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WIPO Domain Name Dispute Resolution and ccTLD Program

5th International Conference for ccTLD registries and registrars of CIS, Central and Eastern Europe

Budva, Montenegro
September 2012

Francisco Rios
WIPO Arbitration and Mediation Center

WIPO Arbitration and Mediation Center

- Established 1994, offices in Geneva and Singapore
  - Not-for-profit nature of WIPO

- Mission:
  - Promotion of the protection of IP rights via the provision of alternative dispute resolution (ADR) services
    - Alternatives to court proceedings
    - Time and cost-effective

- Roles:
  - Administration Authority
    - Active case management of the different procedures offered by the WIPO Center (arbitration, mediation, expedited arbitration)

  - Resource Center
    - Procedural guidance
    - Tailored dispute resolution schemes for specific sectors
    - Publications, training programs and conferences

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Uniform Domain Name Dispute Resolution Policy (UDRP)

- Recommended by WIPO, drafted with ICANN and ‘stakeholders’
  - Policy, Rules, Supplemental Rules
- Adopted by ICANN October 1999
  - Effective December 1999; retro-active
  - All gTLDs (ccTLDs only by ccTLD registry decision)
- Binding effect through registration terms
  - Imposed by ICANN registrar accreditation agreement
- Principal advantages:
  - time and cost effective
  - predictable for clear cases
  - internationally enforceable

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The UDRP System

- An international administrative procedure
- Based on a mandatory ‘contract web’ between ICANN, DN registrars, and DN registrants
- Designed to allow trademark owners to resolve clear cases of abusive domain name registration and use (‘cybersquatting’)
- Allowing direct enforcement through registrars (‘10-b/day rule’)
- Without going to court - but preserving court options (not Arbitration *per se*)

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The UDRP – Scope and Substantive Criteria

- Applicable to gTLDs (.com, .net, .org, etc), and some ccTLDs *e.g.* .am, .md, .ro, .tj

- TM holder must prove, on balance:
  - identity or confusing similarity between TM & DN
  - lack of registrant rights or legitimate interests in DN
  - registration and use of DN in bad faith

- Remedies – limited to transfer or cancellation
  - no costs or damages

- Independent panel decides merits, provider administers proceedings

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Two-Month Online Procedure

- Complainant files Complaint with provider
- Provider checks compliance/registrant data
- Provider notifies Respondent of 20-day opportunity to file Response
- Provider appoints independent Panel from posted WIPO list - 14 days for decision
- Provider formats, notifies, posts decision
- Registrar implements decision, if no competent court case within ten days

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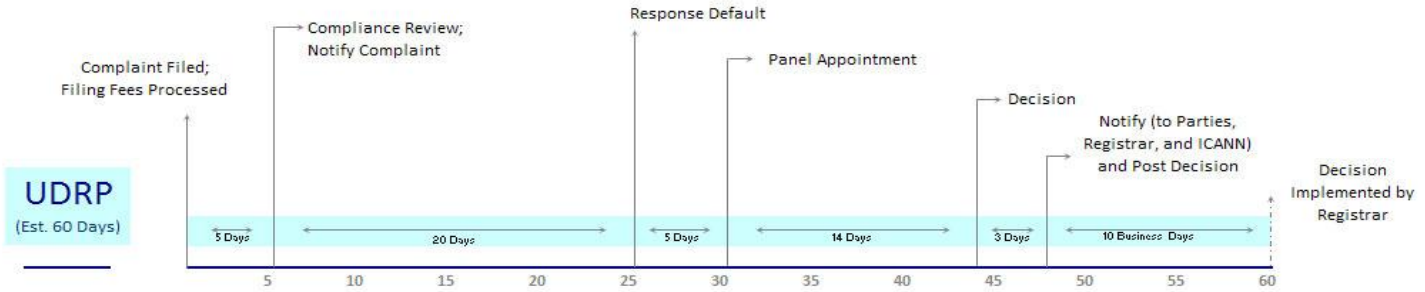
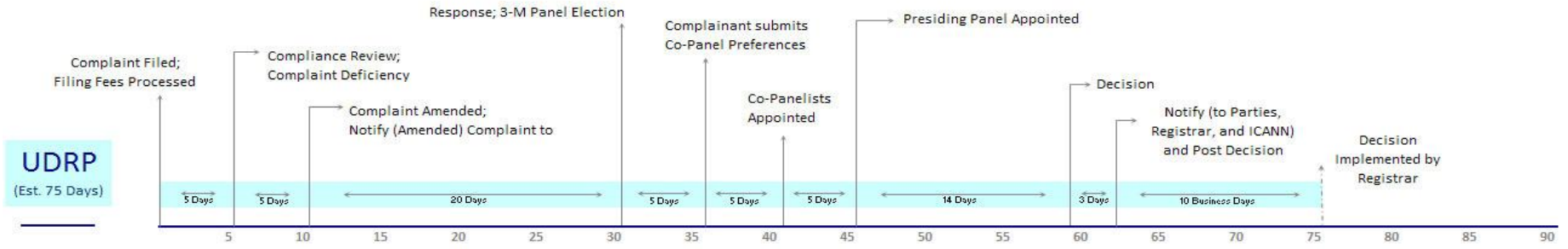
UDRP Procedure
7 to 10 clear steps, 60 to 75 days max duration

UDRP Domain Name Dispute Timeline: Single Member Panel



UDRP Domain Name Dispute Timeline: Three Member Panel



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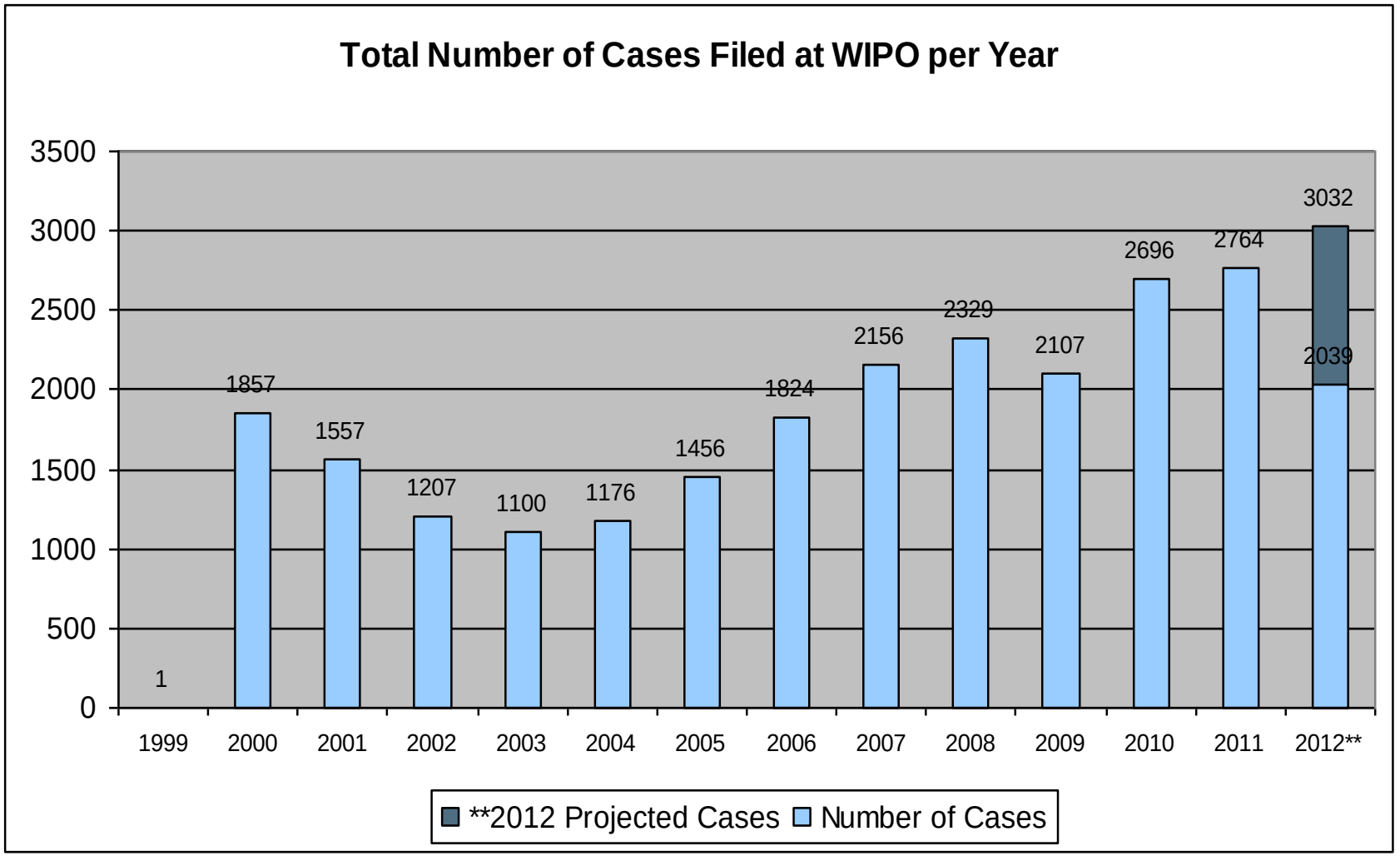
WIPO Case Filing



