

بازار (xn--mgbab2bd) Public Administration Launch Program Dispute Resolution Policy (PADRP)

This Public Administrations Program Dispute Resolution Policy (the “**PADRP**” or “**Policy**”) established by CORE Association (the “**Registry Operator**”) is incorporated by reference into the بازار Registration Agreement. A PADRP complaint may be filed against a بازار domain name allocated or declined during the Public Administration Limited Registration Period (the “**PALRP**”).

1. Purpose

This Policy 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 بازار TLD (the “**TLD**”) in violation of the PALRP Eligibility and/or Name Selection Requirements. This Policy will not be applied to Registry-reserved names in the TLD or to domain names registered under the dotBazaar Pioneer Program (pending ICANN approval), the Sunrise or any other Limited Registration Period, which is part of the Registry Operator’s Launch program.

2. Applicable Disputes

A بازار domain name allocated or denied allocation in the TLD in the PALRP will be subject to this Policy upon submission of a complaint alleging that the allocation or allocation denial was improper under one or more of the following criteria.

a. Improper PALRP Allocation

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

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

- (i) The registrant is not a Public Authority of Afghanistan, Algeria, Bahrain, Brunei, Comoros, Djibouti, Egypt, India, Indonesia, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Pakistan, State of Palestine, Qatar,

Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates, and/or Yemen.

“Public Authorities” means international, national, regional, local and municipal governmental authorities, including cities, counties and other governmental departments; as well as other public institutions under applicable local law (like agencies, consortiums, commissions, and other administrative divisions) of any of the countries listed above; and/or

- (ii) The registration does not correspond with the name of a Public Authorities referred to in (i) above; and/or
- (iii) The registration does not correspond with the name of a public services provided by the Public Authorities referred to in (i) above; and/or
- (iv) The registration does not correspond with the name of places and/or local landmarks over which the Public Authorities referred to in (i) above are the relevant authority according to local law.

b. Improper Denial of PALRP Allocation

- (i) A complaint under this section shall be required to show reasonable evidence that the Registry Operator failed to allocate a بازار domain name that was applied for in compliance with the PALRP 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 PADRP. Such notice must be in writing.

c. PALRP Effective Dates

Any claim brought

under this Policy for بازار domain names shall be brought no later than forty-five (45) calendar days after end of the PALRP.

3. Harmless Error Defense

A Respondent may produce evidence to show that, although the PALRP 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 PALRP 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 Policy shall be limited to:

a. Improper PALRP Allocation

If a complaint is filed under Section 2(a) above of this Policy, 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 PALRP, the following remedies will apply:

- (i) if the complainant had applied for the disputed domain name during the PALRP and the complainant's application fulfills all the PALRP 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 PALRP eligible application. If there is more than one eligible PALRP application for that domain name, the contention resolution process will continue for the remaining PALRP 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 another Limited Registration Period or in Landrush) 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 PALRP or other lower-priority categories 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 PALRP Allocation

If a complaint is filed under Section 2(b) above of this Policy, 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 PALRP, 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 PALRP eligible application; or
 - 2. if there is more than one eligible PALRP application for that domain name, the contention resolution process will begin or continue for the remaining PALRP 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 PALRP 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 Policy.**
- (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 Policy.**

5. Procedure

- a. **Complaint.** To challenge a registration allocated or rejected under the PALRP, the applicant must:
 - (i) Submit to the Registry Operator a written challenge proving that the domain name allocation or denial of allocation during the PALRP was improper under one or more of the criteria set forth in Section 2 of this Policy, 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.

- b. **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 Policy, 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 Policy. 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.
- c. **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 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.
- d. 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.
- e. Parties to a dispute under this Policy 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 Policy:

- a. The registered domain name shall be locked against transfers between registrants and/or registrars and against deletion by registrants.
- b. In the case of a claim under Section 2(b) of this Policy, 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 Policy.

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 Policy. 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 Policy. 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 Policy 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 PADRP 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 proceeding under this Policy or after such proceeding is concluded.