



■ Quick Guide to WIPO Domain Name Dispute Resolution Services for the .SE ccTLD

Geneva
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WIPO Arbitration and Mediation Center

In this webinar

- The main characteristics of the .SE Policy as compared to the UDRP
- The main benefits of filing a case with WIPO in comparison to court litigation

In this webinar

- Send your questions
- Download the PP-slides
- Receive webinar recording

WIPO .SE cases

■ Since June 2017, WIPO has administered **219 .SE cases**

■ **In 2020: 54 cases** (so far)

■ **In 2019: 55 cases**

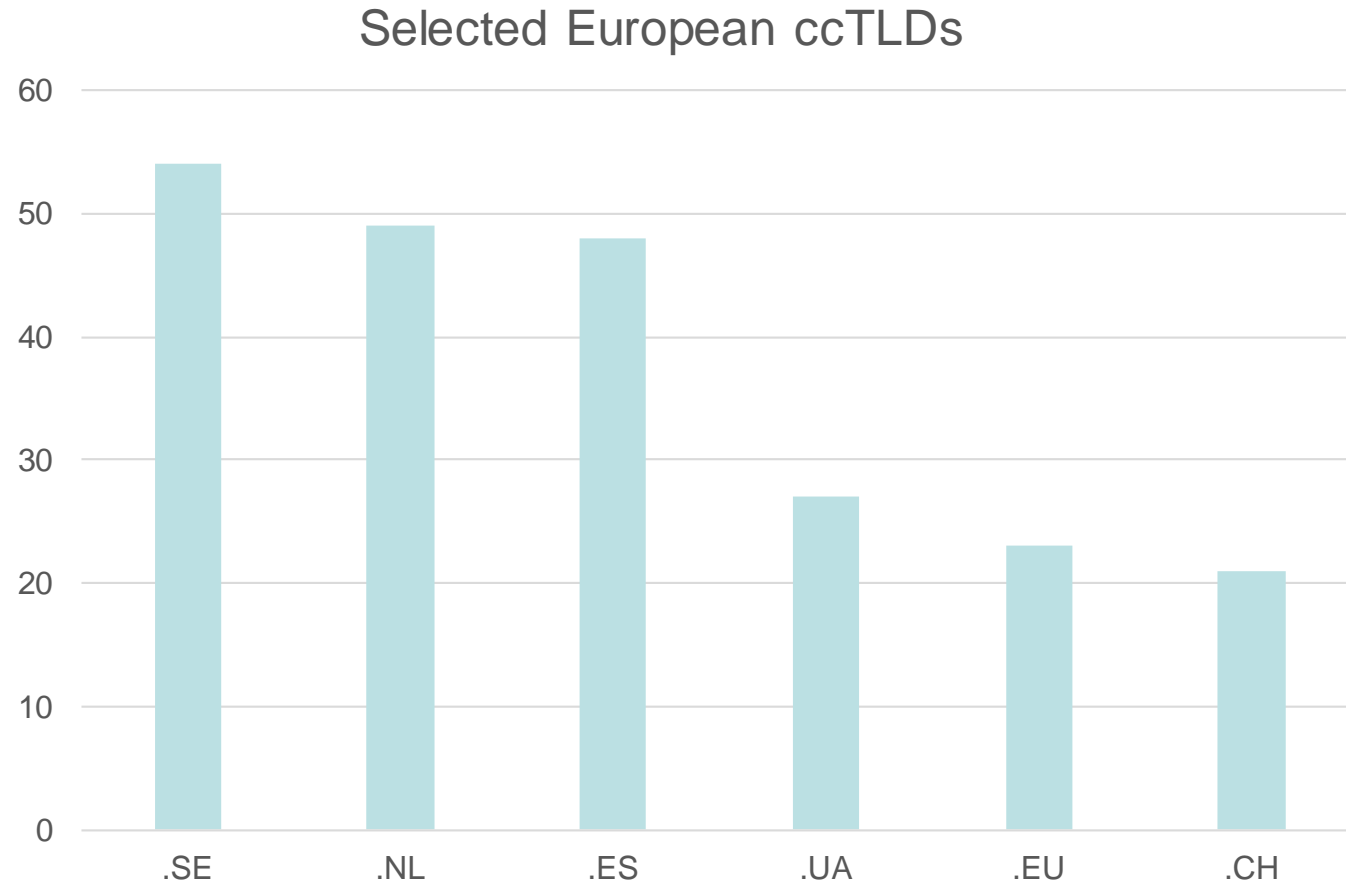
■ **In 2018: 68 cases**

■ **In 2017: 42 cases**



.SE in comparison with other ccTLDs (2020)

- **.SE – 54 cases**
- .NL – 49 cases
- .ES – 48 cases
- .UA – 27 cases
- .EU – 23 cases
- .CH – 22 cases



Some recent .SE cases with Swedish Petitioners

■ <swedbankgroup.se>



■ <sweadirekt.se>



■ <wwwsveaekonomi.se>

■ <vitvarumäklarna.se>

eLON GROUP

■ <klarnakassan.se>

Klarna.

Some recent .SE cases with non-Swedish Petitioners

■ <gilead.se>



■ <intesasanpaolo.se>



■ <siemensenergy.se>

SIEMENS

■ <ferring-pharmacy.se>

