**Updated draft text for preliminary recommendation #6**

Any arbitration will be conducted in accordance with the law as mutually agreed by the parties. Where the parties cannot reach mutual agreement, the IGO Complainant shall elect either the law of the relevant registrar’s principal office [or the place where the respondent is habitually resident] [or the domain name holder's address as shown for the registration of the disputed domain name in the relevant registrar's Whois database at the time the complaint was submitted to the UDRP or URS provider]. Where neither law provides for a suitable cause of action or meaningful defenses, the arbitral tribunal shall make a determination as to the law to be applied in accordance with the applicable arbitral rules.