|  |  |  |
| --- | --- | --- |
| **“.商标” Generic Top Level Domain Registry (“.商标” Domain Registry ) Policies** | | |
| **Title** | **“.商标” Domain Name Registration Policy** |  |
| **Archive URL：** | **http://www.internettrademark.com/en/policies/registration-policy** |
| **Prepared By** | **The“.商标” Domain Registry** |
| **Version：** | **V1.0** |
| **Date：** | **20140801** |

**Overview**

This Registration Policy sets out the framework governing the domain name registration and use within “.商标” Generic Top Level Domain (hereinafter “.商标” domain name).

“.商标” domain name registrations are open only to individuals, enterprises or organisations (hereinafter “.商标” domain registrants”) who hold valid trademark registrations or applications. They may rely on their existing trademark registrations or applications to apply to register “.商标” domain names in accordance with this Registration Policy.

Registrations of “.商标” domain names must be processed through registrars accredited under ICANN’s 2013 Registrar Accreditation procedures and accredited by the ".商标" Domain Registry (“Registrar”) or through resellers of a Registrar who have been recorded with and approved by the

".商标" Domain Registry (“Reseller”). They must follow the procedures, timeline and other requirements as prescribed in this Registration Policy.

The “.商标” Domain Registry is committed to providing a sound and effective mechanism for trademark owners to assert their brands and their trademark rights on the Internet through the registration of “.商标” domain names. To prevent domain name abuse and domain name hijacking and to resolve disputes regarding registrant eligibility, the ".商标" Domain Registry has adopted independent dispute resolution mechanisms which will be administered by accredited third-party dispute resolution service providers.

**Table of Contents**

1 Rules on registration and use .........................................................................................................2

1.1 Introduction ...................................................................................................................................2

1.2 Registrar Eligibility and Responsibility..........................................................................................3

1.3 “.商标” domain name Registrant Eligibility and Responsibility ...................................................4

1.3.1 “.商标” domain name Registrant Eligibility .................................................................................4

1.3.2 “.商标” domain name Registrant Responsibilities .......................................................................5

1.4 Naming requirements ...................................................................................................................6

1.4.1 Registration based on a trademark name ......................................................................................6

1.4.2 Registration comprising of “ a trademark name + trademark registration / application particulars” ..................................................................................................................................7

1.4.3 Length and character requirements ...............................................................................................7

1.5 Prohibited Names and Reserved Names ........................................................................................8

1.6 Required Evidential Materials ......................................................................................................9

1.6.1 “.商标” domain name registrants relying on a valid trademark registration shall provide the following documents. ..................................................................................................................9

1.6.2 “.商标” domain name applicants registrants relying on a valid trademark application shall provide the following documents ................................................................................................9

1.6.3 Authorised applications...............................................................................................................10

1.6.4 Proof of Registration or Application ...........................................................................................10

1.6.5 Required evidential materials translation .....................................................................................10

1.7 Domain name duration, renewal, cancellation, variation and transfer ........................................10

1.7.1 Registration and Renewal Period .................................................................................................10

1.7.2 Cancellation and suspension ........................................................................................................11

1.7.3 Change of registrant particulars ...................................................................................................11

1.7.4 Registrar transfer ..........................................................................................................................12

1.7 Transfer of domain name ownership (“registrant transfer”) ......................................................... 12

1.8 WHOIS policy ..............................................................................................................................12

2 Restrictions on Use .......................................................................................................................13

3 Dispute Resolution .........................................................................................................................13

4 Responsibilities of the ".商标" Domain Registry ...........................................................................14

4.1 Remedies .......................................................................................................................................14

4.2 Complaint channels .......................................................................................................................14

5 Governing law ................................................................................................................................15

6 Glossary ..........................................................................................................................................15

**Contents**

**1 Rules on registration and use**

**1.1 Introduction**

The ".商标" Domain Registry is the ICANN-approved sponsor and operator for the “.商标” domain name.

This Registration Policy sets out the procedure for the administration of the “.商标” domain name including but not limited to the following: registrant eligibility, naming requirements, and requirements relating to evidential materials, domain name renewal and use.

The ".商标" Domain Registry will from time to time consult the public, intellectual property organisations or other associations, national/territorial/regional intellectual property organisations, to exchange ideas and conduct research and evaluate possible amendments of this Registration Policy so as to ensure the constant currency of this Registration Policy and the fair and balanced protection of all parties’ interests. Any amendment to this Registration Policy will be published on the ".商标" Domain Registry’s official website ([www.internettrademark.com](http://www.internettrademark.com/)) before formal implementation.

**1.2 Registrar Eligibility and Responsibility**

Registration of a “.商标” domain name must be processed through an accredited Registrar or a Reseller. A list of such Registrars and Resellers can be found on the ".商标" Domain Registry’s website.