FERRING

PHARMACEUTICALS

WIPO Domain Name Dispute Resolution Service for .SE

Country / Territory Code	.SE
Country / Territory Name	Sweden
Whois Search	Whois Search
Dispute Resolution Policy	<p>Variation of UDRP Paragraph 7 of the Terms and Conditions of registration (the ".SE Policy")</p> <p>Relevant differences between the UDRP and the .SE Policy</p> <ul style="list-style-type: none"> ▶ Rights Covered ▶ Bad Faith ▶ Accelerated Proceeding ▶ Language of Proceedings ▶ Decision implementation
Procedural Rules	<p>Variation of UDRP Instructions governing Alternative Dispute Resolution proceedings for domain names in the top-level domain .SE</p>

WIPO Toolkit

[Informal Guide to the ADR proceeding Instructions governing Alternative Dispute Resolution proceedings for domain names in the top-level domain .SE](#)

[Instructions of bad faith and right or justified interest definitions](#)

[WIPO Model Petition](#)

[Filing guidelines for the Petition](#) [PDF](#)

[WIPO Model Response](#)

[Filing guidelines for the Response](#)

[PDF](#)

[Schedule of Fees](#)

www.wipo.int/amc/en/domains/cctld/se/index.html

The Swedish Internet
Foundation (Registry)