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ccTLD Registration Models

- "Open" vs. "Restricted"

- Restricted eligibility criteria targeted towards limiting registrations, *e.g.*, for use by and for local community/ies

- Open models (or de facto Generic Top Level Domains (gTLDs)) targeted, *e.g.*, to worldwide registrants
  - Trend towards open model ccTLDs adopting ADR mechanisms

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ccTLD Dispute Models

- Typically the ccTLD Registry is vested with authority to determine which, if any, rights protection mechanisms (RPMs) to adopt
  - This may be in addition to national legislation which (as sole recourse) may be unsuitable for more “open” ccTLDs

- WIPO ccTLD Program
  - WIPO ccTLD Best Practices
    - Including appropriate registration practices

    (*e.g.*, registration agreement, WhoIs, etc.)
    - RPMs (administrative procedures)

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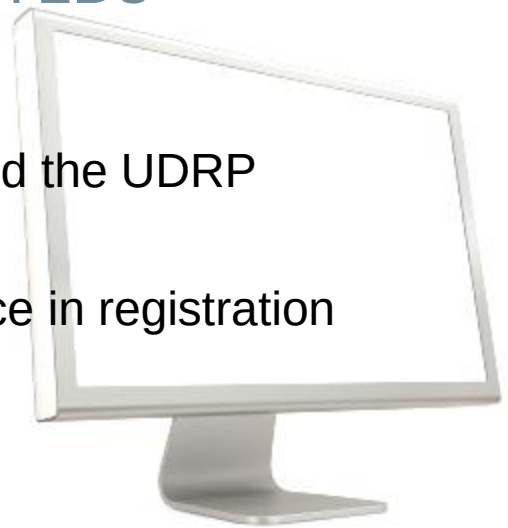
UDRP as adopted by WIPO ccTLDs



Over half of all WIPO ccTLDs have adopted the UDRP

- Contractually based: UDRP incorporated by reference in registration agreement
- Due process safeguards and advantages
  - Preserve recourse to national courts or tribunals
    - Facilitates acceptance (UDRP: <1% contested)
  - Neutrality
    - Independent of ccTLD registration and administration
    - Allows ccTLD registry to “outsource” decision
    - Impartial and independent decision-makers

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WIPO ccTLD Variations (of the UDRP)(1)

- Scope of rights protected (local and/or foreign)
  - Trademarks?
    - Trade names, personal names, jurisdictionally defined intellectual property rights
      - Panelist qualifications
    - Infringement of national IP laws: .ch, .br
  - Eligibility requirements
- Bad faith registration and/or use
- Mutual jurisdiction clause: local court

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WIPO ccTLD Variations (of the UDRP)(2)

- Local language of procedure (with Panel discretion)
- Nationality and qualification of Panelists
  - Decisions based on or influenced by local law
    (or also with reference to past cases decided under the relevant Policy)
- Mediation element
  - .ch, .nl
- The Goal: Balance
  - Parties' interest in predictability, fairness, efficiency *and* local needs of ccTLD

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WIPO-Administered ccTLD Disputes

.AC (Ascension Island)	.FJ (Fiji)	.PE (Peru)
.AE and امارات. (United Arab Emirates)	.FR (France)	.PH (Philippines)
.AG (Antigua and Barbuda)	.GT (Guatemala)	.PK (Pakistan)
.AM (Armenia)	.HN (Honduras)	.PL (Poland)
.AO (Angola)	.IE (Ireland)	.PN (Pitcairn Islands)
.AS (American Samoa)	.IO (British Indian Ocean Territory)	.PR (Puerto Rico)
.AU (Australia)	.IR (Islamic Republic of Iran)	.QA and قطر. (Qatar)
.BM (Bermuda)	.KI (Kiribati)	.RE (Reunion Island)
.BO (Bolivia (Plurinational State of))	.KY (Cayman Islands)	.RO (Romania)
.BR (Brazil)	.LA (Lao People's Democratic Republic)	.SC (Seychelles)
.BS (Bahamas)	.LC (Saint Lucia)	.SH (St. Helena)
.BZ (Belize)	.LI (Liechtenstein)	.SL (Sierra Leone)
.CC (Cocos Islands)	.MA (Morocco)	.SO (Somalia)
.CD (Democratic Republic of the Congo)	.MD (Republic of Moldova)	.TJ (Tajikistan)
.CH (Switzerland)	.ME (Montenegro)	.TK (Tokelau)
.CO (Colombia)	.MP (Commonwealth of the Northern Mariana Islands)	.TM (Turkmenistan)
.CR (Costa Rica)	.MW (Malawi)	.TT (Trinidad and Tobago)
.CY (Cyprus)	.MX (Mexico)	.TV (Tuvalu)
.DJ (Djibouti)	.NL (Netherlands)	.UG (Uganda)
.DO (Dominican Republic)	.NR (Nauru)	.VE (Venezuela (Bolivarian Republic of))
.EC (Ecuador)	.NU (Niue)	.WS (Samoa)
.ES (Spain)	.PA (Panama)	

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WIPO ccTLD Experience
Filing Rates

Year	Number of cases
2000	16
2001	50
2002	27
2003	47
2004	66
2005	95
2006	164
2007	205
2008	320
2009	303
2010	401
2011	441
2012	237

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WIPO ccTLD Experience
Types of Policies (65 ccTLDs)

- UDRP: 37
  - .ag, .am, .as, .bm, .bs, .bz, .cc, .cd, .co, .cy, .dj, .ec, .fj, .gt, .ki, .ky, .la, .lc, .md, .mw, .nr, .nu, .pa, .pk, .pn, .pr, .ro, .sc, .sl, .so, .tj, .tk, .tt, .tv, .ug, .ve, .ws
- Variations (of UDRP): 24
  - .ae and امارات., .ao, .au, .bo, .br, .ch, .cr, .do, .es, .ie, .ir, .fr, .hn, .li, .ma, .me, .mp, .mx, .nl, .pe, .ph, .qa and قطر., .re, .tm
- Arbitration: 4
  - .ac, .io, .pl, .sh

2,372 WIPO ccTLDs cases (September 2012)

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CIS, Central and Eastern European Region (1)

- The WIPO Center is a domain name dispute service resolution provider for seven (7) CIS, Central and Eastern European ccTLDs :
  - .am (Armenia)
  - .md (Republic of Moldova)
  - .me (Montenegro)
  - .pl (Poland)
  - .ro (Romania)
  - .tj (Tajikistan)
  - .tm (Turkmenistan)

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CIS, Central and Eastern European Region (2)

- 4 have adopted the UDRP
  - .am, .md, .ro, .tj,
- 2 have adopted variations of the UDRP
  - .me, .tm
- 1 has adopted WIPO expedited arbitration
  - .pl

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CIS, Central and Eastern European Region (3)

- Number of cases:
  - 1 for .am
  - 7 for .md
  - 46 for .me
  - 18 for .pl
  - 99 for .ro
  - 1 for .tm

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CIS, Central and Eastern European Region (4)

