



# **.bzh Launch Program and Policy**

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## I. Introduction

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The purpose of the *.bzh* TLD is to serve the Breton community, to represent, characterize and display all of its cultural, economic and social productions on the Internet. The Breton community is defined by all the people who feel attached to Brittany, its culture and its languages and who wish to display this attachment by using a domain name under the *.bzh* TLD.

The *.bzh* TLD is a so-called “community-based” Top Level Domain (TLD). Domain names under these TLDs may only be registered by a limited group of registrants and are subject to special conditions of use. To register (or renew) a *.bzh* domain name, applicants must in particular substantiate:

- a place of residence, headquarters or office located in Brittany (Côtes d’Armor, Ille-et-Vilaine, Finistère, Morbihan, Loire-Atlantique),

or

- significant and original content of the website devoted to Brittany and the Breton culture, at most six (6) months after the allocation of the domain name,

or

- a significant and original part of the website in the Breton or Gallo language, at most six (6) months after the allocation of the domain name,

or

- regular membership of Association [www.bzh](http://www.bzh), which gathers representatives of the linguistic and cultural community.

Applicants are required to agree to the terms of use of *.bzh* domain names available in the *.bzh* Registration Policy.

**At any stage of the Launch Program, applicants must comply with:**

- The specific requirements set forth in **this Launch Policy** for each launch category,
- The general eligibility requirements and terms of use set forth in the ***.bzh* Registration Policy** hereby incorporated by reference,
- The **requirements of TMCH** and **any other policies mandated by ICANN**.



Furthermore, applicants will be legally bound by the Registration Agreement provided by the Accredited Registrar through which they have applied for a *.bzh* domain name.

**The Launch Program will start on September 4, 2014 and will end on November 30, 2014. A pre-launch phase (pending ICANN approval) described in the *.bzh* Pioneer Program will run in parallel.**

This program will consist of a number of different periods, each of which is described in this Launch Policy.

This document describes amongst other things:

- the terms by which eligible parties may submit an application during the Launch Program, and
- the manner in which applications will be processed, validated, and allocated.

This Launch Policy may be modified by the Registry in order to comply with the applicable laws, terms and conditions set forth by ICANN and/or the Registry. Any revision(s) or amendment(s) to this Launch Policy shall be effective immediately upon the posting of such revisions or amendments on the Registry's website and such revisions and/or amendments shall be binding upon the Domain Name Registrant.

The following is a brief overview of each period that will be implemented in the launch of the *.bzh* TLD. These periods are described in greater detail in the following sections of this document.



## **.bzh Launch Schedule (by order of priority)**

### **Trademark Sunrise**

60 days

September 4, 2014, 11:00 UTC - November 3, 2014, 11:00 UTC

|                              |   |                             |                              |
|------------------------------|---|-----------------------------|------------------------------|
| 1. TMCH-validated trademarks | 2. Local Trademarks Limited Registration Period (non TMCH-validated trademarks with effect in France) | 3. Geographical indications | 4. Corporate and Trade names |
|------------------------------|---|-----------------------------|------------------------------|

### **Public Administrations and Associations Limited Registration Period**

27 days

November 3, 2014, 11:00 UTC - November 30, 2014, 11:00 UTC

|                           |                 |  |  |
|---------------------------|-----------------|--|--|
| 1. Public Administrations | 2. Associations | 3. Members of Association <a href="http://www.bzh">www.bzh</a> |  |
|---------------------------|-----------------|--|--|

### **Landrush**

27 days

November 3, 2014, 11:00 UTC - November 30, 2014, 11:00 UTC

### **General Availability**

December 4, 2014, 11:00 UTC



## II. The Trademark Sunrise Period

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### 1. Overview and eligible applicants

The Registry Operator will offer a **60-day End-Date Sunrise Period** prior to the Public Administrations and Associations Limited Registration Period, Landrush and General Availability Periods.

This Period will be effective from the date described in the Launch Schedule provided earlier in this document.

During this 60-calendar day period, legal entities and private individuals are given the opportunity to secure their trademarks and/or corporate names in the .bzh TLD.

