

Global Huyi .商标 Domain Name Sunrise Dispute Resolution Policy

(Effective as of 1 August 2014 (UTC+8))

Notes:

1. This policy is effective as of 1 August 2014 (UTC+8).
2. This policy has been adopted by Global Huyi and its accredited registrars.
3. A complaint may be filed concerning a domain name registered in the <.商标> generic Top Level Domain (TLD) during its sunrise period on or before 31 January 2015 (UTC+8).

1. Purpose

This Sunrise Dispute Resolution Policy (the "Policy") has been adopted by the Global Huyi (HUYI), the Registry of <.商标> Top Level Domain (TLD), and is incorporated by reference into the Registration Agreement. The Policy applies to domain names originally registered during the Sunrise Registration Period, from 31 August 2014 to 30 September 2014 (UTC+8). It sets forth the process and standard that will be applied to resolve disputes between a holder/registrant of a domain name registered in the above Sunrise Registration Period and any party other than Huyi and the registrar, in relation to whether the Sunrise Registration of a second-level domain name in the .商标 TLD has been in compliance with the terms and conditions of the Registration Agreement and Rules of Registration .

Proceedings under Paragraph 2 of the Policy will be conducted according to the Asian Domain Name Dispute Resolution Centre (ADNDRC) Rules for Top Level Domain Name Sunrise Dispute Resolution Policy (the "Rules"), which are available at http://www.adndrc.org/mten/img/pdf/SDRP/Trademark_SDRP.pdf.

2. Mandatory Administrative Proceeding

This Paragraph sets forth the type of disputes for which a domain name holder/registrant is required to submit to a mandatory administrative proceeding. These proceedings will be administered by the Asian Domain Name Dispute Resolution Centre ("ADNDRC").

a. Applicable Disputes

A registered domain name in the TLD will be subject to an administrative proceeding upon submission of a complaint that a third party (the "Complainant") asserts to ADNDRC, in compliance with the Rules, that the sunrise registration should be cancelled based on one or more of the following criteria:

- (i) at time the domain name was registered, the registrant did not hold a trademark registration which has been verified by the Trademark Clearinghouse and which meets the eligibility requirements for the .商标 TLD; or
- (ii) the domain name is not identical to the mark on which the registrant based for completing the Sunrise registration; or
- (iii) the trademark registration on which the domain name registrant based in the Sunrise registration was not issued on or before the date specified in the Registration Agreement.

All complaints under the Policy must be submitted to ADNDRC on or before 31 January 2015 (UTC+8).

b. Decision

The complaint will be decided by the Panelist who is appointed by ADNDRC from its own list. The Panelist's decision of whether a complaint meets the conditions set forth in Paragraph 2(a) will be based solely on a prima facie examination of any trademark or service mark certificates submitted. The Panelist's decision is of an administrative nature. The Panelist shall be required to state reasons for its decision.

c. Initiation of Proceeding

The Rules state the process for initiating and conducting a proceeding under the Policy.

d. HUYI's and Registrar's Involvement in Administrative Proceedings

HUYI and registrars do not, and will not, participate in the administration or conduct of any proceeding before ADNDRC under the Policy. In addition, the HUYI and registrars will not be liable as a result of any decisions rendered by ADNDRC.

e. Remedy

The remedy available to a Complaint under this Policy shall be limited to requiring the cancellation of a domain name registration. The Cancelled domain name shall be returned to the pool of available names for registration.

f. Notification

ADNDRC shall publish, in accordance with the Rules, any decision made under the Policy.

g. Implementation of the Decision

Upon being notified of the Panel's decision by ADNDRC, HUYI and the applicable registrar will implement the decision in accordance with and subject to paragraph 2 (i) of the Policy and the sunrise registration conditions set forth in the Registration Agreement.

h. Multiple Complaints

In the event more than one complaint is submitted to ADNDRC regarding the same domain name, the following shall apply:

(i) All such complaints will be queued in accordance with the date and time they were received by ADNDRC. The first complaint to be filed will be granted priority, provided ADNDRC is satisfied that the complainant concerned paid the complainant's fee in accordance with the Rules (the "Priority Complaint" and the "Priority Complainant").

(ii) If the Panelist finds that the complainant failed to prove at least one of the criteria as set forth in Paragraph 2(a) of the Policy, the proceeding of the Priority Complaint shall be dismissed. The second complainant in the queue will then become the Priority Complainant of the queue.

(iii) If the Panelist finds that at least one of the criteria as set forth in Paragraph 2(a) of the Policy is successfully proved by the Priority Complainant, the Priority Complaint will be granted. The domain name will be returned to the pool of available domain names in accordance with the HUYI's procedures for cancelled domain name registrations. The remaining complaint(s) in the queue shall not be accepted.

i. Availability of Court Proceedings

The mandatory administrative proceeding requirements set forth in Paragraph 2(a) shall not prevent either party from submitting the dispute to a court of competent jurisdiction for independent resolution before such mandatory administrative proceeding is commenced or after such proceeding is concluded. If an Administrative Panel decides that the domain name registration should be canceled, HUYI shall wait for ten (10) business days after communication of the decision before implementing that decision, unless the

registrant submits to HUYI (with a copy to the relevant office of ADNDRC) during that ten (10) day period official documentation (such as a copy of a complaint, file-stamped by the clerk of the court) that the registrant has commenced a lawsuit to preserve its claimed rights in a court of competent jurisdiction over the parties and the registered domain name. If such documentation is received no further action shall be taken until HUYI receives (i) evidence satisfactory to HUYI of an agreed resolution between the parties; (ii) evidence satisfactory to HUYI that registrant's lawsuit has been dismissed or withdrawn; or (iii) a copy of an order from such court dismissing such lawsuit or otherwise directing disposition of the registered domain name.

3. Maintaining the Status Quo

HUYI and the applicable registrar will not cancel, transfer, activate, deactivate, or otherwise change the status of any domain name registration subject to the Policy, except as provided in Paragraph 2 above.

4. 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 eligibility dispute resolution policies adopted by ICANN or HUYI.

5. Effect of Other Proceedings

The administrative proceeding under the this Policy shall not prevent either party from submitting a dispute concerning the registered second level domain name in the TLD <. 商标> to concurrent administrative proceedings or to a court of competent jurisdiction for independent resolution during a pending administrative proceeding under this Policy or after such proceeding is concluded.

Upon notice of such other proceeding, the administrative panel may, in its sole discretion, suspend, terminate or continue the dispute resolution proceeding under this Policy.

6. Transfers of a Domain Name to another Holder

A domain name involved in dispute resolution proceeding under this Policy will be locked against transfer to another domain name holder or another registrar until the completion of the proceedings. The contact details of the holder of a domain name, against which a complaint has been filed under this Policy, will be as shown in the registrar's publicly available Whois database record for the relevant registrant.

HUYI and the applicable registrar reserve the right to cancel any transfer of a domain name registration to another holder that is made in violation of this subparagraph.

7. Policy Modifications.

HUYI may modify the Policy from time to time, and the modified Policy shall be posted on HUYI's and/or ADNDRC's websites at least thirty (30) calendar days before it becomes effective. Unless the Policy has already been invoked by the submission of a complaint to ADNDRC, in which event the version of the Policy in effect at the time it was invoked will apply until the dispute is concluded, the modified Policy will be binding upon complainant and holder/registrar with respect to any sunrise dispute concerning a domain name under the TLD <.商标>, whether the dispute arose before, on or after the effective date of the change. In the event that holder/registrar objects to a change in the Policy, the sole remedy is to cancel the domain name registration, provided that holder/registrar will not be entitled to a refund of any fees paid in connection with such registration.