.сайт (xn--80aswg) Additional Trademark Limited Registration Period
Dispute Resolution Policy

This Additional Trademark Limited Registration Period Dispute Resolution Policy (the "**ATDRP**") established by CORE Association (the "**Registry Operator**") is incorporated by reference into the .сайт Registration Agreement. A ATDRP complaint may be filed against a .сайт domain name allocated or declined during the .сайт Additional Trademark Limited Registration Period (the "**ATLRP**").

1.   Purpose

This ATDRP describes the process and standards that will be applied to resolve challenges alleging that a domain name has been allocated or declined to be allocated in the .сайт TLD (the "**TLD**") in violation of the ATLRP Eligibility and/or Name Selection Requirements. This ATDRP will not apply to Registry-reserved names in the TLD, or to domain names registered during the Sunrise Period or the Transliteration Limited Registration Period, which are part of the Registry Operator's launch program.

2.   Applicable Disputes

A .сайт domain name allocated or denied allocation in the TLD during the ATLRP will be subject to this ATDRP upon submission of a complaint alleging that the allocation or allocation denial was improper under one or more of the following criteria:

a.   Improper ATLRP Allocation

A complaint under this section shall be required to show by reasonable evidence that a .сайт domain name allocated in the TLD does not comply with the Registry's ATLRP Eligibility and/or Name Selection Requirements.

Specifically, the complaint must prove one or more of the following elements:

(i)   The trademark registration on which the registrant based its ATLRP application is not a trademark in Cyrillic script registered within the OHIM or the Trademark Offices of Bulgaria, Macedonia, Russia, Serbia and/or Ukraine applied on or before 13 June 2012 and granted on or before 14 Jul 2013;

(ii)   The trademark registration on which the registrant based its ATLRP application is not a trademark in Cyrillic script protected by a statute or treaty that such statute or treaty was in effect on or before 26 June 2008;

(iii)   The domain name applied for is not identical no the label resulting from the conversion of one of the above trademarks according to the TMCH Guidelines.

b. Improper Denial of ATLRP Allocation

(i)   A complaint under this section shall be required to show reasonable evidence that the Registry Operator failed to allocate a .сайт domain name that was applied for in compliance with the ATLRP Eligibility and/or Name Selection Requirements.

(ii)   In addition, to pursue the remedies set forth in Section 4b (ii) and (iii) below, the complainant MUST notify the Registry Operator within the ten (10) calendar days following the Registry's decision to deny allocation of the domain name of its intention to submit a complaint under this ATDRP. Such notice must be in writing.

c. ATLRP Effective Dates

Any claim brought under this ATDRP for .сайт domain names shall be brought no later than forty-five (45) calendar days after end of the ATLRP.

3. Harmless Error Defence

A Respondent may produce evidence to show that, although the ATLRP allocation was granted based on submission of the wrong documents, or documents containing an error, the true and correct evidence existed at the time the ATLRP allocation was applied for and, thus, the allocation would have been granted.

4. Remedies

The remedies available to a complainant for a claim brought under this ATDRP shall be limited to:

a. Improper ATLRP Allocation

If a complaint is filed under Section 2(a) of this ATDRP, any ongoing contention resolution process will be suspended until the dispute is resolved. If the Registry Operator finds that the domain name was improperly allocated during the ATLRP, the following remedies will apply:

(i)   if the complainant had applied for the disputed domain name during the ATLRP and the complainant's application fulfills all the ATLRP Eligibility and Name Selection Requirements, the disputed domain name will be registered in favor of the complainant, provided that the complainant is the only existing ATLRP eligible application. If there is more than one eligible ATLRP application for that domain name, the contention resolution process will continue for the remaining ATLRP eligible applications, including that of the complainant.

(ii)   if the complainant had applied for the disputed domain name with basis on a lower priority right (e.g. under the Transliteration Limited Registration Period category) and the complainant's application had been rejected for being of lower priority in hierarchy

than that improperly allocated, the disputed domain name will be allocated following the hierarchy criteria of the Registry Operator's Launch program;

(iii) if no other eligible applications had been submitted for the disputed domain name during ATLRP or other lower-priority Periods of the Registry Operator's Launch Phase, the disputed allocation will be cancelled and it will be returned to the pool of names generally available for registration in the TLD.

b. Improper Denial of ATLRP Allocation

If a complaint is filed under Section 2(b) above of this ATLRP, any ongoing contention resolution process will be suspended until the dispute is resolved. If the Registry Operator finds that the application was improperly denied during the ATLRP, the following remedies will apply:

(i) If the disputed domain name has not been allocated yet:

1. it will be registered in favor of the complainant, provided that the complainant is the only existing ATLRP eligible application; or

2. If there is more than one eligible ATLRP application for that domain name, the contention resolution process will begin or continue for the remaining ATLRP eligible applications, including that of the complainant.

