

## ***World Intellectual Property Organization Supplemental Rules for Uniform Domain Name Dispute Resolution Policy***

(the WIPO "Supplemental Rules")

(In effect as of December 1, 1999)

### **1. Scope**

- a. Relationship to Rules. These Supplemental Rules are to be read and used in connection with the Rules for Uniform Domain Name Dispute Resolution Policy, approved by the Internet Corporation for Assigned Names and Numbers (ICANN) on October 24, 1999 (the "Rules").
- b. Version of Supplemental Rules. The version of these Supplemental Rules as in effect on the date of the submission of the complaint shall apply to the administrative proceeding commenced thereby.

### **2. Definitions**

Any term defined in the Rules shall have the same meaning in these Supplemental Rules.

### **3. Communications**

- a. Modalities. Subject to Paragraphs 3(b) and 5(b) of the Rules, except where otherwise agreed beforehand with the Center, any submission that may or is required to be made to the Center or to an Administrative Panel pursuant to these Rules, may be made:
  - i. by telecopy or facsimile transmission, with a confirmation of transmission;
  - ii. by electronic mail (e-mail) using the address specified by the Center; or
  - iii. where both parties agree, through the Center's Internet-based case filing and administration system.
- b. E-Mail Address. For the purposes of any communications by electronic mail to the Center, including those required under Paragraphs 3(b) and 5(b) of the Rules, the following address should be used: domain. [disputes@wipo.int](mailto:disputes@wipo.int).
- c. Copies. When a paper submission is to be made to the Center by a Party, it shall be submitted in four (4) sets together with the original of such submission.
- d. Archive. The Center shall maintain an archive of all communications received or

required to be made under the Rules.

4. **Submission of Complaint**

- a. Complaint Transmittal Coversheet. In accordance with Paragraph 3(b)(xii) of the Rules, the Complainant shall be required to send or transmit its complaint under cover of the Complaint Transmittal Coversheet set out in Annex A hereto and posted on the Center's web site. Where available, the Complainant shall use the version that is in the same language(s) as the registration agreement(s) for the domain name(s) that is/are the subject of the complaint.
- b. Registrar Notification. The Complainant shall provide a copy of the complaint to the concerned Registrar(s) at the same time as it submits its complaint to the Center.
- c. Complaint Notification Instructions. In accordance with Paragraph 4(a) of the Rules, the Center shall forward the complaint to the Respondent together with the instructions set out in Annex B hereto and posted on the Center's website.

5. **Formalities Compliance Review**

- a. Deficiency Notification. The Center shall, within five (5) calendar days of receiving the complaint, review the complaint for compliance with the formal requirements of the Policy, Rules and Supplemental Rules and notify the Complainant and Respondent of any deficiencies therein.
- b. Withdrawal. If the Complainant fails to remedy any deficiencies identified by the Center within the time period provided for in Paragraph 4 of the Rules (i.e., five (5) calendar days), the Center shall notify the Complainant, the Respondent and the concerned Registrar(s) of the deemed withdrawal of the complaint.
- c. Fee Refunds. Unless the Complainant confirms its intention to re-submit a complaint to the Center following a deemed withdrawal, the Center shall refund the fee paid by the Complainant pursuant to Paragraph 19 of the Rules, less a processing fee as set forth in Annex D.

6. **Appointment of Case Administrator**

- a. Notification. The Center shall advise the Parties of the name and contact details of a member of its staff who shall be the Case Administrator and who shall be responsible for all administrative matters relating to the dispute and communications to the Administrative Panel.
- b. Responsibilities. The Case Administrator may provide administrative assistance to the Administrative Panel or a Panelist, but shall have no authority to decide matters of a substantive nature concerning the dispute.

7. **Panelist Appointment Procedures**

- a. Party Candidates. Where a Party is required to submit the names of three (3)

candidates for consideration for appointment by the Center as a Panelist (i.e., in accordance with paragraphs 3(b)(iv), 5(b)(v) and 6(d) of the Rules), that Party shall provide the names and contact details of its three candidates in the order of its preference. In appointing a Panelist, the Center shall, subject to availability, respect the order of preference indicated by a Party.

b. **Presiding Panelist**

- i. The third Panelist appointed in accordance with Paragraph 6(e) of the Rules shall be the Presiding Panelist.
- ii. Where, under Paragraph 6(e) of the Rules, a Party fails to indicate its order of preference for the Presiding Panelist to the Center, the Center shall nevertheless proceed to appoint the Presiding Panelist.
- iii. Notwithstanding the procedure provided for in Paragraph 6(e) of the Rules, the Parties may jointly agree on the identity of the Presiding Panelist, in which case they shall notify the Center in writing of such agreement no later than five (5) calendar days after receiving the list of candidates provided for in Paragraph 6(e).

c. **Respondent Default**

Where the Respondent does not submit a response or does not submit the payment provided for in Paragraph 5(c) of the Rules by the deadline specified by the Center, the Center shall proceed to appoint the Administrative Panel, as follows:

- i. If the Complainant has designated a single member Administrative Panel, the Center shall appoint the Panelist from its published list;
- ii. If the Complainant has designated a three member Administrative Panel, the Center shall, subject to availability, appoint one Panelist from the names submitted by the Complainant and shall appoint the second Panelist and the Presiding Panelist from its published list.

8. **Declaration**

In accordance with Paragraph 7 of the Rules, prior to appointment as a Panelist, a candidate shall be required to submit to the Center a Declaration of Independence and Impartiality using the form set out in Annex C hereto and posted on the Center's web site.

9. **Fees**

The applicable fees for the administrative procedure are specified in Annex D hereto and posted on the Center's web site.

10. **Word Limits**

- a.

The word limit under Paragraph 3(b)(ix) of the Rules shall be 5,000 words.

- b. The word limit under Paragraph 5(b)(i) of the Rules shall be 5,000 words.
- c. For the purposes of Paragraph 15(e) of the Rules, there shall be no word limits.

11. **Amendments**

Subject to the Policy and Rules, the Center may amend these Supplemental Rules in its sole discretion.

12. **Exclusion of Liability**

Except in respect of deliberate wrongdoing, an Administrative Panel, the World Intellectual Property Organization and the Center shall not be liable to a party, a concerned registrar or ICANN for any act or omission in connection with the administrative proceeding.