accounting firms 190 and other establishments, such as professional firms 195, to provide assistance to arbitrators in accordance with the present invention. Thus, expenses may be minimized and profitable alliances may be formed. These firms may also refer clients or potential clients to mandatory arbitration system 110 of the present invention.

15 FIG. 2 is a diagram of an overall system for mandatory arbitration 200 concerning a dispute regarding a contract or other multi-party document (hereinafter "Contract") according to an embodiment of the present invention. Access to mandatory arbitration system 210 may be established through the Internet, intranet, World Wide Web, software applications, telephone, cable, television, radio, magnetic, electronic communications, or  
20 other methods of establishing communications.

Mandatory arbitration system 210 may include a registration module 220, a request for arbitration module 230, an arbitration schedule 240, an account module 250, and other service modules. Mandatory arbitration system 210 may access copies or virtual original versions of Contractual documents stored in database 270. Database 272  
25 may contain state-specific language for inclusion in the one or more Contracts. Database 274 may contain registration numbers and personal identification information. Database 276 may hold fee schedule information to maintain accurate accounting records. Amendments made to the one or more Contracts may be maintained in database 278. The system may assign an arbitrator to determine a final and binding resolution from arbitrator  
30 database 279.

One or both of parties 201 and 202 to the Contract 205 may access registration module 220 to participate in a mandatory arbitration system according to the present

invention. Although two parties are shown in FIG. 2, it is recognized that two or more parties may be parties to a Contract. In this case, the two or more parties to the Contract may register with the mandatory arbitration system 210 through registration module 220. In addition, the parties to the Contract may also provide additional information to the mandatory arbitration system such as the names and other reference information related to other entities, such as other corporations, businesses, law firms, accounting firms, banks, insurance companies or other such entities that may have an interest in the performance of the Contract or any challenge to it. Registration information therefore may also include such identification information or such business or corporate information, and other relevant information concerning the Contract.

Different states may require different language and conditions for binding arbitration. By registering with the system, parties to the Contract may obtain state-specific language for inclusion in the Contract that makes arbitration through the present invention binding in accordance with the appropriate state laws. Language will be provided to be inserted in the one or more Contracts that will state that any challenge or complaint related to the one or more Contracts may not be presented to any court, but must be presented to the mandatory arbitration system of the present invention for binding arbitration.

Registration with mandatory arbitration system 210 through registration module 220 may involve a fee requirement for the life of a particular Contract. In return, parties to a registered Contract may receive a coded registration number and/or personal identifier for insertion into the Contract that verifies that the parties to the Contract have agreed that mandatory arbitration system 210 of the present invention will arbitrate all challenges or complaints related to the Contract.

Contract parties may use the present invention to store and keep track of all Contractual documents and other related documents. Mandatory arbitration system 210 may maintain copies, virtual originals, and/or electronic versions of the member parties' one or more Contracts. Because the most recent amendment may override previous provisions in the one or more Contracts, the database may place time and date identifiers on these documents so that the most recent documents may be easily accessible.

If a dispute arises regarding the Contract, one or more parties to the Contract may access system 210 as one or more complainants 231 through the Internet or other methods

of communication. Disputes regarding the contract may encompass interpretation, enforceability, duration, performance, breach (actual or constructive), damages, and other issues. Access to mandatory arbitration system 210 may be established through the Internet, intranet, World Wide Web, software applications, telephone, cable, television, radio, magnetic, electronic communications, or other methods of establishing communications. Because all parties involved with the Contract have registered with mandatory arbitration system 210 and prepared the one or more Contractual documents in compliance with the requirements for binding arbitration according to system 210, an aggrieved party's only avenue of recourse is through the mandatory arbitration system 210. Complainant 231 may submit a request for arbitration of the registered Contractual document through module 230. The complainant may then enter information identifying the Contract.

Mandatory arbitration system 210 may process the request and prepare an invoice statement. The lifetime registration fee paid by the member Contracting parties may not include actual arbitration fees, costs, or expenses necessary to render a binding decision through mandatory arbitration system 210. Account module 250 may invoice the parties for the total estimated expected costs of the arbitration or the underlying document may provide a mechanism for the payments necessary to arbitrate. The system provides a total estimated amount and once an amount is received may place the amount in a trust account and draw upon it as the arbitration progresses. If necessary, the funds may be supplemented or credited accordingly.

