

## .LUXE Launch Phase Dates and Policies

This .LUXE Launch Phase Dates and Policies document describes the timing and other factors related to various selling periods for specific constituencies. Please note that the Registry may amend or modify these policies and documents from time to time in order to comply with applicable laws and terms and conditions set forth by ICANN and/or the Registry.

Any revisions or modifications to this .LUXE Launch Phase Dates and Policies shall be effective immediately upon the posting of such revisions or modifications on the Registry's website and such amendments shall be binding upon the Domain Name Registrant.

Applicants are hereby notified that their Application for a specific Domain Name does not necessarily result in Registration of the desired Domain Name.

### Launch Phase, Start and End Date/Time

Phase	Date	Time
End Date Sunrise Starts	Aug 09, 2018	16:00 UTC
End Date Sunrise Ends	October 08, 2018	16:00 UTC
Limited Registration Starts	October 09, 2018	16:00 UTC
Limited Registration Ends	October 25, 2018	16:00 UTC
Early Access Program Starts	October 30, 2018	16:00 UTC
Early Access Program Ends	November 6, 2018	15:59 UTC
General Availability Starts	November 6, 2018	16:00 UTC
Trademark Claims Start	October 30, 2018	16:00 UTC
Trademark Claims End	January 28, 2019	16:00 UTC

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### 1. General provisions

Registrations submitted during the various launch periods must specifically meet the requirements of the Registry Policies.

### 2. Parties to the Application, Application procedure, fees

Applications must be made through an ICANN-accredited Registrar that has signed the .LUXE Registry-Registrar Agreement. The fees to be paid by the Applicant in the relevant launch periods may be found on the respective websites of the relevant Registrars.

### 3. Trademark Clearinghouse

During the Sunrise period, mark rights that are the basis for Registration of a specific Domain Name must be validated before Registration. Applicants must have marks and other rights previously validated by the Trademark Clearinghouse ("TMCH"). The TMCH is a service independent of the Registry. Word marks and image marks which have a predominantly and clearly recognizable text element are accepted here for validation. The current validation guidelines of the TMCH can be found at [www.trademark-clearinghouse.org](http://www.trademark-clearinghouse.org). The Registry is not obliged to offer any advice on this.

### 4. Trademark Claims Service

The Registry 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. This notification contains more details on the mark involved, the classes of goods and services protected by the mark, and the territorial area of protection of the mark. 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 is being informed of the registration.

### 5. Registry Rights

The Registry is entitled to reject a Registration, or to delete, revoke, cancel, suspend or transfer a Domain Name at any time:

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- if the Registration clearly does not meet the requirements of the Registry Policies;
- if the Application or Registration is not accompanied by complete and accurate information, or where required, information is not updated or corrected, as required by ICANN Requirements or Registry Policies, each as amended from time to time;
- if the Domain Name is already registered, reserved or blocked;
- if, in the Registry's sole discretion, it is necessary to protect the integrity and stability of the Registry system and/or the operation and/or administration of the .LUXE TLD;
- to correct mistakes made by the Registry or any Registrar in connection with a Sunrise or Limited Registration Application or Registration;
- if it is required to ensure legal action by the Registry and/or comply with ICANN;
- to follow court orders or official rulings; or
- to avoid liability on the part of the Registry and the associated companies, managing directors, senior executives, staff and/or subcontractors.

### 6. Sunrise Period

- a. The Sunrise Period is a limited-time opportunity for trademark holders who have entered their marks into the TMCH and who wish to register Domain Names in the .LUXE Top Level Domain ("TLD").
- b. Trademark holders may apply for any available Domain Name in the TLD, including without limitation a Premium Name(s), as long as the Domain Name has not been reserved, restricted, or blocked prior to commencement of the Sunrise Period and as long as the domain name label applied for is an "exact match" of their mark, in accordance with the TMCH Domain Name matching rules. Each successful Sunrise Registration will be charged a one-time Sunrise Registration Fee in addition to a Domain Name Registration Fee.
- c. The Registry will operate an "End-Date Sunrise." This means allocation of Domain Names applied for during the Sunrise Period occurs at the end of the Sunrise Period. The Sunrise Period shall have a duration of sixty (60) days. Other than the ICANN requirement to submit a valid Signed Mark Data File ("SMD File") with Sunrise applications, the Registry does not apply any additional allocation criteria in its Sunrise application process.