Accredited Registrars/Resellers shall observe the accreditation requirements imposed by ICANN and the ".商标" Domain Registry (http://www.icann.org/en/resources/registrars/raa/approved-with-specs-27jun13-en.htm and http://www.internettrademark.com/en/policies). Accredited Registrars/Resellers shall provide domain name application, registration and related services to “.商标” domain name registrants, including but not limited to registration enquiries, usage enquiries, domain name renewal, domain name hosting, domain name transfer, etc. Registrars shall preserve confidentiality of all trade secrets of the applicants which they became aware of during their provision of the services.

If a “.商标” domain name is deemed by a Registrar to violate the ICANN policies，this Registration Policy, or any local laws applicable to the place where the domain name is being used, Accredited Registrars shall inform the applicant accordingly and reject the application.

Accredited Registrars shall adopt registration agreements with registrants as prescribed by the ".商标" Domain Registry and handle registration and administrative matters with registrants in accordance with their agreement with the ".商标" Domain Registry and this Registration Policy. Accredited Registrars shall at a minimum provide the following domain name related services to registrants: domain name registration, renewal, management, hosting, Inter-Registrar Transfer, etc. Throughout the term of the domain name registration, Accredited Registrars/Resellers shall provide registrants with reasonable customer support in relation to their “.商标” domain name registrations. Registrants shall contact Accredited Registrars/Resellers directly on matters regarding the registration and management of domain names.

Accredited Registrars/Resellers are responsible for submission of the registration details and supporting documents for each domain name to the ".商标" Domain Registry. Records of registration for each domain name shall be kept in the database of the sponsoring Accredited Registrar/Reseller. Accredited Registrars/Resellers shall be responsible for maintaining their own domain name databases.

**1.3 “.商标” domain name Registrant Eligibility and Responsibilities**

**1.3.1 “.商标” domain name Registrant Eligibility**

“.商标” domain name registrations are open only to individuals, enterprises or organisations who hold proof of a valid trademark registration (“Registration Proof”) or a valid trademark application (which refers to a trademark application which has not been invalidated or refused for registration) (“Application Proof”).

Such Registration Proof and Application Proof must be issued by a recognised intellectual property organisation of a nation/territory/region (excluding states, provinces, cities, etc.) or a member state of the Madrid Protocol (“Designated Place”). The list of Designated Places currently adopted by the ".商标" Domain Registry is set out in Appendix I. The list may be revised by the ".商标" Domain Registry from time to time. The requirements of evidential materials relating to the Registration Proof and Application Proof are set out in Paragraph 1.6.

The accepted categories of trademarks (or trademark applications) are:

* Pure text trademarks
* Composite text and figurative trademarks
* Figurative trademarks with identifiable text
* Characters must be in either Chinese (simplified Chinese or traditional Chinese), Latin characters a-z (upper or lower case), and Arabic digits 0 to 9
* Characters like “&”, “@” contained in a trademark must be replaced by hyphens, while empty spaces in a trademark must either be omitted or replaced by hyphens.

Holders of an identical or substantially identical trademark or trademark application are eligible to apply for the same “.商标” domain name; in such cases the application will be processed in accordance with the naming requirements set out below and the *“.商标” Domain Names Startup Policy*.

In case a trademark or an application for a trademark is initially owned by two or more individuals, enterprises or organisations, such joint owners/applicants shall designate one of them to be the registrant. The equitable rights to the domain name shall vest in all the joint owners/applicants.

Domain names registered on the basis of a trademark application can only be unlocked for use after submitting Registration Proof (via a Registrar/Reseller) issued by a recognised intellectual property organisation of the relevant Designated Place and after the ".商标" Domain Registry has approved such proof.

**1.3.2 “.商标” domain name Registrant Responsibilities**

**As basic requirements, a registrant shall:**

* Act in good faith and undertake that the information provided in the registration is true, complete, accurate, legal and effective
* Undertake it is the lawful registrant of the trademark or the lawful applicant of the trademark application
* Undertake that to the best of their knowledge, the domain name registration does not infringe any third party rights
* Ensure the domain name is not registered or used for improper purposes; and that it is not registered or used in violation of a legal order
* In accordance with this Registration Policy to use the .商标 Domain; If the domain name resolves to a website, the website shall be set up as a lawfully operated website without any fraudulent element use and will relate to the underlying information of the trademark or the trademark application
* Comply with all local laws applicable to the place where the domain name is being used
* Comply with the relevant rules of ICANN and the ".商标" Domain Registry
* Promptly provide the relevant accurate information and evidence (via the Registrar/Reseller) to the ".商标" Domain Registry and make corresponding amendments. If any of the supporting information submitted in relation to the registration of a domain name changes at any time subsequent to the registration of the domain name, including but not limited to circumstances such as: if the trademark application has been approved or the trademark registration has been renewed; or if the trademark application has been rejected or the trademark registration has been invalidated, cancelled, abandoned, varied or has expired, the registrant shall promptly inform the ".商标" Domain Registry and provide the relevant accurate information and proof to substantiate the continued validity of the relevant trademark, and upon failing to do so, the ".商标" Registry shall have the discretion to cancel the domain name registration
* Liable for any failure to meet any of the above commitments.

