**亚洲域名争议解决中心**

**Asian Domain Name Dispute Resolution Centre**

**(Hong Kong Office)**

**COMPLAINT TRANSMITTAL COVERSHEET**

Attached is a Complaint that has been filed against you with the Hong Kong Office of Asian Domain Name Dispute Resolution Centre (ADNDRC) pursuant to the Uniform Rapid Suspension System, approved by the Internet Corporation for Assigned Names and Numbers (ICANN) on 1 March 2013 (“the Procedure”); , the Rules for Uniform Rapid Suspension System, approved by ICANN Board of Directors on 28 June 2013 (“the Rules”) and the ADNDRC Supplemental Rules for Uniform Rapid Suspension System effective from 8 September 2014 (“the Supplemental Rules”).

The Procedure is incorporated by reference into your Registration Agreement with the Registrar(s) of your domain name(s), in accordance with which you are required to submit to and participate in a mandatory administrative proceeding in the event that a third party (a Complainant) submits a Complaint to a dispute resolution service provider, such as the ADNDRC, concerning a domain name that you have registered. You will find the name and contact details of the Complainant, as well as the domain name(s) that is/are the subject of the Complaint in the document that accompanies this Coversheet.

You shall submit a Response to the Complaint in accordance with the Rules and Supplemental Rules to the Hong Kong Office of ADNDRC and the Complainant. The due date for and other information regarding the submission of your Response are specified in the Written Notice of ADNDRC. Should you so desire, you may wish to seek the assistance of legal counsel to represent you in the administrative proceeding.

1. The ICANN Procedure can be found at http://newgtlds.icann.org/en/applicants/urs/procedure-01mar13-en.pdf
2. The ICANN Rules can be found at http://newgtlds.icann.org/en/applicants/urs/rules-04mar13-en.pdf
3. The ADNDRC Supplemental Rules, as well as other information concerning the resolution of domain name disputes can be found at http://www.adndrc.org

Alternatively, you may contact the Hong Kong Office of ADNDRC to obtain any of the above documents. The contact details are as follows:

 Tel: +852 2525 2381

 Fax: +852 2524 2171

 Email: hkiac@adndrc.org

You are kindly requested to contact the Hong Kong Office of ADNDRC to provide the contact details to which you would like (a) the official version of the Complaint and (b) other communications in the administrative proceeding to be sent.

By submitting this Complaint to the ADNDRC, the Complainant hereby agrees to abide and be bound by the provisions of the Procedure, the Rules and the Supplemental Rules.

Asian Domain Name Dispute Resolution Centre

**(Hong Kong Office)**

**Complaint in accordance with the**

**Uniform Rapid Suspension System**

This form shall be used to apply to Asian Domain Name Dispute Resolution Centre (ADNDRC) pursuant to the Uniform Rapid Suspension System, approved by the Internet Corporation for Assigned Names and Numbers (ICANN) on 1 March 2013 (the Procedure), the Rules for Uniform Rapid Suspension System, approved by ICANN Board of Directors on 28 June 2013 (the Rules) and the ADNDRC Supplemental Rules for Uniform Rapid Suspension System effective from 8 September 2014 (the Supplemental Rules).

*(Note: In case any section of the form is not applicable, please put in N/A”.)*

**Choice of ADNDRC Office to Administer the Proceedings**

The Complainant hereby chooses the Hong Kong Office of the ADNDRC to administer the domain name dispute proceedings referred to in this Complaint.

**1** **Disputed Domain Name(s):** *(Names to be listed in full)*

 *(If there is insufficient space, please provide details on a separate A4 sheet in the same format.)*

 1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 4. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 5. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 6. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 7. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 8. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 9. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**2 Indicate The Registrar(s) With Which The Domain Name(s) IS / Are Registered, Including Their Full Contact Details:**

**3 Details Of Parties:** *(If there is more than one Complainant, please use a separate A4 sheet to provide the contact details for each and briefly describe the basis on which they are being joined in a common Complaint. If there is more than one respondent, a separate Form C should be used.)*

**COMPLAINANT:**

Name

Address

Tel No

Fax No

Email

Legal Status

Place of Incorporation

Principal Place of Business

**Authorized Representative** (if any)**:**

Name

Address

Tel No

Fax No

Email

**RESPONDENT:**

Name

Address

Tel No

Fax No

Email

Legal Status

Place of Incorporation

Principal Place of Business

**Authorized Representative** (if any)**:**

Name

Address

Tel No

Fax No

Email

**4 Complainant’s Preferred Contact Person:**

Name of the Contact Person:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Information of the Contact Person:

 Telephone: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**5 Indicate Reasons Why The Person / Entity Identified In The Complaint Has Been Identified As The Respondent:** (Copy of database search(es) should be attached to this Complaint.)