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- d. In addition to the eligibility requirements set forth in the Registry Policies, the Registry will abide by all policies and procedures adopted by the TMCH. The TMCH will maintain Sunrise Eligibility Requirements (<http://trademark-clearinghouse.com/content/who-can-apply>), and validate and authenticate marks as applicable. The Registry will only allow trademark holders with a valid signed mark data (SMD) file issued by the TMCH to apply for and register exact match domain names.
- e. Sole Applicants meeting all Sunrise criteria for an available Domain Name, and paying all applicable fees, will be awarded their applied-for Domain Name. The Domain Name will be permitted to resolve within forty-eight (48) of the close of the Sunrise Period.
- f. Sunrise Period Auctions. In the event multiple eligible Applicants apply to register an identical .LUXE Domain Name during the Sunrise Period, conflicting Sunrise Period Applications will be settled by an auction conducted by the Registry-contracted third party auction provider. Applicants are not obliged to participate in an auction; instead, they may choose to withdraw the Application. The outcome of any auction shall be deemed final and binding upon the parties. Auction rules will be distributed to eligible participants in a reasonable time prior to any auction. All such Applicants will be notified of the competing Applications and the process to resolve contentions as stipulated in the Auction Rules. Domain Names that proceed to auction will be awarded to the prevailing Applicant upon receipt of all applicable fees.

### 7. Sunrise Dispute Resolution Policy (SDRP)

Domain Names registered during Sunrise are subject to the complaint procedure described in the Sunrise Dispute Resolution Policy (also "SDRP"). For details, see the policy in question included in the Registry Policies. This does not affect other legal protection mechanisms described in or referred to in the Registry Policies and/or other dispute resolution procedures.

### 8. Limited Registration Period

- a. The Limited Registration Period is designed to give registrants of .eth domain names priority access to directly matching, second level Domain Names in .LUXE. There are certain requirements for participation, as laid out below and as further detailed in the information provided by Registrars to Applicants.

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### b. Scope and Eligibility.

1. Only directly matching, second level domain names that already exist in .eth as of a designated date are eligible for Application or Registration during the .LUXE Limited Registration Period, as further detailed in the information provided by Registrars to Applicants.
2. Applications may be submitted in the form provided by Registrars for any eligible and available .LUXE Domain Name, including without limitation a Premium Name(s), as long as the .LUXE Domain Name has not been reserved, restricted, blocked, registered, awarded, or otherwise allocated prior to commencement of the Limited Registration Period.
3. The Registry may charge a non-refundable Limited Registration Application Fee, as further detailed in the information provided by Registrars to Applicants.
4. To ensure correct allocation of the applied for .LUXE Domain Name, additional information may be requested from the Applicant by the Registry or its specialized agents to demonstrate the Applicant's existing registration of the directly matching second level .eth name.

### c. Allocation.

Applicants meeting all Limited Registration Period eligibility criteria for an eligible and available .LUXE Domain Name, and paying all applicable fees, will be awarded the applied-for .LUXE Domain Name at the end of the Limited Registration Period. The .LUXE Domain Name will be permitted to resolve at the start of the Early Access Program/General Availability.

## 9. Early Access Program

Throughout the Early Access Program, which occurs during the first days of General Availability, available Domain Names may be registered on a first come-first served basis. Available Domain Names include without limitation Premium Names and any other Domain Name that has not been reserved, restricted, Registered or blocked prior to commencement of the Early Access Program. The Registry sets the Early Access Fee and each Registration during this period will be charged a Registration Fee and a one-time Early Access fee, as applicable to the Domain Name. The Early Access fee will change to a lower

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level each day, over each 24-hour period of the Early Access Program.

### 10. General Availability

This last launch period describes the general availability of the Domain Names not already allocated during the preceding launch periods. From this point, Domain Names, including without limitation Premium Names, are registered in accordance with the Registry Policies on a “first come, first served” basis, unless reserved or blocked.

Within the first 90 days from the start of general availability, which includes the Early Access Program, the Registry will support the Trademark Claims Service as described above.