- **.me (Montenegro)**

- Registration **and** use in bad faith
- Dispute resolution provider: WIPO Center
- 46 cases filed since 2008
- *E.g.* <facebook.me>, <cocacola.me>, <porsche.me>, <danone.me> <juilliard.me>, <omegawatch.me>, <marie-claire.me>, <google-montenegro.me>

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CIS, Central and Eastern European Region (5)

- **.pl (Poland)**

- Applicable policy is a slightly adapted version of the WIPO Expedited Arbitration Rules
- WIPO Center administers disputes where both parties are registered or resident outside of Poland
- 18 cases filed since 2003
- *E.g.* <ermenegildozegna.pl>, <runescape.pl>, <elitemodel.pl>, <burgerking.pl>, <iloveikea.pl>, <igoogle.pl>

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CIS, Central and Eastern European Region (6)

- **.tm (Turkmenistan)**

- Mutual jurisdiction: Location of the registry and/or domain name holder
- Registration **or** use in bad faith
- 1 case filed in 2009, <samsung.tm>

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CIS, Central and Eastern European Region (7)

- **.am (Armenia), .md (Republic of Moldova) , .ro (Romania), .tj (Tajikistan)**

- UDRP
- *E.g.* <epson.md>, <msn.md>, <pizzahut.ro>, <casio.ro>, <bayer.ro>, <nivea.ro>, <novotel.ro>

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Other examples of WIPO ccTLD Variations (of the UDRP)

WIPO ccTLDs added: Brazil (2010) and Qatar (2011)

- .br (Brazil)

  Regulamento Do Sistema Administrativo De Conflitos De Internet Relativos A Nomes De Domínios Sob ".Br" - Saci-Adm

  - Scope of rights protected / Bad faith registration or use
  - Language of Proceedings: Portuguese
  - Mutual Jurisdiction: Courts of Brazil

- .qa and .قطر (Qatar)

  Qatar Domains Registry Domain Name Dispute Resolution Policy

  - Bad faith registration or use
  - Language of Proceedings: English
  - Mutual Jurisdiction: Courts of Qatar

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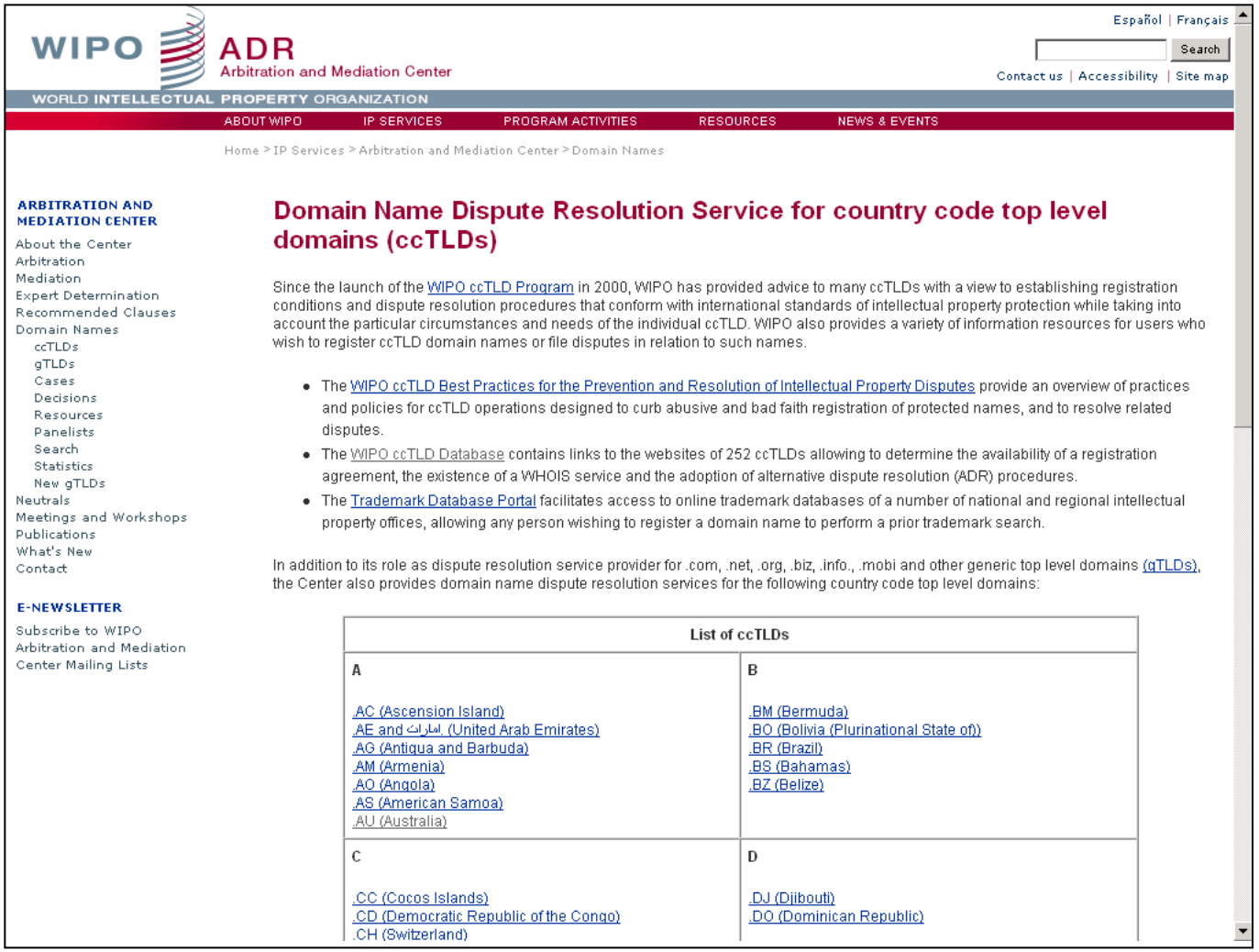
WIPO ccTLD Resources and Filing



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Domain Name Dispute Resolution Service for country code top level domains (ccTLDs)

Since the launch of the WIPO ccTLD Program in 2000, WIPO has provided advice to many ccTLDs with a view to establishing registration conditions and dispute resolution procedures that conform with international standards of intellectual property protection while taking into account the particular circumstances and needs of the individual ccTLD. WIPO also provides a variety of information resources for users who wish to register ccTLD domain names or file disputes in relation to such names.

- The WIPO ccTLD Best Practices for the Prevention and Resolution of Intellectual Property Disputes provide an overview of practices and policies for ccTLD operations designed to curb abusive and bad faith registration of protected names, and to resolve related disputes.
- The WIPO ccTLD Database contains links to the websites of 252 ccTLDs allowing to determine the availability of a registration agreement, the existence of a WHOIS service and the adoption of alternative dispute resolution (ADR) procedures.
- The Trademark Database Portal facilitates access to online trademark databases of a number of national and regional intellectual property offices, allowing any person wishing to register a domain name to perform a prior trademark search.

In addition to its role as dispute resolution service provider for .com, .net, .org, .biz, .info., .mobi and other generic top level domains (gTLDs), the Center also provides domain name dispute resolution services for the following country code top level domains:

List of ccTLDs	
A	B
.AC (Ascension Island) .AE and .امارات (United Arab Emirates) .AG (Antigua and Barbuda) .AM (Armenia) .AO (Angola) .AS (American Samoa) .AU (Australia)	.BM (Bermuda) .BO (Bolivia (Plurinational State of)) .BR (Brazil) .BS (Bahamas) .BZ (Belize)
C	D
.CC (Cocos Islands) .CD (Democratic Republic of the Congo) .CH (Switzerland)	.DJ (Djibouti) .DO (Dominican Republic)

Where to find ccTLD Policies, Model Documents, Fees, Prior Decisions, Registry websites and contact information, etc.:

Found at:

http://www.wipo.int/amc/en/domains/cctld/

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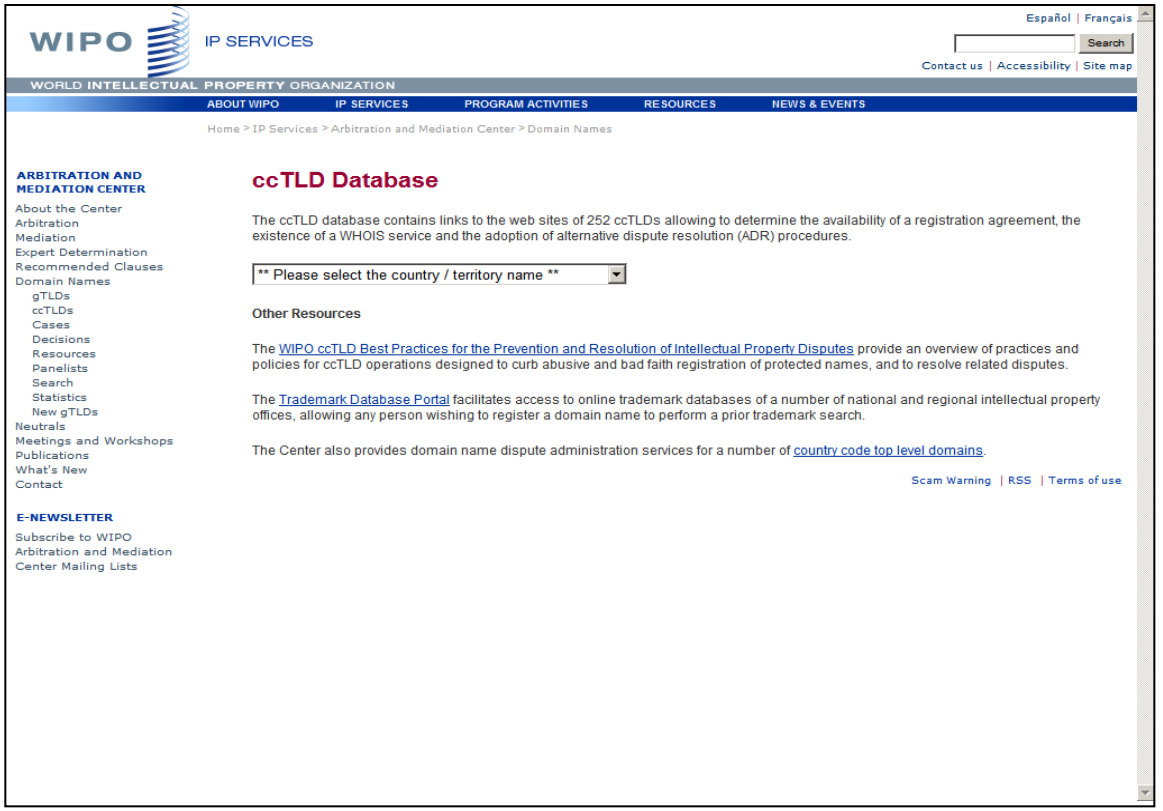
WIPO ccTLD Database (1)



For general information about a ccTLD, you may first wish to consult the ccTLD Database, which contains information for over 250 ccTLDs.

Found at:

http://www.wipo.int/amc/en/domains/cctld_db/index.html

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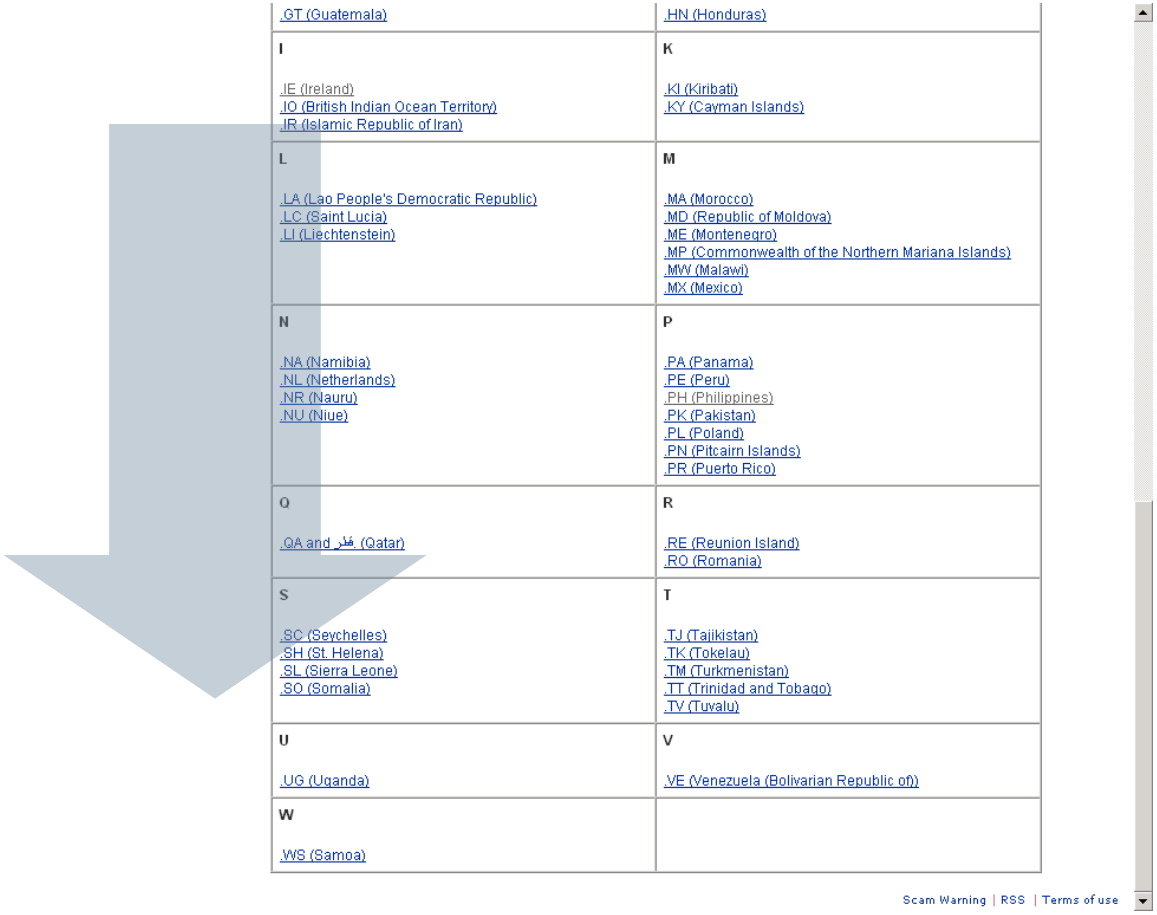
WIPO ccTLD Database (2)

For information, party resources, and decisions about a WIPO ccTLD, find the relevant link to the webpage dedicated to that ccTLD by scrolling down the webpage and locating the top-level identifier or name for the ccTLD.

Found at:

http://www.wipo.int/amc/en/domains/cctld/



.GT (Guatemala)	.HN (Honduras)
I .IE (Ireland) .IO (British Indian Ocean Territory) .IR (Islamic Republic of Iran)	**K** .KI (Kiribati) .KY (Cayman Islands)
L .LA (Lao People's Democratic Republic) .LC (Saint Lucia) .LI (Liechtenstein)	**M** .MA (Morocco) .MD (Republic of Moldova) .ME (Montenegro) .MP (Commonwealth of the Northern Mariana Islands) .MW (Malawi) .MX (Mexico)
N .NA (Namibia) .NL (Netherlands) .NR (Nauru) .NU (Niue)	**P** .PA (Panama) .PE (Peru) .PH (Philippines) .PK (Pakistan) .PL (Poland) .PN (Pitcairn Islands) .PR (Puerto Rico)
Q .QA and قطر (Qatar)	**R** .RE (Reunion Island) .RO (Romania)
S .SC (Seychelles) .SH (St. Helena) .SL (Sierra Leone) .SO (Somalia)	**T** .TJ (Tajikistan) .TK (Tokelau) .TM (Turkmenistan) .TT (Trinidad and Tobago) .TV (Tuvalu)
U .UG (Uganda)	**V** .VE (Venezuela (Bolivarian Republic of))
W .WS (Samoa)	