**Indemnity requirements**

Registrants shall be responsible for meeting the applicable indemnity obligation vis-a-vis the Registry, and shall indemnify the Registry against all risks, losses and costs incurred as a result of third party complaints or litigation arising out of a domain name registration.

“.商标” domain name registrants shall, to the largest extent allowed by the law, defend and indemnify the ".商标" Domain Registry and its directors, senior officers, employees and agents against any claim, loss or liability arising out of a dispute about the application, registration or use of a domain name, and such indemnity shall cover all reasonable legal and other costs arising therefrom. This indemnity survives the termination or expiration of a domain name registration.

**Compliance requirements**

“.商标” domain name registrants shall:

* Comply with all requirements, standards, policies, procedures, and practices announced by ICANN regarding domain name registrants
* Comply with the domain name operational standards, policies, procedures, and practices which may be established from time to time by the ".商标" Domain Registry, and the requirements pursuant to any relevant agreement between the ".商标" Domain Registry and ICANN which is available at http://www.internettrademark.com/en/policies
* Consent to the use, publication, modification and other processing of the registrant’s personal data by the ".商标" Domain Registry, its designees and Registrars/Resellers in a manner consistent with the purposes specified in its Registry-Registrar Agreement
* Submit to proceedings commenced under the domain name dispute resolution policies adopted by the ".商标" Domain Registry, including the Sunrise Dispute Resolution Policy (“SDRP”), the Charter Eligibility Dispute Resolution Policy (“CEDRP”), ICANN’s dispute resolution policies for top-level domain names including the Uniform Domain Name Dispute Resolution Policy (“UDRP”) and the Uniform Rapid Suspension System (“URS”) (collectively "Dispute Resolution Policies”).

**1.4 Naming requirements**

“. 商标” is a Top-Level Domain based on the information shown in the Registration Proof or Application Proof. The naming requirements cover the following three aspects:

**1.4.1 Registration based on a trademark name**

The following shall be deemed as acceptable domain names

* Domain names consisting of the whole trademark name as shown on the Registration Proof or the Application Proof
* Registration based on a complete name which constitutes an independent part of the trademark as shown on the Registration Proof or the Application Proof. Disclaimed words in a trademark registration/application can be omitted from the domain name.

The naming sequence of the characters in a trademark shall follow the sequence shown in the Registration Proof or Application Proof.

If the Registration Proof or Application Proof does not conclusively show the sequence in which the characters of a domain name should appear, the application will be referred to an independent team of specialists within the ".商标" Domain Registry (which will comprise of trademark law specialists drawn from a global and regional pool) who may conduct independent research on how the characters are ordered, e.g. checking the trademark owner’s website.

**1.4.2 Registration comprising of “a trademark name + trademark registration/ application particulars” (or “trademark registration/application particulars” + “a trademark name”)**

The domain name can consist of a combination of the trademark and its registration/application particulars as specified below, provided that each part remains complete and retains the meaning in the Registration Proof or the Application Proof.

Acceptable trademark registration/application particulars are:

* A corresponding Designated Place
* Name of an administrative region or geographical area within the corresponding Designated Place.
* The goods/services designated in the trademark registration or application (as per current Nice Classification)
* Names of goods/services of a similar class to the goods/services designated in the trademark registration or application (as per current Nice Classification)
* Name of the trademark registrant or applicant
* A trade name or description of the nature of business which forms part of the name of the trademark registrant or applicant.

**1.4.3 Length and character requirements**

* Length requirements for domain names: from 3 to 63 ASCII characters/ from 2-31 Chinese characters
* The minimum number of characters allowed for a “.商标” domain name is 3 characters or one Chinese character plus one ASCII character. Domain names consisting of a single Chinese character/ASCII character are not allowed for registration. This length requirementis based on ICANN’s reserved names policy. The maximum length allowed for a “.商标” domain name is 63, as per the technical requirements of the IETF (Internet Engineering Task Force) for the Internet DNS.
* One Latin letter, number or dash shall be counted as one character; one Chinese character shall be counted as two characters
* Use of Latin characters without orthographic symbols shall not alter the meaning of the original characters, e.g. by removing the accent in the French language.
* Hyphens can only be used to replace special symbols such as “&”、“@” as in the name of the registered trademark/trademark application, or to link the trademark name with other permitted information.
* For a valid “.商标” domain name in simplified Chinese or in traditional Chinese characters, the corresponding traditional Chinese or simplified Chinese characters (and other variant versions of the same Chinese characters) will be reserved and not open for registration. For series trademarks comprising of trademarks in both simplified Chinese and traditional Chinese, the relevant domain name in both language versions can be activated for use.

