

This form is for information purposes only and cannot be used before August 28, 2001.

Online Challenge Filing Form

This electronic filing form allows Challengers to complete and submit a Challenge under the Afilias Sunrise Registration Challenge Policy for <.info> directly online to the WIPO Arbitration and Mediation Center.

After submitting this form, the Challenger will receive a confirmation message both on-screen and by electronic mail to the preferred contact e-mail address the Challenger provides in the form. This confirmation message will include the full text of the Challenge as received by the Center. By submission of this Challenge Filing Form, copies of the Challenge, including the Challenge Transmittal Coversheet set out below, are automatically sent to the Respondent, the Registrar and the Registry by electronic mail to the respective addresses provided in the form. This is to assist compliance with the communications requirements of Paragraph 3(c)(x) of the Afilias Rules for Sunrise Registration Challenge Policy.

Challenge Transmittal Coversheet (Annex A):

Set out below is a Challenge that has been filed against you, as the registrant of a <.info> domain name and the Respondent in this Challenge, with the WIPO Arbitration and Mediation Center (the Center) pursuant to the Afilias Sunrise Registration Challenge Policy (the Policy).

The Policy is incorporated by reference into your Registration Agreement with the Registrar of your domain name, in accordance with which you are required to submit to a mandatory administrative proceeding in the event that a third party (a Challenger) submits a Challenge to the Center, regarding the compliance of your registration of a <.info> domain name with the sunrise registration conditions in relation to trademark or service mark rights, set forth in the Registration Agreement. You will find the name and contact details of the Challenger and the domain name that is the subject of the Challenge in the document that follows this Coversheet.

You have no duty to act at this time. Since it is possible, under the Policy, to have more than one Challenge submitted regarding the same Domain Name, you may receive multiple challenges regarding your Domain Name. The Center will check the Challenge to determine whether it has priority status under the Policy and the Afilias

Rules for Sunrise Registration Challenge Policy (the Rules). If the Challenge has priority status, the Center will review the Challenge to determine whether it complies with the formal requirements of the Policy and the Rules. A Priority Challenge that satisfies the formal requirements of the Policy and the Rules will be officially notified by the Center to you in accordance with Rules, Paragraph 4. You will then have 10 calendar days to provide the Center with your payment information concerning the Response filing fee and 60 calendar days within which to submit a Response. The Response must be filed using the Model Response Form made available by the Center. Hardcopies of the Response with annexes must also be sent to the Center and the Challenger. Should you so desire, you may wish to seek the assistance of legal counsel to represent you in the administrative proceeding.

- The Afiliias Sunrise Registration Challenge Policy can be found at <http://www.afiliias.info/faq/sunrise-challenge-policy.html>.
- The Afiliias Rules for Sunrise Registration Challenge Policy can be found at <http://www.afiliias.info/faq/sunrise-challenge-rules.html>.
- A Guide and the Model Response Form can be found under <http://arbiter.wipo.int/domains/gtld/info/sunrise/>.

The Center can be contacted in Geneva, Switzerland by telephone at +41 22 338 8247, by fax at +41 22 740 3700 or by e-mail at info.sunrise@wipo.int. All e-mail communications in relation to an existing case must include, in the subject line of the e-mail, the Challenge number assigned by the Center as well as the disputed domain name.

A copy of this Challenge has also been sent to the Registrar and the Registry with which the domain name that is the subject of the Challenge is registered.

The Challenge:

Before the:

**WORLD INTELLECTUAL PROPERTY ORGANIZATION ARBITRATION
AND MEDIATION CENTER**

Challenger:

[Name of Challenger]

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-v-

Respondent:

[Name of Respondent]

Disputed Domain Name:

.info

**CHALLENGE IN ACCORDANCE WITH THE
AFILIAS SUNRISE REGISTRATION CHALLENGE POLICY**

I. Introduction

[1.] This Challenge is hereby submitted to the WIPO Arbitration and Mediation Center (the Center) for decision in accordance with the Afilias Sunrise Registration Challenge Policy (the Policy) and the Afilias Rules for Sunrise Registration Challenge Policy (the Rules). By submitting this Challenge to the Center the Challenger agrees to abide and be bound by the provisions of the Policy and the Rules.

II. The Parties

A. The Challenger
(Rules, Para. 3(c)(ii))

[2.] The Challenger in this administrative proceeding is:

[Provide full name]

[3.] The Challenger's contact details are as follows:

Address:

[Specify address]

Telephone:

[Specify telephone number]

Fax:

[Specify fax number]

E-mail:

[Specify e-mail address]

Additional information, if any:

[4.] The Challenger's authorized representative in this administrative proceeding is:

[If relevant, identify authorized representative and provide all contact details.]

Name of Challenger's authorized representative:

[Provide full name]

[Empty box]

[5.] The contact details of the Challenger’s authorized representative are as follows:

Address:
[Specify address]

[Empty box]

Telephone:
[Specify telephone number]

[Empty box]

Fax:
[Specify fax number]

[Empty box]

E-mail:
[Specify e-mail address]

[Empty box]

[6.] The Challenger’s preferred contact details for communications directed to the Challenger in the administrative proceeding are as follows:

Contact:
[Identify name of one contact person only]

[Empty box]

Address:
[Specify one mailing address only]

[Empty box]

Telephone:

[Specify one telephone number only]

Fax:

[Specify one fax number only]

E-mail:

[Specify one e-mail address only]

B. The Respondent
(Rules, Para. 3(c)(iv))

[7.] According to the Afilias <.info> WhoIs database, the Respondent in this administrative proceeding is:

[Provide Respondent's name as shown by Afilias <.info> WhoIs database.]