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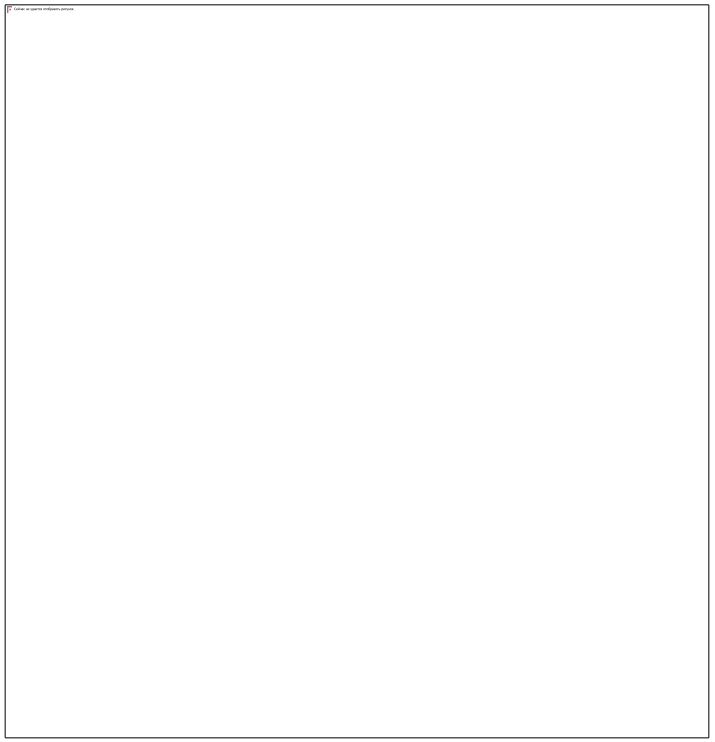
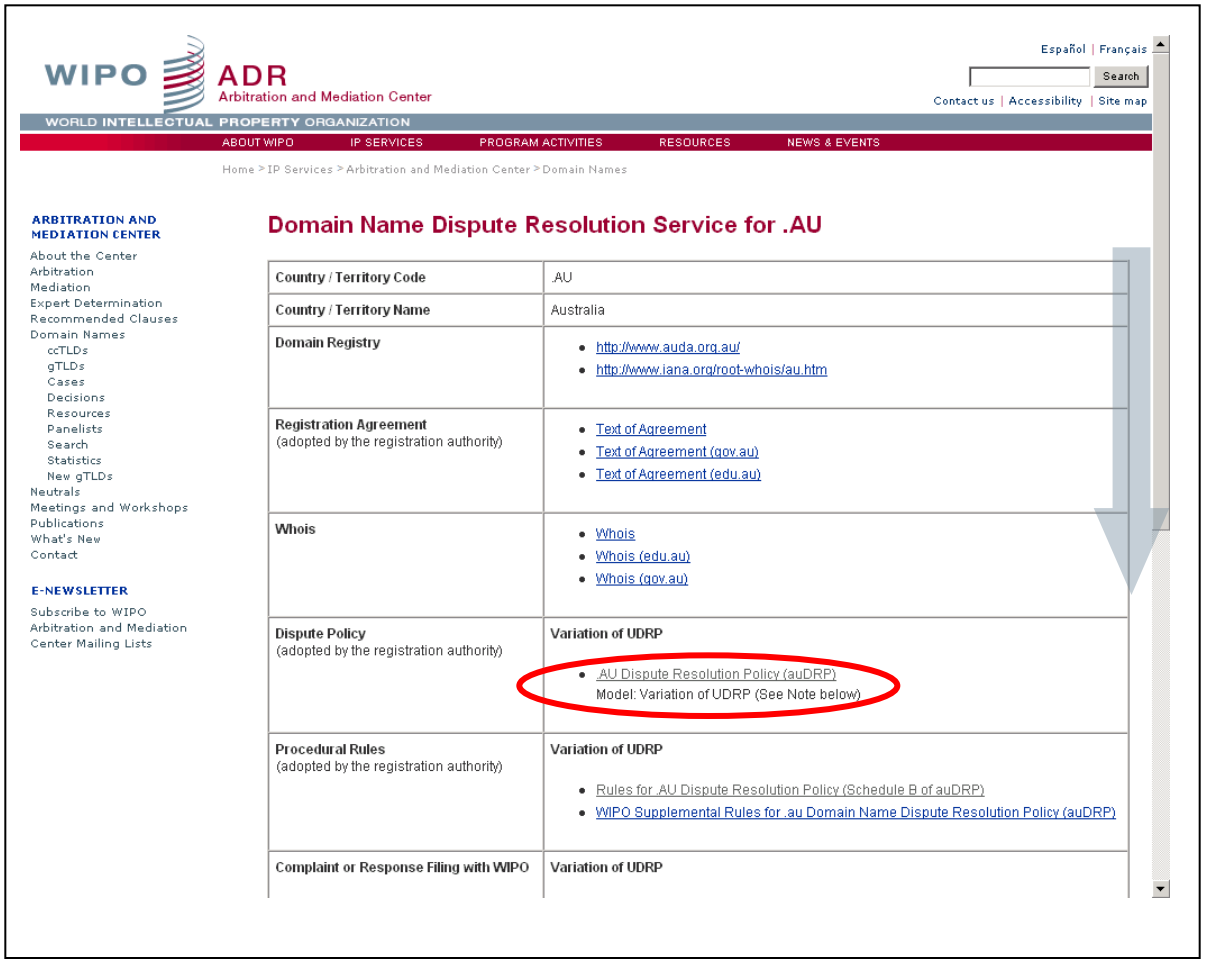
WIPO ccTLD Policy and Rules (1)





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Domain Name Dispute Resolution Service for .AU

Country / Territory Code	.AU
Country / Territory Name	Australia
Domain Registry	• http://www.auda.org.au/ • http://www.iana.org/root-whois/au.htm
Registration Agreement (adopted by the registration authority)	• Text of Agreement • Text of Agreement (gov.au) • Text of Agreement (edu.au)
Whois	• Whois • Whois (edu.au) • Whois (gov.au)
Dispute Policy (adopted by the registration authority)	**Variation of UDRP** • .AU Dispute Resolution Policy (auDRP) Model: Variation of UDRP (See Note below)
Procedural Rules (adopted by the registration authority)	**Variation of UDRP** • Rules for .AU Dispute Resolution Policy (Schedule B of auDRP) • WIPO Supplemental Rules for .au Domain Name Dispute Resolution Policy (auDRP)
Complaint or Response Filing with WIPO	**Variation of UDRP**

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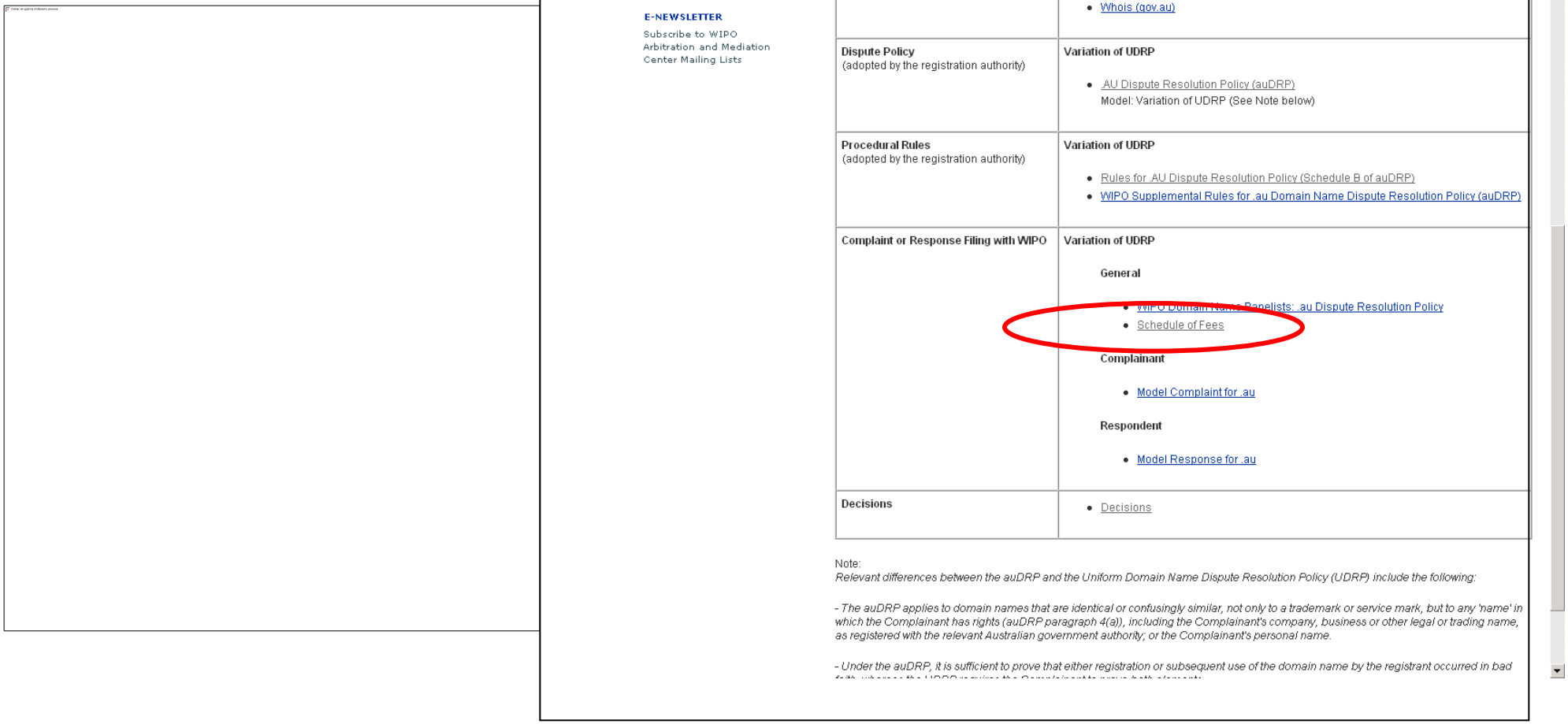
WIPO ccTLD Schedule of Fees (1)