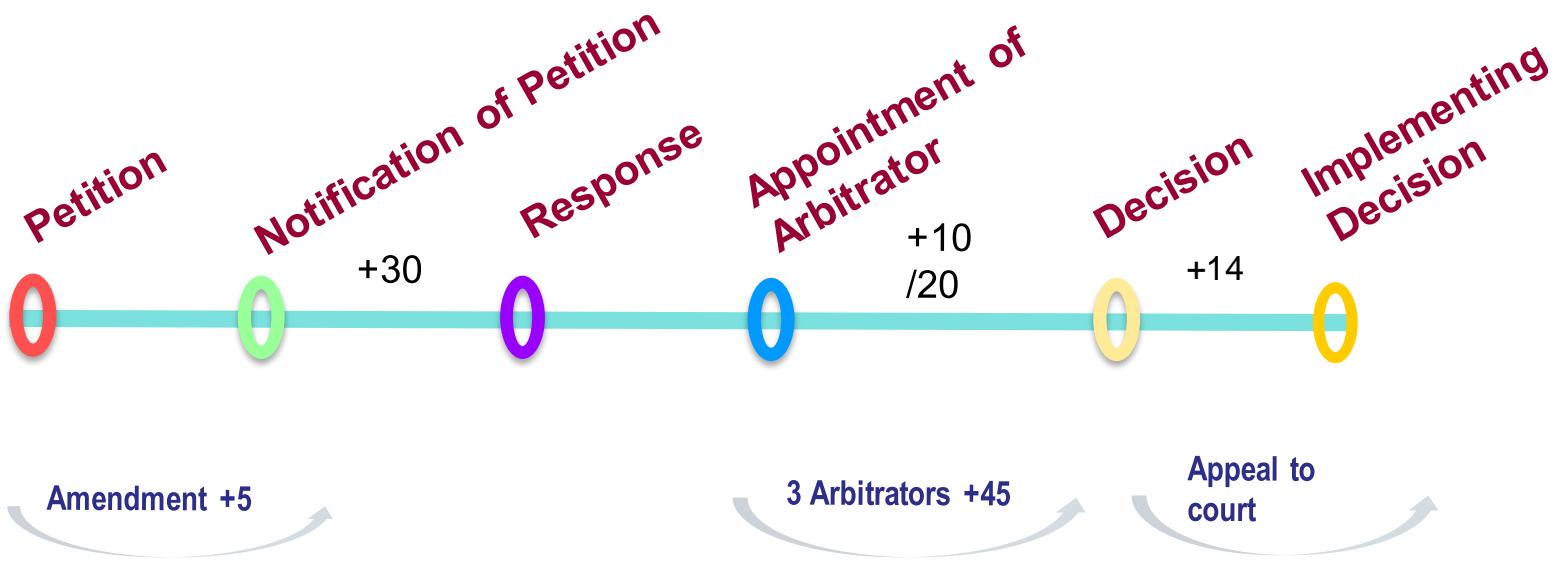
INTERNET 
STIFTELSEN

- Independent, private foundation that works for the positive development of the Internet in Sweden
- Ensure a strong and secure infrastructure for the Internet in Sweden
- Registration of .SE domain names is regulated by [the Top-Level Domain Act](#)
- Includes an effective procedure for resolving disputes regarding the allocation of .SE domain names

.SE Dispute Policy and Procedural Rules

- Terms and Conditions of Registration for the Top-Level Domain .se from September 30, 2019 (the “.SE Policy”)
- Instructions governing Alternative Dispute Resolution proceedings for domain names in the Top-Level Domain .se (the “.SE Rules” or the “.SE Procedural Rules”)

Timeline



Part 1

The main characteristics of the .SE Policy (as compared to the UDRP)

Model Petition for .SE

- Available in English and Swedish
- Electronic filing only

WIPO Model Pleadings and Filing Guidelines

[WIPO Model Petition](#)

[Filing guidelines for the Petition](#) PDF

[WIPO Model Response](#)

[Filing guidelines for the Response](#) PDF



**INTERNET
STIFTELSEN**

DATE: _____

PETITION regarding the Alternative Dispute Resolution for the disputed domain name(s) < _____ .se>

Complete the below Model Petition for submission and send it as an email attachment to domain.disputes@wipo.int
For queries, please call +41 (0)22 338 8247 or email arbiter.mail@wipo.int

1. FACTUAL GROUNDS

1.1 *Petitioner* (required *) (required for non-Swedish companies within the European Union **)

Name/Company*	
Personal ID number/Company number*	VAT number**
Postal address*	
Country*	Phone number (incl. area code)*
Email address (different from Representative email)*	

1.2 *Representative* (when applicable)

Name/Company	
Postal address	
Country	Phone number (incl. area code)
Email address	

1.3 *Domain Holder*

Name/Company	
Postal address	
Country	Phone number (incl. area code)
Email address	

1.4 *Representative* (when applicable)

Name/Company	
Postal address	

Similarities with the UDRP

- Contract based and electronic procedure
- Quick and reasonable costs
- Standard Complaint for UDRP and a Standard Petition for .SE
- Remedies
- .SE Decisions implemented by the Registry

Main differences with the UDRP

- Scope of protection
- Bad faith registration OR use in bad faith
- Language
- List of .SE Arbitrators
- Mutual Jurisdiction

First element of the .SE Policy

- The domain name is **identical or similar** to a **name**, which is legally recognized in Sweden and to which the petitioner can prove its rights

- A petition under the .SE Policy may be based mainly on:
 - A trade symbol
 - A trade name or secondary business name
 - A surname
 - An artist's name (if the name is not associated with someone who deceased a long time ago)
See section 7.2 of Terms and Conditions for more information.

