

DISPUTE RESOLUTION IN THE NEW DIGITAL ERA—EXPLORING ARBITRATION AS A SUITABLE MECHANISM TO RESOLVE DISPUTES OVER CRYPTO ASSETS

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ABSTRACT

The market for crypto assets has grown rapidly in the last couple of years. Buzzwords like cryptocurrency, Non-fungible tokens (hereinafter “NFTs”) and metaverse have gone viral. Celebrities, artists, pop singers, e-commerce platforms, financial institutes, airlines, and many others are selling NFTs featuring their icons. The prices for NFTs are soaring. “The Merge”, created by digital artist Pak, was sold at US\$91.8 million, purportedly one of the most expensive NFTs to date. Staggering numbers like this are piquing the public’s curiosity in NFTs.

As the market for crypto assets expands, disputes are rife. Suitable mechanisms for the resolution of crypto asset disputes are therefore indispensable. This paper will address potential disputes associated with crypto assets, especially NFTs and cryptocurrencies. It will discuss what types of disputes are likely to arise from them, whether and how the disputes may differ from the currently known disputes and the dispute resolution mechanisms that are applicable. This paper aims to explore whether arbitration is a suitable resolution mechanism for such

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disputes, how the new developments in international arbitration can help resolve them efficiently, and the potential for arbitration proceedings to adapt to them.

KEYWORDS: *Web 3.0, metaverse, blockchain, crypto assets, non-fungible tokens, NFTs, cryptocurrency, smart contract, dispute resolution, arbitration*