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	• Whois (edu.au) • Whois (gov.au)
Dispute Policy (adopted by the registration authority)	**Variation of UDRP** • .AU Dispute Resolution Policy (auDRP) Model: Variation of UDRP (See Note below)
Procedural Rules (adopted by the registration authority)	**Variation of UDRP** • Rules for .AU Dispute Resolution Policy (Schedule B of auDRP) • WIPO Supplemental Rules for .au Domain Name Dispute Resolution Policy (auDRP)
Complaint or Response Filing with WIPO	**Variation of UDRP** **General** • WIPO Domain Name Panelists: .au Dispute Resolution Policy • Schedule of Fees **Complainant** • Model Complaint for .au **Respondent** • Model Response for .au
Decisions	• Decisions

Note:
Relevant differences between the auDRP and the Uniform Domain Name Dispute Resolution Policy (UDRP) include the following:

- The auDRP applies to domain names that are identical or confusingly similar, not only to a trademark or service mark, but to any 'name' in which the Complainant has rights (auDRP paragraph 4(a)), including the Complainant's company, business or other legal or trading name, as registered with the relevant Australian government authority; or the Complainant's personal name.

- Under the auDRP, it is sufficient to prove that either registration or subsequent use of the domain name by the registrant occurred in bad

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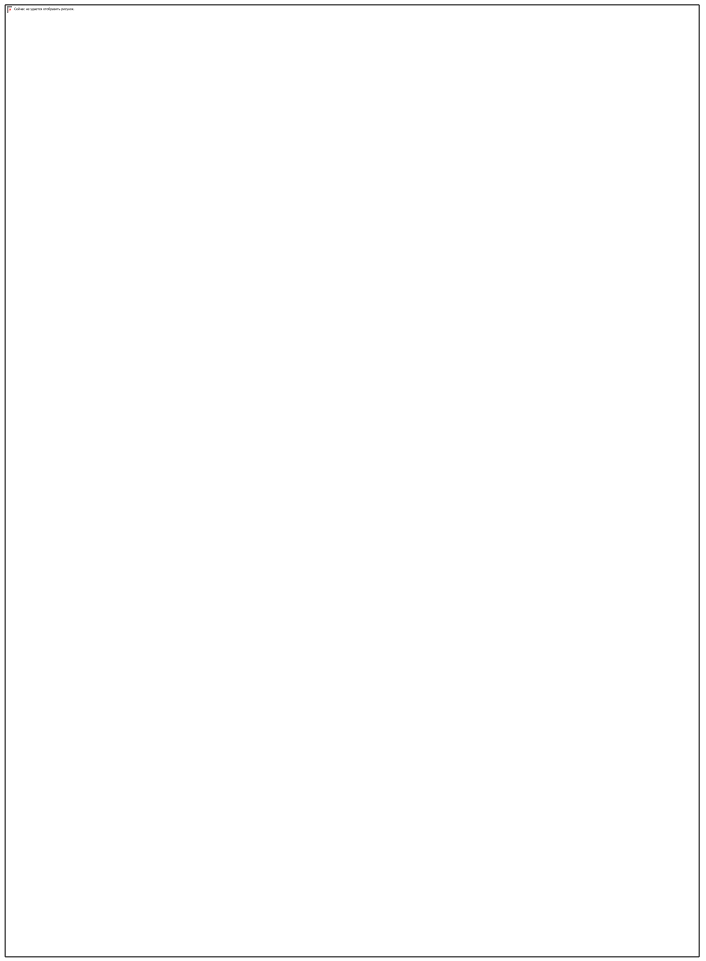
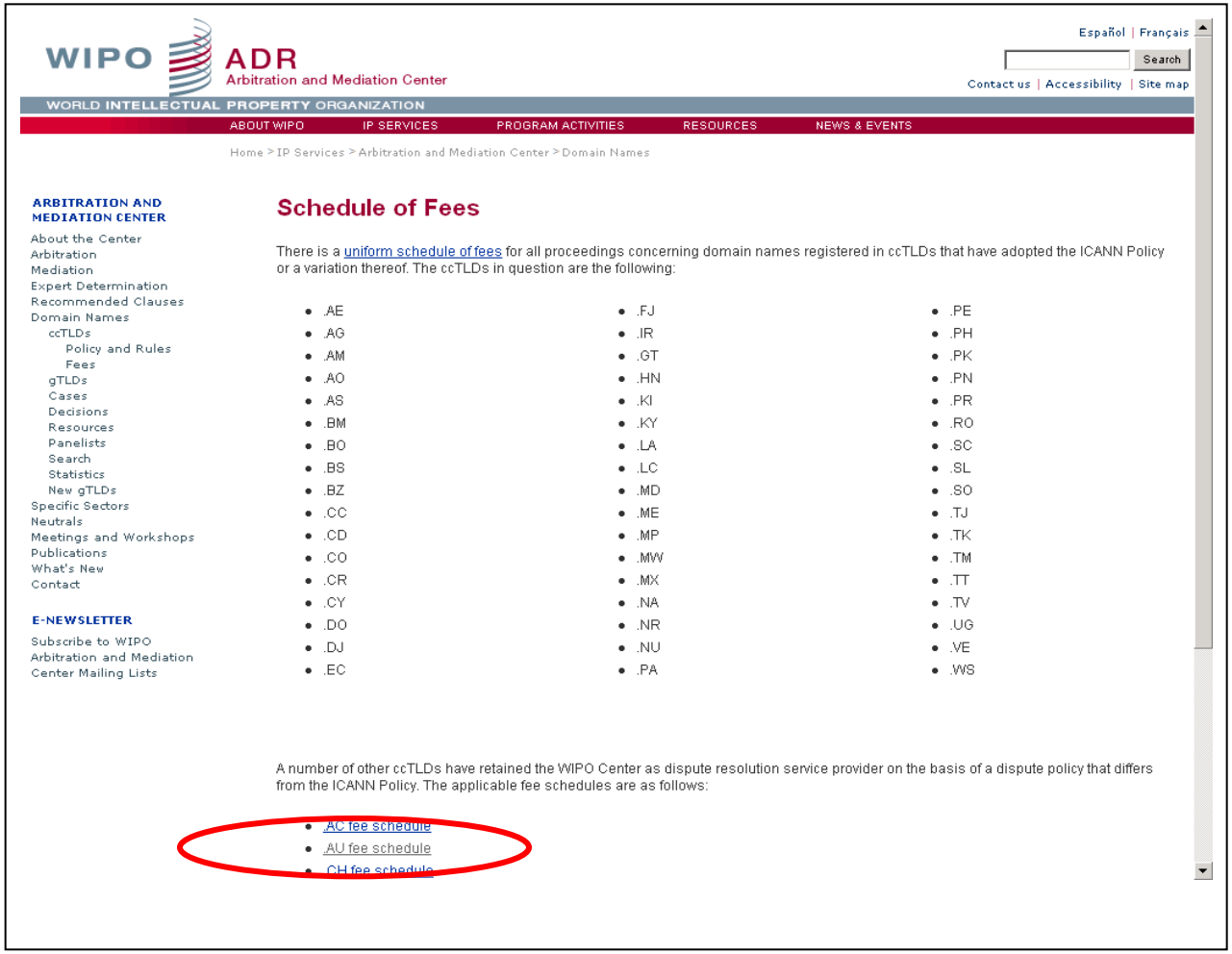
WIPO ccTLD Schedule of Fees (2)