A neutral arbitrator may be assigned by the system to the dispute for resolution. Depending on the type of disposition and the parties involved, resolution may be conducted in a variety of different ways. For example, for matters involving relatively small amounts or uncomplicated issues, arbitration may be conducted by exchanging documents and through a telephone hearing. For matters of greater consequence, an arbitrator may meet with the parties involved and conduct an extensive hearing process. This may include document discovery, testimonies from witnesses, and submission of evidence. Also, experts or other assistants may be consulted. For example, one or more individuals may accompany an arbitrator to provide unbiased assistance to the arbitrator. In another situation, an arbitrator may need the assistance of one who is experienced in a particular issue related to the dispute concerning the one or more Contracts at issue. The

expertise of an accountant may be needed in another instance. Also, an arbitrator may be accompanied by one or more independent experts in specific technical areas in which evidence is to be presented at an arbitration hearing. Thus, mandatory arbitration system of the present invention 210 carefully examines the complainant's request and the one or  
5 more Contracts in question and determines the type of arbitration that is most effective as well as what is most time and cost efficient.

An arbitration schedule may be available for users of the system at module 240. The schedule may provide all parties to the arbitration hearing with information regarding the status of pending or upcoming arbitration proceedings. The present invention places  
10 particular emphasis on speed and expediency. Thus, arbitration hearings may be held soon after requests are submitted.

Mandatory arbitration system 210 may also establish arrangements with law firms 280, accounting firms 290 and other establishments, such as other professional firms 295, to provide assistance to arbitrators in accordance with the present invention. Thus,  
15 expenses may be minimized and profitable alliances may be formed. These firms may also refer clients or potential clients to mandatory arbitration system 210 of the present invention.

FIG. 3 illustrates a flowchart describing a process for mandatory arbitration according to an embodiment of the present invention. An individual or entity, such as a  
20 testator or a party to a contract, may register with mandatory arbitration system and pay an appropriate registration fee, at step 310. The registration process may include information regarding identification, description of assets, residence, location, and other pertinent information. The system may then provide state-specific language for insertion in the unilateral document or Contract, at step 320. This language provides that any contest or  
25 dispute regarding the disposition of the unilateral document or Contract-related issue is to be resolved through arbitration in accordance with the mandatory arbitration system of the present invention. The system may provide a registration number and/or personal identifier, at step 330. This number or identifier, which is inserted in the unilateral document or the Contract, as the case may be, verifies that the document has been  
30 properly identified by the registered party or parties for mandatory arbitration in accordance with the present invention. At this point, the unilateral document or contract may be registered with the system, at step 340. A complainant may submit a request for

arbitration through the system, at step 350. The system may then provide an invoice and estimate of costs, at step 360. After or during the arbitration process, the system may recalculate the costs to determine the actual costs and provide one or more additional invoices, at step 370. The system may then examine the document or documents at issue,  
5 the facts and circumstances related to the case, hold a hearing, and conduct a binding arbitration, at step 380.

Other embodiments and uses of the invention will be apparent to those skilled in the art from consideration of the specification and practice of the invention disclosed herein. The specification and examples should be considered exemplary only.



**Claims****What is claimed is:**

1. A method for mandatory arbitration resolution regarding one or more unilateral documents comprising the steps of:
  - 5 enabling a person to enroll or register himself or herself and his or her one or more unilateral documents in a mandatory arbitration system;  
providing arbitration language for insertion in the unilateral document wherein the arbitration language provides that any challenge to the unilateral document is to be presented to the mandatory arbitration system for binding arbitration;
  - 10 enabling a complainant to submit a request for arbitration resolution;  
conducting arbitration resolution;  
providing support to the arbitration; and  
determining an award or a decision that is final and binding.
2. The method of claim 1 wherein the unilateral document includes a will, codicil,  
15 trust, living will, advanced directive, or power of attorney or any amendments or changes to such a document.
3. The method of claim 1 wherein the arbitration language includes state-specific language.
4. The method of claim 1 wherein the arbitration language includes one or more  
20 registration numbers or identifiers.
5. The method of claim 1 further comprising the step of providing an invoice of estimated costs.
6. The method of claim 1 further comprising the step of providing an invoice of updated estimated costs and then processing and invoicing actual costs and payments.
- 25 7. The method of claim 1 further comprising a document database comprising copies or virtual originals of the one or more unilateral documents.
8. The method of claim 1 further comprising a document database comprising copies or virtual originals of changes, amendments, or updates to the one or more unilateral documents.
- 30 9. The method of claim 1 further comprising a contact database comprising contact information regarding one or more executors, trustees, fiduciaries, beneficiaries, law

firms, accounting firms, experts, consultants, professional firms, assistants, banks, and trust companies.