**1.5 Prohibited Names and Reserved Names**

The following domain names shall be prohibited or reserved:

* Domain names which do not form part of the trademark registration/application particulars (including but not limited to the designated goods/services or goods/services belonging to a similar class)
* Names of administrative regions or geographical areas which are outside or do not correspond to the relevant Designated Place, or names of places that induce a likelihood of confusion
* Domain names that do not constitute a complete and independent part of the trademark or the trademark application
* Any name on ICANN’s list of prohibited names, including but not limited to all one-character and two-character strings, names of international organisations or bodies such as but not limited to the International Olympic Committee, International Red Cross, Red Crescent Movement and international intergovernmental organisations
* Domain names prohibited under local Internet rules where the domain name is being used
* Domain names consisting of solely geographical names/generic terms suggestive of the industry or the regional industry
* Domain names which consist of only a term or terms prohibited by laws or regulations anywhere in the world
* Domain names that are deemed to be conflicting with the interests of the public and society
* Other domain names that should be reserved or should not be registered as decided by the ".商标" Domain Registry in its discretion
* The above requirements on prohibited names shall apply irrespective of whether or not a trademark registration has been obtained or has been applied for.

The ".商标" Domain Registry shall have the final say in respect of the above requirements, and shall have an absolute discretion to approve or reject domain name registrations.

**1.6 Required evidential materials**

**1.6.1 “.商标” domain name registrants relying on a valid trademark registration shall provide the following documents:**

1. **Scanned copy of the applicant’s identification:**

Including but not limited to its business licence, business registration certificate, organization code certificate, or personal identity card as the case may be;

1. **Scanned copy of a valid trademark certificate**
2. **Scanned copy of other Registration Proof (if applicable):**

Including but not limited to proof of trademark renewal, transfer, variation, etc;

1. **Scanned copy of the signed “*.商标” Domain Registration Undertaking***

**1.6.2 “.商标” domain name registrants relying on a valid trademark application shall provide the following documents:**

1. **Scanned copy of the applicant’s identification:**

Including but not limited to its business licence, business registration certificate, organization code certificate, or personal identity card as the case may be;

1. **Scanned copy of Application Proof:**

Including but not limited to proof of acceptance or submission of the trademark application, trademark application form;

In case the acceptance notice of the trademark application does not show a name that corresponds to the domain name applied for, the trademark application form shall be submitted).

1. **Scanned copy of the signed “*.商标” Domain Registration Undertaking***

**1.6.3 Authorised applications**

Applicants relying on an authorised application shall provide the following supporting documentation:

1. **Scanned copy of the signed “.商标” Domain Registration Authorisation Letter**
2. **Other evidential materials mentioned above in 1.6.1 or 1.6.2.**

**1.6.4 Use of Registration Proof or Application Proof**

If any of the required documents are lost or destroyed or cannot be submitted on reasonable grounds,

“.商标” domain name applicants may submit other legal and valid documents as Registration Proof or Application Proof, including but not limited to trademark records obtained from the database of the relevant Designated Place. The ".商标" Domain Registry has the discretion as to whether or not to accept such alternative proof.

**1.6.5 Required evidential materials translation**

If any of the documents required are not in Chinese or English, the ".商标" Domain Registry shall request the “.商标” domain name registrant to provide a translation of such documents and any other supporting evidence.

**1.7 Domain name duration, renewal, cancellation, variation and transfer**

**1.7.1 Registration and Renewal Period**

The term of registration and status for a domain name shall be reflected in the WHOIS record.

Registrants of a domain name based on Registration Proof can choose a term of registration from 1-10 years, with a renewal period of up to 10 years.

Registrants of a domain name based on trademark Application Proof are subject to a fixed registration duration of one (1) year; during which the domain name status will be "server hold"(prohibited from resolving, renewal, update and transfer). Upon the expiry date of the one year registration based on trademark Application Proof, a domain name can be renewed for a fixed registration duration of one (1) year provided that at that time the trademark application has not been invalidated or refused for registration. If at any time during the registration duration, a registrant’s trademark application is approved and results in a registered trademark by a recognised intellectual property organisation of the relevant Designated Place, the registrant can submit the registration proof via registrar/reseller to the registry. After approved by the registry, the domain name will be removed from "server hold" status and can be renewed and resolved according to the rules for domain name based on Registration Proof.

The registrant shall be responsible for maintaining that the registered trademark/trademark application used for the “.商标” domain name registration is valid and in effect. If the Registry discovers that the registered trademark/trademark application used for the “.商标” domain name registration is no longer valid due to failure to renew its validation in accordance with the requirements of the Designated Places, a notification will be sent to the registrant and the relevant domain name will be placed in "server hold" status (prohibited from resolving, renewal, update and transfer). The relevant domain name will only be removed from "server hold" status provided that the registrant submits proof of a valid registered trademark/trademark application to the Registry and is validated.

The life cycle of a “.商标” domain name follows the ICANN’s relevant requirements for new gTLDs. If a domain name registration has not been renewed and expires, the Registrar may, according to the relevant ICANN requirements and its own operating circumstances, delete the domain name concerned at any time within 45 days after the expiry of the domain name, provided that the Registrar shall use reasonable means to communicate to the registrant the policy for domain name deletion. Registrants should pay attention to that policy of the Registrar to prevent loss caused by any deletion.