[8.] The Respondent's contact details as shown by Afilias <.info> WhoIs database are:

Registrant

Address:

Telephone:

Fax:

E-mail:

Administrative Contact (if different from above)

Name

Address:

Telephone:

Fax:

E-mail:

[9]. Additional contact information, if any, including as may have been used in pre-challenge communications with Respondent:

III. The Domain Name and the Registrar

(Rules, Paras. 3(c)(v) and (vi))

[10.] This dispute concerns the Domain Name identified below:

[Identify precisely the Domain Name in issue; only one Domain Name per Challenge.]

.info

[11.] The registrar with which the Domain Name is registered is:

[Provide the name of the registrar with which the Domain Name is registered.]

[12.] The registrar's e-mail address is:

IV. Jurisdictional Basis for the Administrative Proceeding

[13.] This dispute is properly within the scope of the Policy and the Center has jurisdiction to decide the dispute. The Registration Agreement, pursuant to which the domain name that is the subject of this Challenge is registered, incorporates the Policy. In addition, in accordance with Policy, Paragraph 4(a), the Respondent is required to submit to a mandatory administrative proceeding because:

[check applicable box(es)]

(1) at the time of the Respondent's registration of the Domain Name, no current (non-expired) trademark or service mark registration was issued in the Respondent's name;

(2) the Domain Name is not identical to the textual or word elements of the trademark or service mark registration on which the registration of the Respondent's Domain Name is based;

(3) the trademark or service mark registration on which the registration of the Respondent's Domain Name is based is not of national effect;



- (4) the trademark or service mark registration on which the registration of the Respondent's Domain Name was based did not issue prior to October 2, 2000.

V. Factual and Legal Grounds

(Policy, Paras. 4(a) and (b); Rules, Para. 3(c)(vii))

[14.] This Challenge is based on the following grounds:

[In accordance with Rules, Paragraph 3(c)(vii), describe the factual and legal grounds on which the Challenge is made, including why the Domain Name that is the subject of the dispute should be considered to have been registered in violation of the sunrise registration conditions set forth in the Registration Agreement, in particular how; (1) at the time of the Respondent's registration of the Domain Name, no current (non-expired) trademark or service mark registration was issued in the Respondent's name; and/or (2) the Domain Name is not identical to the textual or word elements of the trademark or service mark registration on which the registration of the Respondent's Domain Name is based; and/or (3) the trademark or service mark registration on which the registration of the Respondent's Domain Name is based is not of national effect; and/or (4) the trademark or service mark registration on which the registration of the Respondent's Domain Name was based did not issue prior to October 2, 2000.]

[The above section of the Challenge (i.e., Factual and Legal Grounds) dealing with the description required under Rules, Paragraph 3(c)(vii) should not exceed the 2000 word limit provided for in Rules, Paragraph 3(c)(vii).]

VI. Remedy Requested

(Rules, Para. 3(b)(viii))

[15.] In accordance with Paragraph 4(h) of the Policy, for the reasons described in Sections IV and V above, the Challenger requests the Center to make the following determination concerning the domain name registration:

[check one box only]

Transfer to Challenger

Cancellation

VII. Other Legal Proceedings

(Rules, Para. 3(c)(ix))

[16.] *[Identify any other legal proceedings that have been commenced or terminated in connection with or relating to the Domain Name that is the subject of the Challenge and summarize the issues that are the subject of that/those proceeding(s) .]*

VIII. Communications

(Rules, Para. 3(b)(x))

[17.] A copy of this Challenge, including the Challenge Transmittal Coversheet set out in Annex A, is sent by electronic mail to the Respondent, the Registrar and the Registry.

IX. Payment

(Rules, Paras. 3(c)(iii) and (xii))

[18.] This Section IX relating to payment is not included in the acknowledgment copies sent by e-mail to the Challenger, the Respondent, the Registrar, and the Registry.

As required by the Rules, the Challenger agrees to pay the fees payable under the Schedule of Fees and hereby authorizes the Center to have such fees debited from the following credit card up to and including the amount of USD 295. Depending on the priority status of the Challenge, WIPO may undertake such debiting in more than one installment.

Card Holder Name:

Card Number:

Card Expiry Date:

Card Type:[drop down boxes. American Express, Visa, MasterCard]

Reimbursement of fees may be made to the credit card by which the fee was initially made. In order to create an additional reimbursement option, the following bank account information is provided:

Bank Account Holder:

Bank Account Number:

Bank Name:

Bank Address:

(Additional Information (Routing/ABA/Sorting Number))

X. Certification

(Rules, Para. 3(c)(xi))

[19.] The Challenger agrees that its claims and remedies concerning the registration of the Domain Name, the dispute, or the dispute's resolution shall be solely against the domain name holder and waives all such claims and remedies against (a) the Center, (b) the Registrar, (c) the Registry, and (d) ICANN, as well as their directors, officers, employees, and agents.

[20.] The Challenger certifies that the information contained in this Challenge is to the best of the Challenger's knowledge complete and accurate, that this Challenge is not being presented for any improper purpose, such as to harass, and that the assertions in this Challenge are warranted under the Sunrise Registration Challenge Policy, the Rules for Sunrise Registration Challenge Policy and under applicable law, as it now exists or as it may be extended by good-faith and reasonable argument.

Submitted,

Name:

[Identify name of submitting person.]

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