10. The method of claim 1 further comprising the step of displaying an arbitration schedule.
- 5 11. The method of claim 1 further comprising the step of establishing contact with one or more executors, trustees, fiduciaries, and beneficiaries.
12. The method of claim 1 further comprising the step of establishing contact with one or more law firms.
13. The method of claim 1 further comprising the step of establishing contact with one  
10 or more accounting firms.
14. The method of claim 1 further comprising the step of establishing contact with one or more of experts, consultants, professional firms, assistants, banks and trust companies.
15. The method of claim 1 wherein access to the mandatory arbitration is established  
15 through the Internet, intranet, World Wide Web, software applications, telephone, television, cable, video, magnetic, electronic communication, or other communication means.
16. The method of claim 1 further comprising the step of selecting an arbitrator to conduct the arbitration resolution from an arbitrator database.
17. A system for mandatory arbitration resolution regarding one or more unilateral  
20 documents comprising:
- a registration module for enrolling or registering the person who is executing and the one or more unilateral documents in a mandatory arbitration system;
  - an arbitration database for storing arbitration language for insertion in the unilateral document wherein the arbitration language provides that any challenge to the  
25 unilateral document must be presented to the mandatory arbitration system for binding arbitration and for providing this arbitration language to the enrolling person;
  - an arbitration resolution module for enabling a complainant to submit a request for arbitration resolution; and
  - a means for selecting an arbitrator from an arbitrator database to conduct an  
30 arbitration resolution, for providing support to the arbitrator, and where the arbitrator determines an award or a decision that is final and binding.

18. The system of claim 17 wherein the one or more unilateral documents includes one or more of a will, codicil, trust, living will, advance directive, and power of attorney and any changes, amendments, or updates to such documents.
19. The system of claim 17 wherein the arbitration language includes state-specific  
5 language.
20. The system of claim 17 wherein the arbitration language includes one or more registration numbers or identifiers.
21. The system of claim 17 further comprises an account module for providing an invoice of estimated costs.
- 10 22. The system of claim 17 further comprises an account module for providing an invoice of updated estimated costs and then processing and invoicing actual costs and payments.
23. The system of claim 17 further comprising a document database comprising copies or virtual originals of the one or more unilateral documents and any changes,  
15 amendments or updates to such documents.
24. The system of claim 17 further comprising a contact database comprising contact information regarding one or more executors, trustees, fiduciaries, beneficiaries, law firms, accounting firms, experts, consultants, professional firms, assistants, banks and trust companies.
- 20 25. The system of claim 17 further comprising an arbitration schedule display.
26. The system of claim 17 further comprising contact with one or more executors, trustees, fiduciaries, and beneficiaries.
27. The system of claim 17 further comprising contact with one or more law firms.
28. The system of claim 17 further comprising contact with one or more accounting  
25 firms.
29. The system of claim 17 further comprising contact with one or more of experts, consultants, professional firms, assistants, banks, and trust companies.
30. The system of claim 17 wherein access to the mandatory arbitration is established through the Internet, intranet, World Wide Web, software applications, telephone,  
30 television, cable, video, magnetic, electronic communication, or other communication means.

31. The system of claim 17 further comprising the selection of an arbitrator to conduct the arbitration resolution.
32. A method for mandatory arbitration resolution regarding one or more Contractual documents comprising the steps of:
- 5 enabling Contractual parties to enroll or register themselves and the one or more Contractual documents in a mandatory arbitration system;
- providing arbitration language for insertion in the Contractual document wherein the arbitration language provides that any challenge to the Contractual document, whether by any party to the Contract or by any alleged third party beneficiary of the Contract, is to
- 10 be presented to the mandatory arbitration system for binding arbitration;
- enabling a party to submit a request for arbitration resolution wherein the party includes a party to the Contractual document and a party so designated in the contractual document;
- conducting arbitration resolution;
- 15 providing support to the arbitrator; and
- determining an award or a decision that is final and binding.
33. The method of claim 32 wherein the arbitration language includes state-specific language.
34. The method of claim 32 wherein the arbitration language includes one or more
- 20 registration numbers or identifiers.
35. The method of claim 32 further comprising the step of providing an invoice of estimated costs.
36. The method of claim 32 further comprising the step of providing an invoice of updated estimated costs and then processing and invoicing actual costs and payments.
- 25 37. The method of claim 32 further comprising a document database comprising copies or virtual originals of the one or more Contractual documents.
38. The method of claim 32 further comprising a database comprising amendments to the one or more Contractual documents.
39. The method of claim 32 further comprising the step of displaying an arbitration
- 30 schedule.
40. The method of claim 32 further comprising the step of establishing contact with the parties to the Contractual documents.