Four (4) categories of applications with prior rights will be accepted simultaneously and will be allocated according to the hierarchy of priority status of each category.

The categories are the following, according to priority status (from top priority to lesser priority):

- 1. Priority 1 Category: TMCH-validated trademarks.** The trademarks have to be valid in France for at least 6 months.
- 2. Priority 2 Category: Local trademarks** = non TMCH-validated trademarks with effect in France (i.e. French trademarks, EU Community trademarks and WIPO International trademarks registered in France). The trademarks have to be valid in France for at least 6 months.
- 3. Priority 3 Category: Geographical indications** with effect in France, recognized by International treaties, EU regulations or French legislation.
- 4. Priority 4 Category: Corporate names,** including clear variations and/or abbreviations thereof, of corporations with a registered office or place of business in the Breton area (Finistère, Côtes d'Armor, Morbihan, Ille-et-Vilaine and Loire-Atlantique).

All registrations during the Sunrise will have precedence over registrations during the Public Administrations and Associations and Landrush Periods.



## 2. Documents in proof and certifications required

| Categories                                     | Certifications  |
|--|---|
| Priority 1 Category: TMCH-validated trademarks | Trademark holders who have registered their trademark(s) in the Trademark Clearinghouse database (TMCH). To be successful, the domain requested must match the trademark validated and stored by TMCH (TMCH guidelines are available at <a href="http://www.trademark-clearinghouse.org">www.trademark-clearinghouse.org</a> ). The applicants must forward a valid SMD file (“Signed Mark Data”) to the registrar to complete the registration. Applications which lack a valid SMD File or contain an invalid SMD File and which do not meet the requirements of the Registry will be rejected. |
| Priority 2 Category: Local trademarks          | A copy of the trademark registration certificate (French trademarks, EU Community trademarks and WIPO International trademarks registered in France)  |
| Priority 3 Category: Geographical indications  | A copy of a legal act, decree or decision by a competent official authority which grants protection for a specific name such as a geographical indication or designation of origin.   |
| Priority 4 Category: Corporate names           | A copy of the corporate registration certificate (Kbis or INSEE registration)   |

The documents will be checked by the Registry Operator.

If the details supplied by the registrant during registration are incomplete and do not allow a check to be made, the Registry Operator will inform the registrar who will inform the registrant.

Within 5 days of receipt of the information, the registrant may have their application corrected by the registrar. If, despite being notified, the registrant does not comply with the registration conditions, the domain name will be deleted.



### 3. Allocation and activation

Eligible names under this category will be allocated with priority over the following periods of this Launch Program.

The domain names will be allocated at the end of the Trademark Sunrise Period according to the hierarchy of priority status previously indicated.

Each category will be completely allocated before any name on the next category is allocated.

Domain Names for which there is a single eligible applicant will be automatically allocated to said applicant at the end of the Sunrise period.

If two or more Trademark Sunrise applicants in the same category apply for the same *.bzh* TLD, the following procedures will be applied (in the following order):

1. Mediation will be conducted by the Registry Operator,
2. If no agreement is reached between the applicants, an auction will be conducted by the Registry Operator's authorized Auction Provider, in accordance with the auction rules published by the latter.

For the Priority 2 Category - Local trademarks and the Priority 3 Category - Geographical indications, priority will be given to the trademarks by seniority (older first).

A domain name allocated during this period is registered for no less than two (2) years and no more than ten (10) years.

The domain names will be activated on December 3 2014, at the beginning of the General Availability period.



## III. The Public Administrations and Associations Limited Registration Period

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### 1. Overview and eligible applicants

This 27-calendar day period runs in parallel to the Landrush Period described below.

This Period will be effective from the date described in the Launch Schedule indicated earlier in this document.

Three (3) categories of applications with prior rights will be accepted simultaneously and will be allocated according to the hierarchy of priority status of each category.