Registrars/Resellers will send renewal notices to domain name registrants before the expiration of their “.商标” domain name. The ".商标" Domain Registry shall bear no liability for any failure by a registrant to receive a renewal notice which results in the deletion of the domain name. However, a registrant shall not raise a claim after the expiration of a domain name registration based on the fact that it has not received a renewal notice. The re-registration of domain names shall comply with the ".商标" Domain Registry’s domain name registration policy and shall be subject to eligibility checks.

**1.7.2 Suspension and Cancellation**

In accordance with this ".商标" Domain Registry Policy, ICANN requirements, requests from domain name dispute resolution service providers, notifications by courts or administrative bodies of the place of use of the domain name, or other circumstances deemed appropriate by the Registry in its sole discretion, the ".商标" Domain Registry may suspend, cancel or transfer a registered “.商标” domain name, in order to (i) correct mistakes made by the Accredited Registrars or the ".商标" Domain Registry when processing the domain name registration, or (ii) to deal with issues relating to the validity and subsistence of the underlying trademark, e.g. expiry or cancellation of a trademark registration, or (iii) if other circumstances suggesting invalidity as may be discovered by the ".商标" Domain Registry’s random check; or (iv) resolve or enforce disputes relating to a registered “.商标” Domain; or (v) prevent the non-payment of the registration fee; or (vi) comply with relevant laws, governmental regulations or requirements, or law enforcement requirements; or (vii) avoid civil or criminal liabilities of the “.商标” Domain Registry or its affiliates, subsidiaries, offices, directors or employees.

**1.7.3 Change of registrant particulars**

Any change to the registrant particulars of a registered “.商标” domain name shall require the submission of supporting evidence and the approval of the ".商标" Domain Registry or the Accredited Registrars.

**1.7.4 Registrar transfer**

[Registrar transfer, i.e. transfer of management of a domain name to another Registrar, should be done in accordance with the ICANN transfer policy available at http://www.icann.org/transfers/policy-12jul04.htm. The transferor Registrar and the transferee Registrar shall follow the above procedures and provide the necessary support to the domain name registrant.](http://www.icann.org/transfers/policy-12jul04.htm上关于域名转移的规定，域名原注册服务商及域名转入注册服务商需尽力为注册人提供必要的服务支持。凡经本注册局认证的注册服务机构，均需遵守及履行上述规则的要求。)

**1.7.5 Transfer of domain name ownership (“registrant transfer”)**

A registrant transfer can only take place after the ".商标" Domain Registry has examined and approved the proof of transfer of the underlying trademark registration or application issued by a recognised intellectual property organisation of the relevant Designated Place, or the transfer is between two parties who own registrations/applications in respect of identical trademarks. The new domain name registrant must also submit domain name registration information which is in compliance with this Registration Policy.

**1.8 WHOIS policy**

In light of the ICANN requirement and to uphold consumer interests and public interests such as intellectual property rights protection and law enforcement, the ".商标" Domain Registry shall operate as a "thick" ".商标" Domain Registry and set up a WHOIS database, in which the information (in English and Chinese) submitted by the domain name registrant shall be available for public search at port 43 at: whois.nic.商标, including the domain name, name of the registrant, telephone number, fax number, email address, registration date, expiry date, DNS information. Accredited Registrars shall collect such WHOIS information from the registrants and ensure their completeness and accuracy.

The “.商标” domain name database shall contain WHOIS information of at least the following four categories, namely:

1. Registrant contact information

2. Administrative contact information

3. Technical contact information

4. Billing contact information

Only one named person is needed for each category. Proxy service is not allowed for “.商标” domain name registrations.

The same person or organisation can be named as the designated person for all four categories. There can only be one Registrant contact associated with each domain name registration (who must be the person supported by the Registration Proof or Application Proof). The format of the WHOIS information must comply with ICANN’s requirement on: [http://www.icann.org/en/resources/registrars/raa/approved-with-specs-27jun13-en.htm#whois](http://www.icann.org/en/resources/registrars/raa/approved-with-specs-27jun13-en.htm" \l "whois)

Only the following characters are accepted in the WHOIS contact information fields:

• Latin characters: a through z or A through Z

• Numerical: 0 through 9

• Keyboard symbols: .,&#()-\_'~`!@$%^\*+={ }[ ]|:;<>?/\"</

Specifically, non-Latin characters cannot be displayed in the ".商标" Domain Registry’s database.

**2 Restrictions on Use**

“.商标” domain name registrants shall ensure that if the domain name resolves to a website, the website shall be set up as a lawfully operated website without any fraudulent element use and relates to the underlying information of the trademark or the trademark application;

If this is not the case, or the website is used for fraudulent acts, theft, misappropriation of other’s trademarks, involves any illegal acts or is likely to cause public confusion or is prejudicial to the public interests, the registrant shall bear all legal liability and indemnify the ".商标" Domain Registry against all losses and costs and/or any claim against the ".商标" Domain Registry arising from the registration of the domain name. In addition, the ".商标" Domain Registry may send a warning to the registrant, or deactivate the domain name, cancel or suspend the registration.

