

亞洲域名爭議解決中心
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 Policy for Domain Name Dispute Resolution, approved by the Internet Corporation for Assigned Names and Numbers (ICANN) on 24 October 1999 (the Policy), the Rules for Uniform Domain Name Dispute Resolution Policy, approved by ICANN Board of Directors on 28 September 2013 (the Rules) and the ADNDRC Supplemental Rules for Uniform Domain Name Dispute Resolution Policy effective from 21 August 2023 (the Supplemental Rules).

The Policy 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.

- The ICANN Policy can be found at <http://www.icann.org/en/help/dndr/udrp/policy>
- The ICANN Rules can be found at <http://www.icann.org/en/help/dndr/udrp/rules>
- 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 Policy, the Rules and the Supplemental Rules.

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 _____

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 _____

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 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.)

7 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.)

8 SUMMARIZE BRIEFLY THE FACTUAL AND LEGAL GROUNDS ON WHICH THE COMPLAINT IS MADE: (Word limit shall be 3,000 words maximum.)

The ICANN Uniform Domain Name Dispute Resolution Policy provides, at Paragraph 4(a), that in the administrative proceeding, the complainant must prove that EACH of the following three elements is present:

- i) The disputed domain name(s) is/are identical or confusingly similar to a trademark or service mark in which the Complainant has rights:

ii) The Respondent has no rights or legitimate interests in respect of the domain name(s):

iii) The disputed domain name(s) has/have been registered and is/are being used in bad faith:

9 REMEDIES SOUGHT: (* delete as appropriate)

The Complainant requests that the disputed domain name(s) be transferred to the Complainant / the disputed domain name(s) be cancelled *.

10 THE COMPLAINANT ELECTS TO HAVE THE COMPLAINT DECIDED BY ONE / THREE* PANELIST(S):
(* delete as appropriate)

11 IF THE COMPLAINANT ELECTS TO HAVE THE COMPLAINT DECIDED BY THREE PANELISTS AND THERE ARE THREE PROPOSED PANELIST(S), PLEASE LIST THEM BELOW IN PREFERENCE TOGETHER WITH THEIR CONTACT DETAILS:

1. _____
2. _____
3. _____

12 THE COMPLAINANT SHALL SUBMIT, WITH RESPECT TO ANY CHALLENGES TO A DECISION IN THE ADMINISTRATIVE PROCEEDING CANCELING OR TRANSFERRING THE DOMAIN NAME(S), 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.

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

16 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 Panelist(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): _____