Second and third element of the .SE Policy

- The domain name has been registered **or** used in bad faith
 - Alternative
 - Similar jurisprudence to UDRP regarding what constitutes bad faith

- The domain holder has no rights or justified interest in the domain name
 - Similar jurisprudence to UDRP regarding what constitutes rights or justified interest

internetstiftelsen.se/app/uploads/2019/02/instructions-pertaining-to-adr-paragraph-7.pdf

Remedies

- Available remedies:
 - **transfer**
 - **deregistration** [cancellation] (domain name will be available for registration, it will not be blocked)
- Important that the Petitioner provides Company no.
 - VAT-no. for non-Swedish companies within the European Union for the Swedish Internet Foundation to implement a transfer

Filing Fees in WIPO .SE Cases

- Depends on the Petitioner
 - internetstiftelsen.se/en/dispute-resolution/arbitrators-and-costs/
 - Private Individual
 - Micro enterprises
 - Within or outside the European Union
- 1 or 3 Arbitrators
- Made in SEK (Swedish krona)
- Payment must be done to the Swedish Internet Foundation

Model Response

- Available in English and Swedish
- Electronic filing only

WIPO Model Pleadings and Filing Guidelines

[WIPO Model Petition](#)

[Filing guidelines for the Petition](#) PDF

[WIPO Model Response](#)

[Filing guidelines for the Response](#) PDF



INTERNET
STIFTELSEN

DATE: [REDACTED]

WIPO Case Number:

RESPONSE regarding the Alternative Dispute Resolution
for the disputed domain name(s) < [REDACTED] .se>

Complete the below Model Response for submission and send it as an email attachment to domain.disputes@wipo.int

For queries, please call +41 (0)22 338 8247 or email arbiter.mail@wipo.int

1. FACTUAL GROUND

1.1 Domain Holder

Name/Company	Personal ID number/Company number
[REDACTED]	
Postal address	
[REDACTED]	
Country	Phone number (incl. area code)
[REDACTED]	[REDACTED]
Email address	
[REDACTED]	

1.2 Representative (when applicable)

Name/Company	
[REDACTED]	
Postal address	
[REDACTED]	
Country	Phone number (incl. area code)
[REDACTED]	[REDACTED]
Email address	
[REDACTED]	