Domain names approved for registration based on a trademark application shall only be released for use after the applicant submits Registration Proof issued by a recognised intellectual property organisation of the relevant Designated Place and after the ".商标" Domain Registry has approved such proof.

**3 Dispute Resolution Policies**

Disputes in relation to “.商标” domain names will be handled by the Asian Domain Name Dispute Resolution Center (ADNDRC) and/or other appointed service providers in accordance with the Dispute Resolution Policies.

While under dispute, a domain shall be locked and its use inactivated, during which the domain name will be suspended and refused for Inter-Registrar transfer, transfer of ownership, and renewal. The

".商标" Domain Registry and the sponsoring registrar shall comply with the decision of the dispute resolution service provider to transfer, suspend or cancel the domain name if the dispute is upheld.

**4 Responsibilities of the ".商标" Domain** **Registry**

The ".商标" Registry shall endeavour to maintain the normal operation of the ".商标" Registry’s equipment relating to “.商标” domain names to allow proper use of the domain names by registrants. The ".商标" Domain Registry however gives no express or implied warranty as to the quality of the network connection.

**4.1 Remedies**

In case of interruption or inability to use registered “.商标” domain names for over 24 consecutive hours due to the ".商标" Domain Registry’s fault or force majeure events (including natural disasters, riots, interruption of telecommunications services, etc.), the ".商标" Domain Registry will make an announcement on its website and automatically extend the registration duration according to the affected period. When calculating the affected period, time periods of less than 12 hours will not be counted, whereas time periods of 12 hours or more but less than 24 hours will be counted a one day.

To the extent allowed under the applicable laws, the ".商标" Domain Registry shall not be liable for any special or general damage or loss, whether contractual, tortious or otherwise, in relation to the registration of a “.商标” domain name. In any event, the ".商标" Registry’s liability for damages shall be limited to the amount of registration fee or application fee received by the ".商标" Domain Registry.

**4.2 Complaint channels**

The ".商标" Domain Registry will set up a hot line and an email address to receive complaints about the quality of services. Complaints received shall normally be dealt with within 5 working days.

The ".商标" Domain Registry shall supervise the conduct of Accredited Registrars and shall take appropriate action as provided in the Registry-Registrar Agreement against their breaches of this Registration Policy.

**5 Governing law**

This ".商标" Domain Registry Policy shall be governed by and interpreted in accordance with the laws of the Hong Kong SAR, and any dispute in connection thereto shall be subject to arbitration administered by the Hong Kong International Arbitration Centre (“HKIAC”) under the HKIAC Administered Arbitration Rules in force when the Notice of Arbitration is submitted. The number of arbitrators shall be one. The language of arbitration shall be English. If there is any inconsistency between the Chinese and English versions of this ".商标" Domain Registry Policy, the English version shall prevail.

**6 Glossary**

|  |  |
| --- | --- |
| ICANN | Internet Corporation for Assigned Names and Numbers |
| Proof of a valid trademark registration (“Registration Proof”) | Proof of a valid trademark registration issued by a recognised intellectual property organisation of a nation/territory/region (excluding states, provinces, cities, etc.) or a member state of the Madrid Protocol(“Designated Place”) |
| Proof of valid trademark application (“Application Proof”) | Proof of a valid trademark application issued by a recognised intellectual property organisation of a nation/territory/region (excluding states, provinces, cities, etc.) or a member state of the Madrid Protocol(“Designated Place”) , which has not been invalidated or refused for registration) |
| trademark registration / application particulars | Acceptable trademark registration/application particulars are:   * A corresponding Designated Place * Name of an administrative region or geographical area within the corresponding Designated Place. * The goods/services designated in the trademark registration or application (as per current Nice Classification) * Names of goods/services of a similar class to the goods/services designated in the trademark registration or application (as per current Nice Classification) * Name of the trademark registrant or applicant * A trade name or description of the nature of business which forms part of the name of the trademark registrant or applicant. |
| Names of goods/services designated in the trademark registration or application | Names of goods/services designated in the trademark registration or application as shown on the Registration Proof or Application Proof; |
| Similar Class | Some countries will group together classes of goods/services of a similar nature, or share similar raw materials, consumption habit and channels of sales. |
| trademark record | trademark records of the recognised intellectual property organisation of a Designated Place showing the trademark registration / application name, names of the designated goods/services, registrant/applicant information, and the status of the trademark. |
| TMCH | Trademark Clearing House, The trademark validation organisation designated by ICANN. |

**Appendix 1: List of Designated Places**

The following nations/territories/regional intellectual property organisations are extracted from the WIPO databse. The English abbreviations of the names and the two letter code follow the standards by ISO-3166-1. The English abbreviations, Chinese abbreviations, two letter codes can be combined with a trademark in order to obtain “.商标” domain name registration.