41. The method of claim 32 further comprising the step of establishing contact with one or more law firms.
42. The method of claim 32 further comprising the step of establishing contact with one or more accounting firms.
- 5 43. The method of claim 32 further comprising the step of establishing contact with one or more of experts, consultants, insurance companies, professional firms, assistants, banks and trust companies.
44. The method of claim 32 wherein access to the mandatory arbitration is established through the Internet, intranet, World Wide Web, software applications, telephone,  
10 television, cable, radio, magnetic, electronic communication or other communication means.
45. The method of claim 32 further comprising the step of selecting an arbitrator to conduct the arbitration resolution.
46. A system for mandatory arbitration resolution regarding one or more Contractual  
15 documents comprising:
- a registration module for enrolling or registering the one or more parties and the Contractual documents in a mandatory arbitration system;
  - an arbitration database for storing arbitration language for insertion in the Contractual document wherein the arbitration language provides that any challenge to the  
20 Contractual document must be presented to the mandatory arbitration system for binding arbitration and for providing this arbitration language to the enrolling parties;
  - an arbitration resolution module for enabling a party to submit a request for arbitration resolution wherein the party includes a party to the contractual document and a party so designated in the contractual document; and
- 25 a means for selecting an arbitrator to conduct an arbitration resolution, for providing support to the arbitrator, and where the arbitrator determines an award or a decision that is final and binding.
47. The system of claim 46 wherein the arbitration language includes state-specific language.
- 30 48. The system of claim 46 wherein the arbitration language includes one or more registration numbers or identifiers.

49. The system of claim 46 further comprises an account module for providing an invoice of estimated costs.
50. The system of claim 46 further comprises an account module for providing an invoice of updated estimated costs and then processing and invoicing actual costs and payments.
51. The system of claim 46 further comprising a document database comprising copies or virtual originals of the one or more Contractual documents.
52. The system of claim 46 further comprising a database comprising amendments to the one or more Contractual documents.
53. The system of claim 46 further comprising an arbitration schedule display.
54. The system of claim 46 further comprising contact with the parties of the Contractual documents.
55. The system of claim 46 further comprising contact with one or more law firms.
56. The system of claim 46 further comprising contact with one or more accounting firms.
57. The system of claim 46 further comprising contact with one or more of experts, consultants, insurance companies, professional firms, assistants, banks and trust companies.
58. The system of claim 46 wherein access to the mandatory arbitration is established through the Internet, intranet, World Wide Web, software applications, telephone, television, cable, video, magnetic, electronic communication, or other communication means.
59. The system of 46 further comprising the selection of an arbitrator to conduct the arbitration resolution.

