

# **DISPUTE POLICY**

**VERSION 1.0**

## 1. Dispute Policies

- 1.1. The Registry adopts the following policies for dispute:
  - Post-Delegation Dispute Resolution Procedures (PDDRP)
  - Uniform Domain Name Dispute Resolution Policy (UDRP)
  - Uniform Rapid Suspension System (URS)
- 1.2. Registrant shall utilize the above policies and undergo arbitration before proceed to court arrangement. Registrant may elect court proceedings directly without going through arbitration. Any court proceedings may result in cancellation of any arbitration in process.

## 2. Dispute Handling

- 2.1. Any individual or companies may file PDDRP or RRDRP against The Registry. It is also possible to file UDRP or URS against the domain owner.
- 2.2. The Trademark PDDRP generally addresses a Registry Operator's complicity in trademark infringement on the first or second level of a New gTLD. Under PDDRP, any individuals or companies will have the rights to complain about the conduct of The Registry. All such dispute resolution procedures will be handled by providers external to ICANN and require that complainants take specific steps to address their issues before filing a formal complaint. An Expert Panel will determine whether a Registry Operator is at fault and recommend remedies to ICANN. The Registry shall correct the fault based on ICANN instructions.
- 2.3. The RRDRP is intended to address circumstances in which a community-based New gTLD Registry Operator deviates from the registration restrictions outlined in its Registry Agreement. An RRDRP complaint may only be filed by an established institution. Prior to filing a formal RRDRP proceeding, a complainant will be required to utilize an online complaint system (in development) similar to the current Whois Data Problem Report System. All such dispute resolution procedures will be handled by providers external to ICANN and require that complainants take specific steps to address their issues before filing a formal complaint. An Expert Panel will determine whether a Registry Operator is at fault and recommend remedies to ICANN. The Registry shall correct the fault based on ICANN instructions.
- 2.4. The Uniform Rapid Suspension System is a rights protection mechanism that complements the existing Uniform Domain-Name Dispute Resolution Policy (UDRP) by offering a lower-cost, faster path to relief for rights holders experiencing the most clear-cut cases of infringement. The Registry shall implement the required procedure and technical specification as per described in <http://newgtlds.icann.org/en/applicants/urs>. Upon completion of

URS, The Registry will return the domain to the rightful owner based on the result of the URS proceedings.

- 2.5. The Registry shall implement UDRP through its registrars. All registrars must follow the Uniform Domain-Name Dispute-Resolution Policy (often referred to as the "UDRP"). Under the policy, most types of trademark-based domain-name disputes must be resolved by agreement, court action, or arbitration before a registrar will cancel, suspend, or transfer a domain name. Disputes alleged to arise from abusive registrations of domain names (for example, cybersquatting) may be addressed by expedited administrative proceedings that the holder of trademark rights initiates by filing a complaint with an approved dispute-resolution service provider.

To invoke the policy, a trademark owner should either (a) file a complaint in a court of proper jurisdiction against the domain-name holder (or where appropriate an in-rem action concerning the domain name) or (b) in cases of abusive registration submit a complaint to an approved dispute-resolution service provider. Refer to <https://www.icann.org/resources/pages/udrp-2012-02-25-en>