|  |  |  |  |
| --- | --- | --- | --- |
| **No.** | **Abbreviation of the Designated Places in English** | **Abbreviation of the Designated Places in Chinese** | **Two letter code** |
| 1 | Afghanistan | 阿富汗 | AF |
| 2 | Albania | 阿尔巴尼亚 | AL |
| 3 | Algeria | 阿尔及利亚 | DZ |
| 4 | Andorra | 安道尔 | AD |
| 5 | Angola | 安哥拉 | AO |
| 6 | Anguilla | 安圭拉 | AI |
| 7 | Argentina | 阿根廷 | AR |
| 8 | Armenia | 亚美尼亚 | AM |
| 9 | Aruba | 阿鲁巴 | AW |
| 10 | Australia | 澳大利亚 | AU |
| 11 | Austria | 奥地利 | AT |
| 12 | Azerbaijan | 阿塞拜疆 | AZ |
| 13 | Bahrain | 巴林 | BH |
| 14 | Bangladesh | 孟加拉国 | BD |
| 15 | Barbados | 巴巴多斯 | BB |
| 16 | Belarus | 白俄罗斯 | BY |
| 17 | Bermuda | 百慕大 | BM |
| 18 | Bhutan | 不丹 | BT |
| 19 | Bolivia | 玻利维亚 | BO |
| 20 | Bonaire | 荷兰加勒比区 | BQ |
| 21 | Bosnia and Herzegovina | 波黑 | BA |
| 22 | Botswana | 博茨瓦纳 | BW |
| 23 | Brazil | 巴西 | BR |
| 24 | Brunei Darussalam | 文莱 | BN |
| 25 | Bulgaria | 保加利亚 | BG |
| 26 | Burundi | 布隆迪 | BI |
| 27 | Cambodia | 柬埔寨 | KH |
| 28 | Canada | 加拿大 | CA |
| 29 | Cape Verde | 佛得角 | CV |
| 30 | Cayman Islands (the) | 开曼群岛 | KY |
| 31 | Chile | 智利 | CL |
| 32 | China | 中国 | CN |
| 33 | Colombia | 哥伦比亚 | CO |
| 34 | Congo(Democratic Republic of the) | 刚果（金） | CD |
| 35 | Congo | 刚果（布） | CG |
| 36 | Costa Rica | 哥斯达黎加 | CR |
| 37 | Croatia | 克罗地亚 | HR |
| 38 | Cuba | 古巴 | CU |
| 39 | Cyprus | 塞浦路斯 | CY |
| 40 | Czech Republic | 捷克 | CZ |
| 41 | Denmark | 丹麦 | DK |
| 42 | Dominica | 多米尼克 | DM |
| 43 | Dominican Republic | 多米尼加 | DO |
| 44 | Ecuador | 厄瓜多尔 | EC |
| 45 | Egypt | 埃及 | EG |
| 46 | El Salvador | 萨尔瓦多 | SV |
| 47 | Estonia | 爱沙尼亚 | EE |
| 48 | Ethiopia | 埃塞俄比亚 | ET |
| 49 | Fiji | 斐济 | FJ |
| 50 | Finland | 芬兰 | FI |
| 51 | France | 法国 | FR |
| 52 | Georgia | 格鲁吉亚 | GE |
| 53 | Germany | 德国 | DE |
| 54 | Ghana | 加纳 | GH |
| 55 | Greece | 希腊 | GR |
| 56 | Grenada | 格林纳达 | GD |
| 57 | Guatemala | 危地马拉 | GT |
| 58 | Guinea | 几内亚 | GN |
| 59 | Guyana | 圭亚那 | GY |
| 60 | Haiti | 海地 | HT |
| 61 | Honduras | 洪都拉斯 | HN |
| 62 | The Hong Kong Special Administrative Region of the People's Republic of China | 香港 | HK |
| 63 | Hungary | 匈牙利 | HU |
| 64 | Iceland | 冰岛 | IS |
| 65 | India | 印度 | IN |
| 66 | Indonesia | 印度尼西亚 | ID |
| 67 | Iran (Islamic Republic of) | 伊朗 | IR |
| 68 | Iraq | 伊拉克 | IQ |
| 69 | Ireland | 爱尔兰 | IE |
| 70 | Israel | 以色列 | IL |
| 71 | Italy | 意大利 | IT |
| 72 | Jamaica | 牙买加 | JM |
| 73 | Japan | 日本 | JP |
| 74 | Jordan | 约旦 | JO |
| 75 | Kazakhstan | 哈萨克斯坦 | KZ |
| 76 | Kenya | 肯尼亚 | KE |
| 77 | Korea (the Republic of) | 韩国 | KR |
| 78 | Kuwait | 科威特 | KW |
| 79 | Kyrgyzstan | 吉尔吉斯斯坦 | KG |
| 80 | Lao People's Democratic Republic | 老挝 | LA |
| 81 | Latvia | 拉脱维亚 | LV |