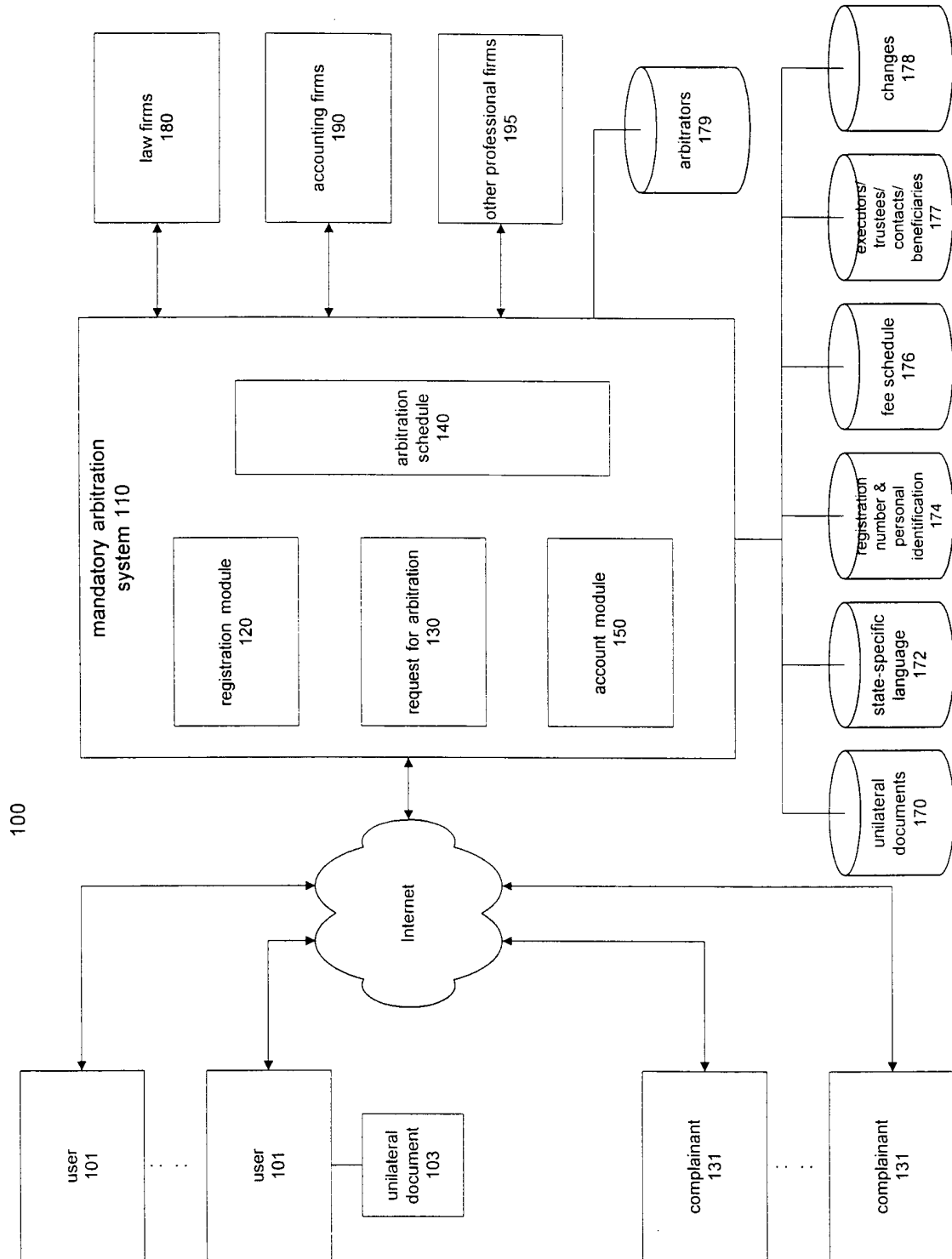


FIG. 1

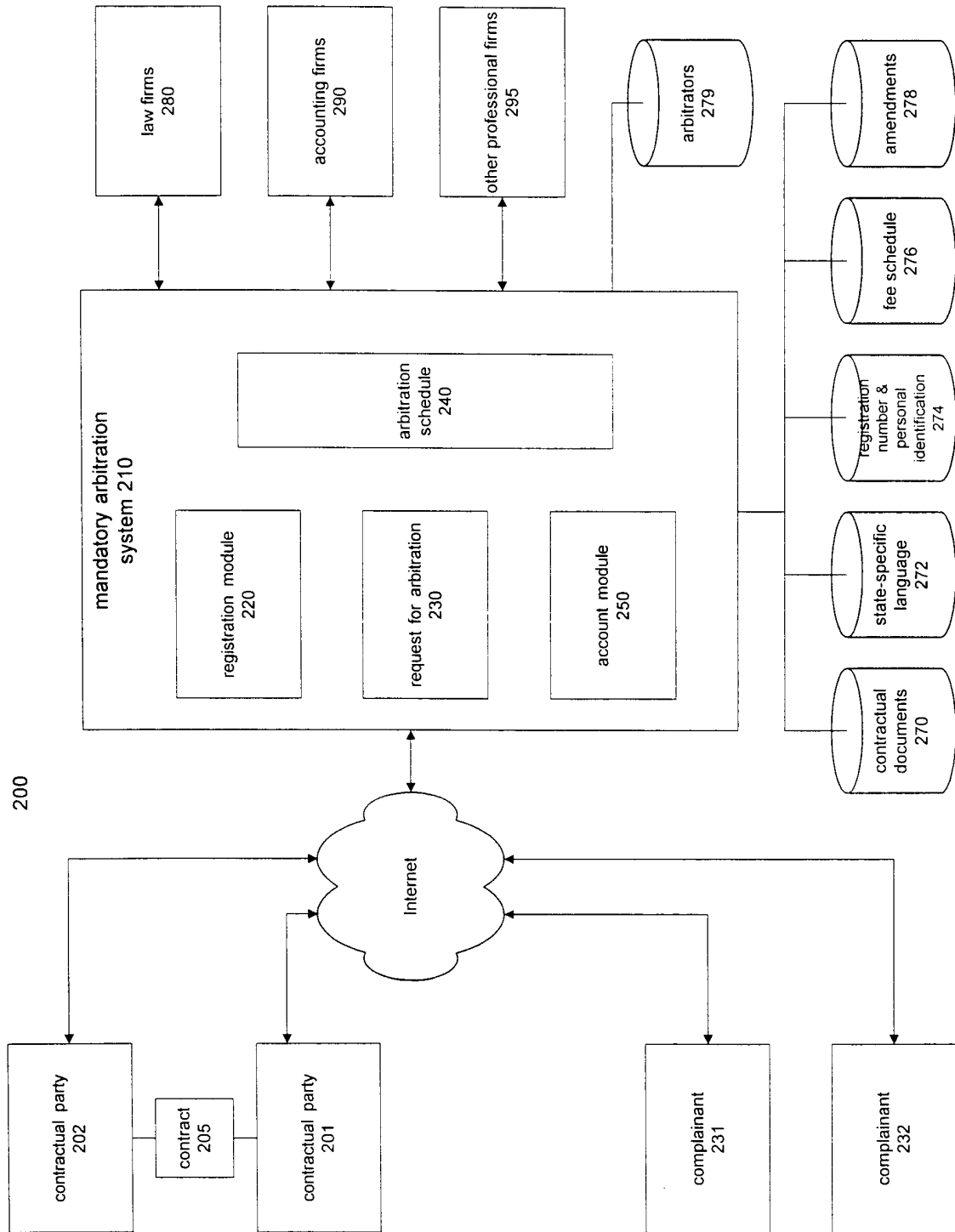


FIG. 2



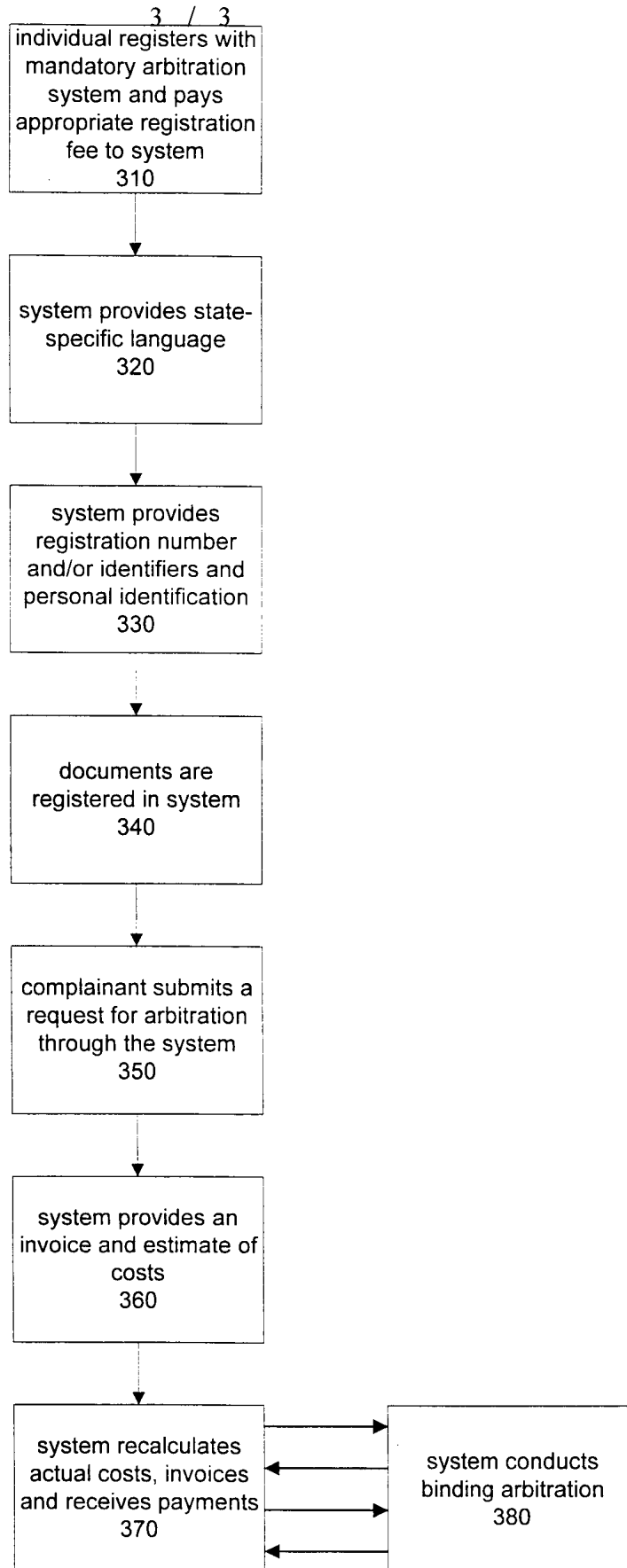


FIG. 3

# INTERNATIONAL SEARCH REPORT

International application No.

PCT/US00/32970

**A. CLASSIFICATION OF SUBJECT MATTER**  
 IPC(7) : G06F 17/60  
 US CL : 705/500  
 According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**  
 Minimum documentation searched (classification system followed by classification symbols)  
 U.S. : 705/4, 705/77, 705/78, 705/500

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)  
 WEST; search terms: negotiations, arbitration, internet, scheduling, document databases

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

| Category * | Citation of document, with indication, where appropriate, of the relevant passages   | Relevant to claim No.                                  |
|------------|--|--|
| Y          | US 5,241,466 A (PERRY et al.) 31 August 1993 (31.08.93) figures 3 and 4; column 7-11; column 2, lines 9-23 and 38-54; column 4, 50-59; column 5, lines 62-67; 8, lines 37-44   | 1-3,7-9, 17-19, 23,24,32,33,37,38,46-48,51,52          |