(ii) If the disputed domain name has already been allocated in favor of a third party that fulfilled the ATLRP Eligibility and Name Selection Requirements, the domain name will go on contention, **provided that the complainant had notified the Registry Operator in due time of its intention to submit a challenge, in accordance with Section 2(b)(ii) of this ATLRP.**

(iii) If the disputed domain name has already been allocated in favor of a third party with an inferior right than that of the claimant, the domain name will be registered in favor of the complainant **provided that the complainant had notified the Registry Operator in due time of its intention to submit a challenge, in accordance with Section 2(b)(ii) of this ATLRP.**

5. Procedure

a. Complaint. To challenge a registration allocated or rejected under the ATLRP, the applicant must:

(i) Submit to the Registry Operator a written challenge proving that the domain name allocation or denial of allocation during the ATLRP was improper under one or more of the criteria set forth in Section 2 of this ATDRP, along with supporting evidence. Challenges must be sent via email to secretariat@corenic.org; and

(ii) Pay a Procedure Fee of 100 Euros to Registry Operator.

c.   Statement of Defense. The applicant or registrant of a disputed domain name in the TLD shall be promptly notified by the Registry Operator of the commencement of a dispute under this ATDRP, and may contest the allegations of the complaint or show other cause why the remedy requested in the complaint should not be granted in accordance with this ATPDRP. In all cases, the burden of proof shall be on the complainant, and default or other failure of the applicant or holder of the disputed domain name shall not constitute an admission to any allegation of the complaint.

d.   Decisions. Registry Operator will assess the challenge, its claims and supporting documentation. Registry Operator may ask for further information from the applicant and/or the domain Name holder/applicant in order to make an informed decision. Within ten (10) calendar days after gathering all the required information, Registry Operator will make a decision on whether the challenge should prevail and will notify the interested parties via email.

e.   If a Decision requires a change to the status of a registered domain name, the Registry Operator will implement it within the following ten (10) business days after communication of the decision to all the parties involved.

f.   Parties to a dispute under this ATLRP shall warrant that all factual allegations made in the course thereof are true and correct to the best of their knowledge, shall remain subject to all representations and warranties made in the course of registration of a disputed domain name.

6.   Maintaining the *Status Quo*

During the course of a proceeding under this ATDRP:

(i)   The registered domain name shall be locked against transfers between registrants and/or registrars and against deletion by registrants.

(ii)   In the case of a claim under Section 2(b) of this ATDRP, the Registry Operator will prevent other parties from registering the unregistered domain name at issue until a decision is reached, provided that the complainant had notified the Registry Operator in due time of its intention to submit a challenge, in accordance with Section 2(b)(ii) of this ATLRP.

The contact details of the applicant or holder of the disputed domain name will be as shown in the registrar's publicly available Whois database record for the relevant registrant.

7. Indemnification

The parties shall indemnify, defend and hold harmless the registrar and the Registry Operator and their respective employees, contractors, agents and service providers from any claim arising from the conduct or result of a proceeding under this ATDRP. Neither the registrar or the Registry Operator and their respective employees, contractors, agents and service providers shall be liable to a party for any act or omission in connection with any proceeding under this ATDRP. The complainant shall be directly and solely liable to the registrant in the event the complaint is granted in circumstances where the registrant is lawfully entitled to registration and use of the registered domain name(s) in the TLD.

8. Relation to Other Dispute Resolution Policies

This ATDRP is in addition to and complementary with the Uniform Domain Name Dispute Resolution Policy ("**UDRP**"), the Uniform Rapid Suspension System ("**URS**") and any other mandatory dispute policies adopted by ICANN and/or the Registry Operator.

9. Effect of Other Proceedings

The administrative proceeding under the ATDRP shall not prevent either party from submitting a dispute concerning the disputed domain name in the TLD to concurrent administrative proceedings or to a court of competent jurisdiction for independent resolution during a pending ATDRP proceeding or after such proceeding is concluded.