| 82 | Lebanon | 黎巴嫩 | LB |
| 83 | Lesotho | 莱索托 | LS |
| 84 | Liberia | 利比里亚 | LR |
| 85 | Liechtenstein | 列支敦士登 | LI |
| 86 | Lithuania | 立陶宛 | LT |
| 87 | The Macao Special Administrative Region of the People's Republic of China | 澳门 | MO |
| 88 | Madagascar | 马达加斯加 | MG |
| 89 | Malawi | 马拉维 | MW |
| 90 | Malaysia | 马来西亚 | MY |
| 91 | Maldives | 马尔代夫 | MV |
| 92 | Malta | 马耳他 | MT |
| 93 | Mauritius | 毛里求斯 | MU |
| 94 | Mexico | 墨西哥 | MX |
| 95 | Monaco | 摩纳哥 | MC |
| 96 | Mongolia | 蒙古 | MN |
| 97 | Montenegro | 黑山 | ME |
| 98 | Morocco | 摩洛哥 | MA |
| 99 | Mozambique | 莫桑比克 | MZ |
| 100 | Myanmar | 缅甸 | MM |
| 101 | Namibia | 纳米比亚 | NA |
| 102 | Nepal | 尼泊尔 | NP |
| 103 | New Zealand | 新西兰 | NZ |
| 104 | Nicaragua | 尼加拉瓜 | NI |
| 105 | Nigeria | 尼日利亚 | NG |
| 106 | Norway | 挪威 | NO |
| 107 | Oman | 阿曼 | OM |
| 108 | Pakistan | 巴基斯坦 | PK |
| 109 | Papua New Guinea | 巴布亚新几内亚 | PG |
| 110 | Paraguay | 巴拉圭 | PY |
| 111 | Peru | 秘鲁 | PE |
| 112 | Philippines | 菲律宾 | PH |
| 113 | Poland | 波兰 | PL |
| 114 | Portugal | 葡萄牙 | PT |
| 115 | Qatar | 卡塔尔 | QA |
| 116 | Romania | 罗马尼亚 | RO |
| 117 | Russian Federation (the) | 俄罗斯联邦 | RU |
| 118 | Rwanda | 卢旺达 | RW |
| 119 | Saint Kitts and Nevis | 圣基茨和尼维斯 | KN |
| 120 | Samoa | 萨摩亚 | WS |
| 121 | Sao Tome and Principe | 圣多美和普林西比 | ST |
| 122 | Saudi Arabia | 沙特阿拉伯 | SA |
| 123 | Serbia | 塞尔维亚 | RS |
| 124 | Seychelles | 塞舌尔 | SC |
| 125 | Sierra Leone | 塞拉利昂 | SL |
| 126 | Singapore | 新加坡 | SG |
| 127 | Slovenia | 斯洛文尼亚 | SI |
| 128 | South Africa | 南非 | ZA |
| 129 | Spain | 西班牙 | ES |
| 130 | Sri Lanka | 斯里兰卡 | LK |
| 131 | Sudan | 苏丹 | SD |
| 132 | Suriname | 苏里南 | SR |
| 133 | Swaziland | 斯威士兰 | SZ |
| 134 | Sweden | 瑞典 | SE |
| 135 | Switzerland | 瑞士 | CH |
| 136 | Syrian Arab Republic | 叙利亚 | SY |
| 137 | Taiwan (Province of China) | 台湾 | TW |
| 138 | Tajikistan | 塔吉克斯坦 | TJ |
| 139 | Thailand | 泰国 | TH |
| 140 | Tonga | 汤加 | TO |
| 141 | Trinidad and Tobago | 特立尼达和多巴哥 | TT |
| 142 | Tunisia | 突尼斯 | TN |
| 143 | Turkey | 土耳其 | TR |
| 144 | Turkmenistan | 土库曼斯坦 | TM |
| 145 | Uganda | 乌干达 | UG |
| 146 | Ukraine | 乌克兰 | UA |
| 147 | United Arab Emirates | 阿联酋 | AE |
| 148 | United Kingdom (the) | 英国 | GB |
| 149 | United States of America | 美国 | US |
| 150 | Uruguay | 乌拉圭 | UY |
| 151 | Uzbekistan | 乌兹别克斯坦 | UZ |
| 152 | Venezuela | 委内瑞拉 | VE |
| 153 | Yemen | 也门 | YE |
| 154 | Zambia | 赞比亚 | ZM |
| 155 | Zimbabwe | 津巴布韦 | ZW |
| 156 | African Intellectual Property Organization | OAPI或非洲 |  |
| 157 | African Regional Intellectual Property Organization | ARIPO或非洲区域 |  |
| 158 | Benelux Office for Intellectual Property | BOIP或比荷卢 |  |
| 159 | Office for Harmonization in the Internal Market | OHIM或欧洲 |  |