| Y          | US 5,794,207 A (WALKER et al.) 11 August 1998 (11.08.98) column 10, lines 23-30; umn 11, lines 53-65; column 12, lines 54-67; column 16, lines 63-67; column and 65-67; column 18, lines 1-14 and 34-43; column 20, lines 16-30 and 50-53; 21, lines 1-15 and 23-43; column 30, lines 40-55; column 13, lines 23-53; figure 2  | 1,4-9,11-17,20-24,26-32, 34-38,40-46,49-59             |
| Y          | US 5,956,687 A (WAMSLEY et al.) 21 September 1999 (21.09.99) column 2, lines 18 and 25-29; column 4, lines 4-8 and 19-21; column 6, lines 1-4 and 56-59; column 7, lines 67; column 8, lines 1-18; column 9, lines 16-43; column 14, lines 55-67; column 15, lines 1-11 and 28-47; column 16, lines 10-29; column 17, lines 8-21; column 21, lines 47-50 and 61-67; column 25, lines 60-67; column 26, lines 1-29 and 36-67; column 29, lines 1-23; column 31, lines 17-24; figures 2A-D | 1,2,4-15,17,18,20-30,32-44,46-58                       |
| Y,P        | US 6,067,531 A (HOYT et al.) 23 May 2000 (23.05.00) figures 2,3,4A,6,8,9; column 1, lines 26-46; column 7, lines 34-40 and 57-67; column 8, lines 21-42; column 12, lines 45-49; column 32, lines 35-60  | 1,3,4,7-9,11-16,17,19,20,23,24,26-40-46,48,51,52,54-59 |

Further documents are listed in the continuation of Box C.  See patent family annex.

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|---|-----|--|
| "A" document defining the general state of the art which is not considered to be of particular relevance  | "T" | later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention  |
| "E" earlier application or patent published on or after the international filing date   | "X" | document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone   |
| "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) | "Y" | document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art |
| "O" document referring to an oral disclosure, use, exhibition or other means  | "&" | document member of the same patent family  |
| "P" document published prior to the international filing date but later than the priority date claimed  |     |  |

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| Date of the actual completion of the international search<br>22 January 2001 | Date of mailing of the international search report<br>09 APR 2001 |
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| Name and mailing address of the ISA/US<br>Commissioner of Patents and Trademarks<br>Box PCT<br>Washington, D.C. 20231<br>Facsimile No. (703)305-3230 | Authorized officer<br>James P Trammell <i>Peggy Hancock</i><br>Telephone No. (703) 305-3900 |
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