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Schedule of Fees

There is a uniform schedule of fees for all proceedings concerning domain names registered in ccTLDs that have adopted the ICANN Policy or a variation thereof. The ccTLDs in question are the following:

- .AE
- .AG
- .AM
- .AO
- .AS
- .BM
- .BO
- .BS
- .BZ
- .CC
- .CD
- .CO
- .CR
- .CY
- .DO
- .DJ
- .EC
- .FJ
- .IR
- .GT
- .HN
- .KI
- .KY
- .LA
- .LC
- .MD
- .ME
- .MP
- .MW
- .MX
- .NA
- .NR
- .NU
- .PA
- .PE
- .PH
- .PK
- .PN
- .PR
- .RO
- .SC
- .SL
- .SO
- .TJ
- .TK
- .TM
- .TT
- .TV
- .UG
- .VE
- .WS

A number of other ccTLDs have retained the WIPO Center as dispute resolution service provider on the basis of a dispute policy that differs from the ICANN Policy. The applicable fee schedules are as follows:

- .AC fee schedule
- .AU fee schedule
- .CH fee schedule

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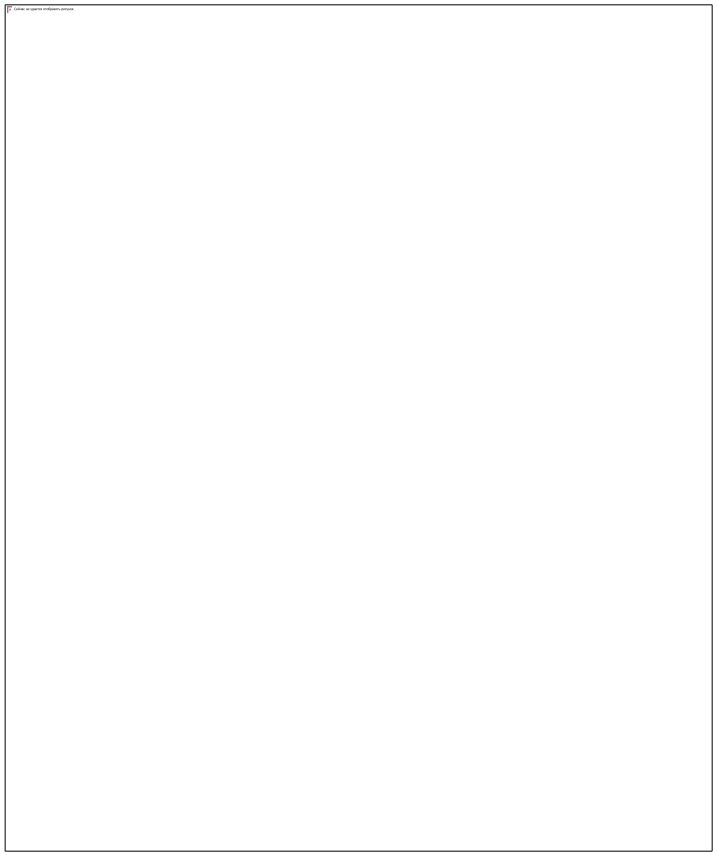
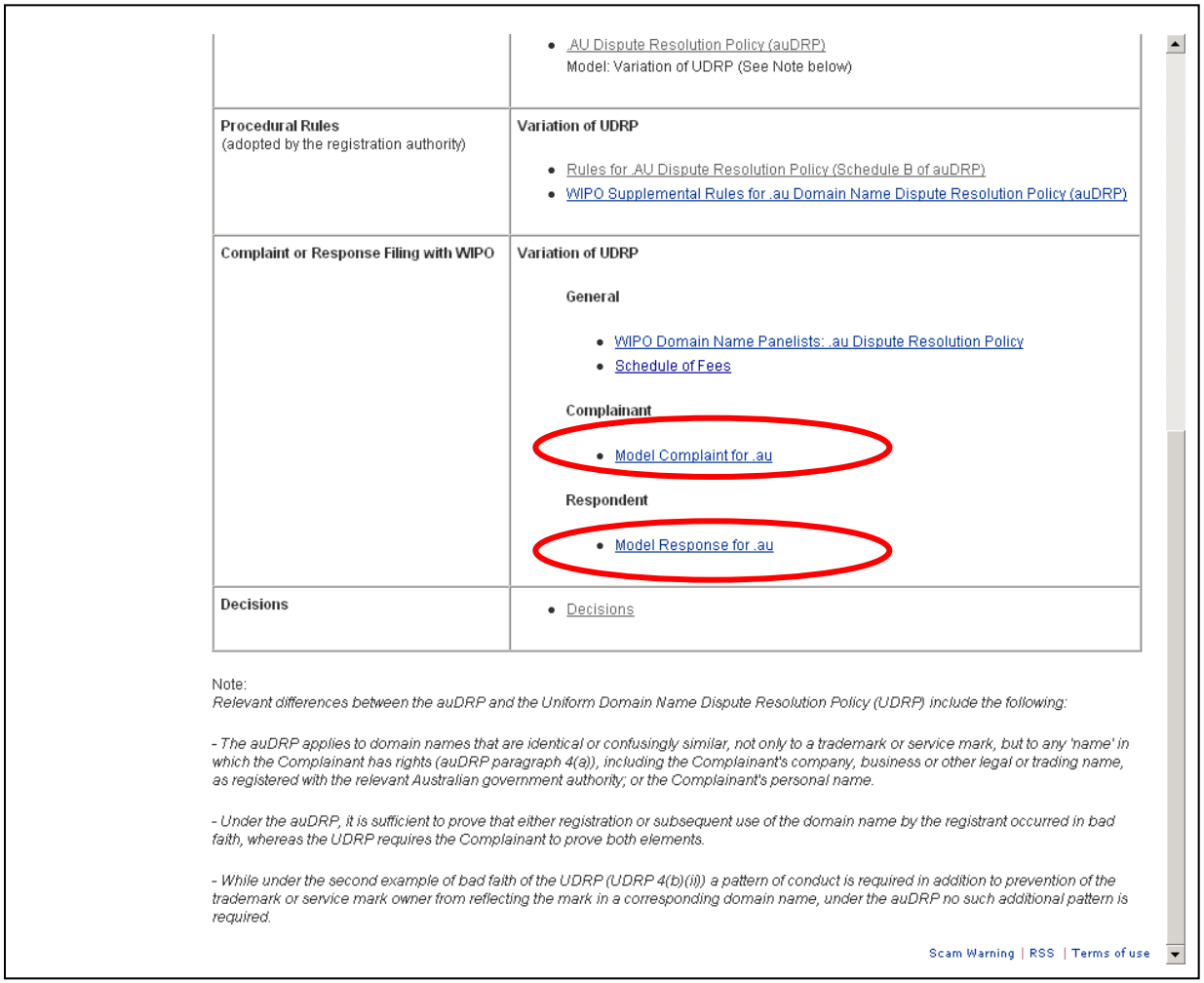
WIPO ccTLD Model Pleadings (1)





	• .AU Dispute Resolution Policy (auDRP) Model: Variation of UDRP (See Note below)
Procedural Rules (adopted by the registration authority)	**Variation of UDRP** • Rules for .AU Dispute Resolution Policy (Schedule B of auDRP) • WIPO Supplemental Rules for .au Domain Name Dispute Resolution Policy (auDRP)
Complaint or Response Filing with WIPO	**Variation of UDRP** **General** • WIPO Domain Name Panelists: .au Dispute Resolution Policy • Schedule of Fees **Complainant** • Model Complaint for .au **Respondent** • Model Response for .au
Decisions	• Decisions

Note:
Relevant differences between the auDRP and the Uniform Domain Name Dispute Resolution Policy (UDRP) include the following:

- The auDRP applies to domain names that are identical or confusingly similar, not only to a trademark or service mark, but to any 'name' in which the Complainant has rights (auDRP paragraph 4(a)), including the Complainant's company, business or other legal or trading name, as registered with the relevant Australian government authority; or the Complainant's personal name.