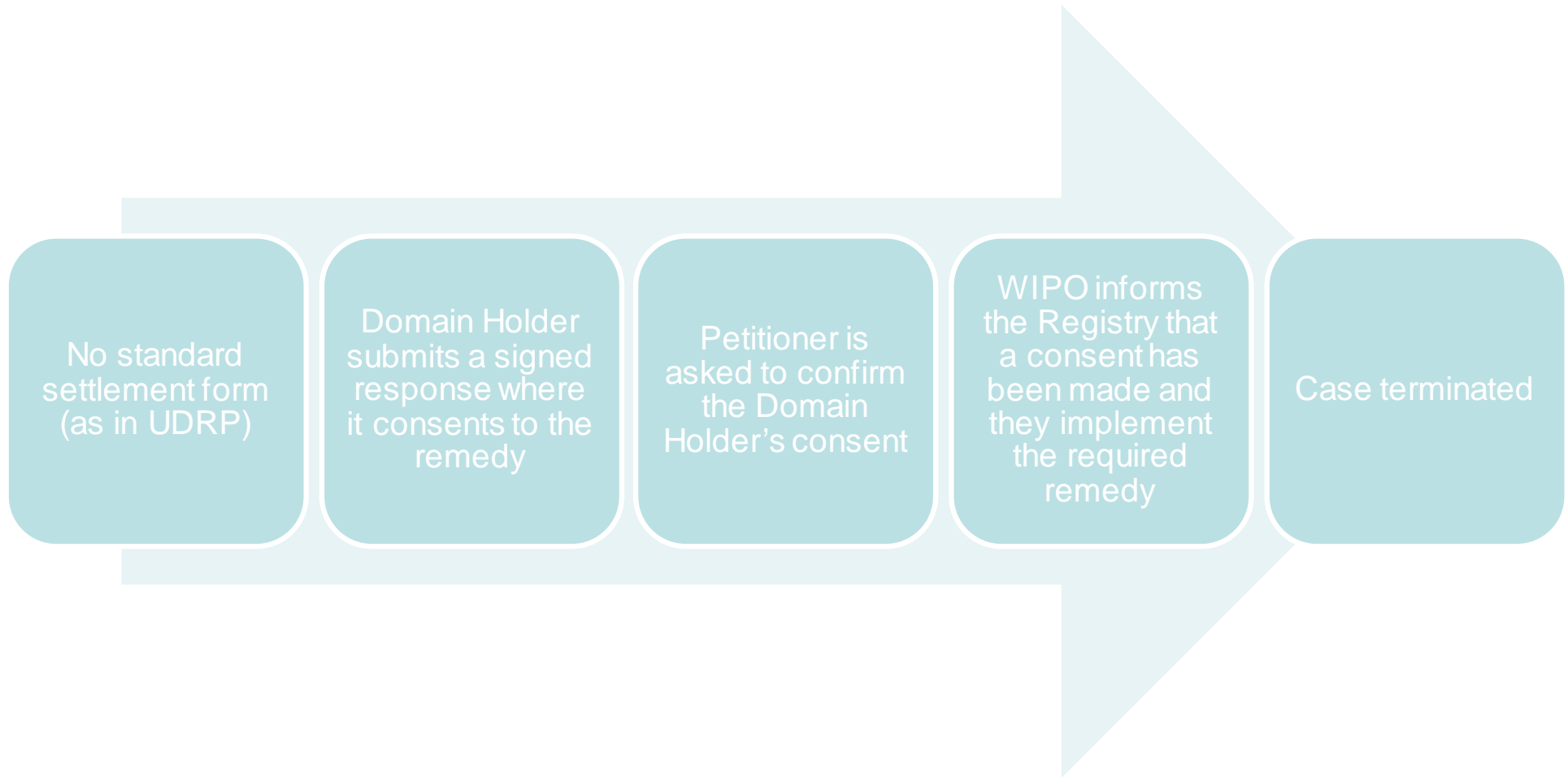
1.3 Petitioner

Name/Company	Personal ID number/Company number
[REDACTED]	
Postal address	
[REDACTED]	
Country	Phone number (incl. area code)
[REDACTED]	[REDACTED]
Email address	
[REDACTED]	

Response Formalities

- **If Response received:** Acknowledge receipt (copy provided) to both parties
- **If no Response received:** Default

Settlement usually by consent



Part 2

The main benefits of filing a case with WIPO in comparison to court litigation

Main benefits of filing a case with WIPO

- Accelerated proceeding
 - Unique option for .SE proceedings
 - It has to be requested by the Petitioner in the Petition
 - Only when the Domain Holder has not submitted a response
- Consequence
 - Arbitrator has 10 days to render a decision

Main benefits of the .SE procedure

- Time-effective procedure (maximum 3 months)
- Cost-effective procedure
- Online procedure (WIPO models available for parties)
- “Appeals” to court still possible if desired (but rarely used)

Role of the .SE Registry



- Provides relevant information about the disputed domain name and the Domain Holder
- Locks the disputed domain name during the pendency of an .SE proceeding
- Implements a settlement agreement between the Parties
- Implements an Arbitrator's decision
- Registry do not have a role, but are copied in relevant communications

Contact us

- Queries: arbiter.mail@wipo.int
- Further information: <https://www.wipo.int/amc/en/domains>

- **WIPO Center Domain Name Newsletter**
 - www.wipo.int/newsletters/en/#adr_highlights
- **WIPO Center Webinars**
 - <https://www.wipo.int/amc/en/events/webinar.html#upcoming>

- **WIPO Center Offices**
 - Geneva, Switzerland
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