**6 Complaint:** (Please specify the trademark(s) or service mark(s) on which the Complaint is based and, for each mark, describe the goods or services, if any, in connection with which the mark is used. If applicable, please attach copies of all registration certificates.)

**7 SELECTION OF The Factual And Legal Grounds On Which The Complaint Is Made:**

#####  The disputed domain name is identical or confusingly similar to a word mark:

#####  (i) for which the Complainant holds a valid national or regional registration and that is in current use; or

#####  (ii) that has been validated through court proceedings; or

#####  (iii) that is specifically protected by a statue or treaty in effect at the time the URS Complaint is filed.

#####  Registrant has no legitimate right or interest to the domain name(s); and

#####  The domain(s) was/were registered and is being used in bad faith. A non-exclusive list of circumstances that demonstrate bad faith registration and use by the Registrant include:

 (i) Registrant has registered or acquired the domain name(s) primarily for the purpose of selling, renting or otherwise transferring the domain name registration to the complainant who is the owner of the trademark or survive or to a competitor or that complainant, for valuable consideration in excess of documented out-of-pocket costs directly related to the domain name;

 (ii) Registrant has registered the domain name(s) in order to prevent the trademark holder or service mark from reflecting the mark in a corresponding domain name, provided that Registrant has engaged in a pattern of such conduct; or

 (iii) Registrant registered the domain name(s) primarily for the purpose of disrupting the business of a competitor; or

 (iv) By using the domain name(s) Registrant has intentionally attempted to attract for commercial gain, Internet users to Registrant’s web site or other on-line location, by creating a likelihood of confusion with the complainant’s mark as to the source, sponsorship, affliction, or endorsement of Registrant’s web site or location or of a product or service on that web site or location.

 (v) Others

**8** **EXPLANATORY STATEMENT (OPTIONAL)** (Word limit shall be 500 words.)

**9 REMEDY SOUGHT:**

 Suspend the Disputed Domain Name(s)

**10 Indicate Whether There Are Legal Proceedings That Have Been Commenced Or Terminated In Connection With Or Relating To Any Of The Domain Name(s) That Are The Subject Of The Complaint:** (Please attach any supporting documentation.)

**11 The Complainant Shall Submit, With Respect To Any Challenges To A Decision In The Administrative Proceeding To The Jurisdiction Of The Courts In At Least One Specified Mutual Jurisdiction.** *(Please indicate by checking ONE of the boxes provided below.)*

 the location of the principal office of the concerned registrar.

 the location of the domain name holder’s address, as shown for the registration of the domain name(s) in the concerned registrar’s WHOIS database at the time of the submission of the Complaint to the Center.

 the location of the principal office of the concerned registrar AND the domain name holder’s address, as shown for the registration of the domain name(s) in the concerned registrar’s WHOIS database at the time of the submission of the Complaint to the Center.

**10 Registration Agreement Of The Concerned Registrar Incorporating The ICANN Policy:** (Please attach a copy of the agreement to this Complaint.)

**11 Other Relevant Details: (**Optional**)**

**12 Additional Information**

(i) Annex any additional documentation to support the Complaint, together with a schedule indexing such document(s).

(ii) The Complaint may relate to more than one domain name, provided that the domain names are registered by the same domain name holder.

(iii) This Complaint shall be submitted in electronic form in accordance with the Rules to the Hong Kong Office of ADNDRC:

 Asian Domain Name Dispute Resolution Centre (Hong Kong Office)

 38th Floor Two Exchange Square

 8 Connaught Place, Central

 Hong Kong

E-mail: hkiac@adndrc.org

 (iv) Enclose appropriate fees in accordance with Article 14 of the Supplemental Rules.

(v) The following documents should be consulted in connection with preparing this Complaint:

1. ICANN Uniform Rapid Suspension System (“the Procedure”);
2. ICANN Rules for Uniform Rapid Suspension System (“the Rules”);
3. ADNDRC Supplemental Rules for Uniform Rapid Suspension System (“the Supplemental Rules”)

(vi) Any communication by a party shall be copied to the other party and the ADNDRC’s Hong Kong Office.

**13 CERTIFICATE**

The Complainant 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) ADNDRC, or any of its Offices, or any Examiner(s) except in the case of deliberate wrongdoing, (b) the registrar, (c) the registry administrator, and (d) the Internet Corporation for Assigned Names and Numbers, as well as their directors, officers, employees, and agents.

The Complainant certifies that the information contained in this Complaint is to the best of the Complainant’s knowledge, complete and accurate, that this Complaint is not being presented for any improper purpose, such as to harass, and that the assertions in this Complaint are warranted under the Rules and under applicable law, as it now exists or as it may be extended by a good-faith and reasonable argument.

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:

Name and Capacity (in print):