The categories are the following, according to priority status (from top-priority to lesser priority):

- 1. Priority 1 Category: Public Administrations** will be allowed to register their own names, names of public services, geographical names and names of local landmarks under their control, as well as any clear variations and abbreviations and other terms in common use to describe them.
- 2. Priority 2 Category: Associations** will be allowed to register their own names and any clear variations and abbreviations and other terms in common use to describe them.
- 3. Priority 3 Category: members of Association [www.bzh](http://www.bzh)** will be allowed to register the name they provided when they enrolled in the association.

### 3. Documents in proof and certifications required

| Categories   | Certifications  |
|--|---|
| Priority 1 Category: Public Administration                                       | A copy of the "Extrait INSEE" or the publication in the Official Journal "Journal Officiel de la République Française". |
| Priority 2 Category: Associations  | A copy of the publication in the Official Journal "Journal Officiel de la République Française"                         |
| Priority 3 Category: members of Association <a href="http://www.bzh">www.bzh</a> | The updated list of members of the <a href="http://www.bzh">www.bzh</a> Association                                     |





The documents will be checked by the Registry Operator.

If the details supplied by the registrant during registration are incomplete and do not allow a check to be made, the Registry Operator will inform the registrar who will inform the registrant.

Within 4 days of receipt of the information arrived, the registrant may have their application corrected by the registrar. If, despite being notified, the registrant does not comply with the conditions of registration, the domain name will be deleted.

### **3. Allocation and activation**

The eligible names under this category will be allocated with priority over the Landrush Period.

The domain names will be allocated at the end of the period according to the hierarchy of priority status previously indicated.

Each category will be completely allocated before any name on the next category is allocated.

Domain Names for which there is a single eligible applicant will be automatically allocated to said applicant at the end of the Sunrise period.

Applications for names applied by the Brittany Regional Council will have priority over the applications for names by other Public Authorities.

If two or more applicants of the same category apply for the same *.bzh* TLD, the following procedures will be applied (in that order):

- 1.** Mediation will be conducted by the Registry Operator,



2. If no agreement is reached between the applicants, an auction will be conducted by the Registry Operator's authorized Auction Provider, in accordance with the auction rules published by the latter.

The domain names will be activated on December 3 2014, at the beginning of the General Availability period.

A domain name allocated during this period is registered for no less than two (2) years and no more than ten (10) years.

## **IV. Landrush Period**

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### **1. Overview and eligible applicants**

This 27-calendar day period runs in parallel to the Public Administrations and Associations Period described above.

This Period will be effective from the date described in the Launch Schedule provided earlier in this document.

This phase will be open to all eligible applicants not subject to prior rights. They will have the opportunity to apply for one or more *.bzh* domain names that have not been allocated to registrants during the previous periods and that are not reserved by the Registry Operator.

### **2. Allocation and activation**

The domain names will be allocated at the end of the period, except in case of multiple applications for the same domain name.

In case of multiple applications for the same domain name, the applicants will be invited to take part in an auction conducted by the Registry Operator's authorized Auction Provider, in accordance with the auction rules published by the latter.



They will be activated on December 3 2014, at the beginning of the General Availability period.

A domain name allocated during this period is registered for no less than two (2) years and no more than ten (10) years.

## V. General Availability

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During the General Availability period, any interested party may register a domain name on a “first come, first served” basis, provided that a domain name is:

- Not a Reserved name,
- Available for registration, and
- Not subject to a pending auction or Sunrise Challenge.

All applicants must comply with the specific requirements set forth in the **.bzh Launch Policy** and the **.bzh Registration Policy**.



## VI. Trademark Claims Service

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The Registry Operator is obliged to support the Trademark Claims Service. This means that a registrant who tries to register a domain name identical with a mark deposited in the Trademark Clearinghouse will receive an automatic notification via the Registrar (a Claims Notice).

Registration of the domain name involved can only be completed if the registrant explicitly confirms receipt of the notification that the requested domain name does not infringe any mark rights.

The registrant is further notified that the holder of the mark right involved has been informed of the registration.

The Claims Period will be effective during:

- The Trademark Sunrise Phase,
- The Public Administrations and Associations Phase and the Landrush Period,

And the first ninety (90) calendar days after the beginning of the General Availability period. The registry operator reserves the right to extend the duration of this period.