- Under the auDRP, it is sufficient to prove that either registration or subsequent use of the domain name by the registrant occurred in bad faith, whereas the UDRP requires the Complainant to prove both elements.

- While under the second example of bad faith of the UDRP (UDRP 4(b)(ii)) a pattern of conduct is required in addition to prevention of the trademark or service mark owner from reflecting the mark in a corresponding domain name, under the auDRP no such additional pattern is required.

Scam Warning | RSS | Terms of use

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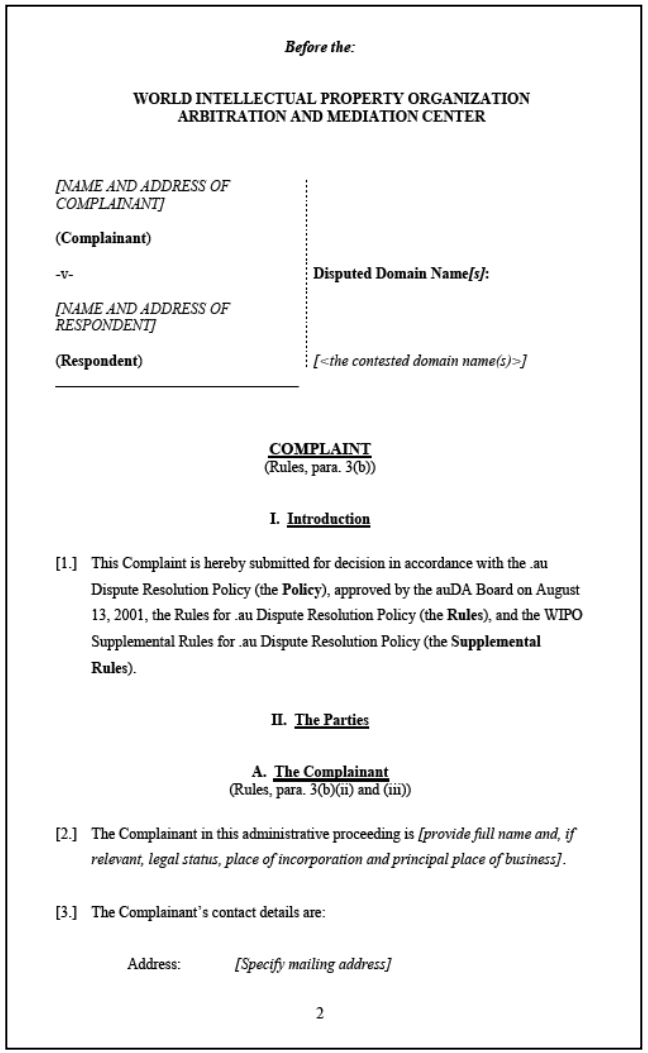
WIPO ccTLD Model Pleadings (2)



Before the:

WORLD INTELLECTUAL PROPERTY ORGANIZATION
ARBITRATION AND MEDIATION CENTER

[NAME AND ADDRESS OF COMPLAINANT]	
(Complainant)	
-v-	**Disputed Domain Name*[s]*:**
[NAME AND ADDRESS OF RESPONDENT]	
(Respondent)	*[<the contested domain name(s)>]*

COMPLAINT
(Rules, para. 3(b))

I. Introduction

[1.] This Complaint is hereby submitted for decision in accordance with the .au Dispute Resolution Policy (the **Policy**), approved by the auDA Board on August 13, 2001, the Rules for .au Dispute Resolution Policy (the **Rules**), and the WIPO Supplemental Rules for .au Dispute Resolution Policy (the **Supplemental Rules**).

II. The Parties

A. The Complainant
(Rules, para. 3(b)(ii) and (iii))

[2.] The Complainant in this administrative proceeding is *[provide full name and, if relevant, legal status, place of incorporation and principal place of business]*.

[3.] The Complainant's contact details are:

Address: *[Specify mailing address]*

2

The Model Complaint or Model Response can be used as a basis on which to "build" a Complaint or Response and typically includes references to the Policy, Rules and/or Supplemental Rules.

Found at:

http://www.wipo.int/amc/en/docs/complaint-au.doc

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New gTLD Expansion and Rights Protection Mechanisms

- The Domain Name System is set for a potentially massive expansion at the top level via ICANN's New gTLD Program
- A range of new "Rights Protection Mechanisms" (RPMs) has been established for this purpose
- Prior to any new gTLDs being approved and becoming operational, these new gTLD RPMs include pre-delegation objection procedures, including an objection procedure for trademark owners, for which WIPO will be the sole dispute provider
- Additional mechanisms for use once a new gTLD has been approved and becomes operational include a Trademark Clearinghouse, a Uniform Rapid Suspension system (URS), and a Post Delegation Dispute Resolution Procedure (PDDRP)
- The existing Uniform Domain Name Dispute Resolution Policy (UDRP) will also apply to all new gTLDs.

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New Rights Protection Mechanisms under ICANN's New gTLD Program

- Pre-Delegation Objection Procedures (including LRO)
- Trademark Clearinghouse
  - Sunrise
  - Trademark Claims
- Uniform Rapid Suspension System (URS)
- Post-Delegation mechanism (PDDRP)
  - UDRP: remains applicable to all new gTLDs

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Development of the Domain Name System

- **1,930 new domain applications** (http://newgtlds.icann.org/en)

- 116 IDN applications in 12 scripts (including transliterations of ".com" and ".net"):
  - Chinese (73 – for both simplified and traditional), Arabic (15), Japanese (9), Cyrillic (8), Devanagari, Thai, Hebrew, Cyrillic, Hindi, Korean, etc.

- According to ICANN, applicants come from 60 countries from all regions:
  - Africa (17)
  - Asia Pacific (303)
  - Europe (675)
  - Latin America (24)
  - North America (911)
- 664 "brand applications"
- 84 "Community-Based" applications (some also as geo names)
- 66 geographical applications

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Pre-Delegation Objection Procedures

- **String Confusion Objection** confusingly similar to existing/applied for TLD
- **Limited Public Interest Objection** contrary to generally accepted legal norms of morality and public order recognized under principles of international law
- **Community Objection** substantial opposition from a significant portion of the intended target community
  - Public Interest/Community: Independent (public interest) Objector
- **Legal Rights Objection (LRO)** infringes existing trademark or IGO rights

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What is a Legal Rights Objection?

- Prior to ICANN approving a New gTLD application, trademark owners and IGOs may file a formal objection on the basis of a “Legal Rights Objection” (LRO)
  - Standing: “rightsholders” (3.2.2) registered or unregistered trademark or service mark or IGO name or acronym (3.5.2)
- An independent panel would determine whether the applicant’s potential use of the applied-for gTLD would be likely to infringe the objector’s trademark, or IGO name or acronym
- The availability of an LRO does not preclude court options

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Approximate LRO Procedure Timeline

- Jan 2012: new ICANN Applicant Guidebook; application window opened
- May 30 2012: application window closed
- June 13 2012: "ICANN Reveal Date"
  - ICANN admin review / 60-day public comment period
  - **7-month objection filing period open**
- Mid-Jan 2013: close of LRO filing window
- Mid-Feb 2013: ICANN Dispute Announcement; Applicants notified of objections (Response due: 30 days)
- Mid-April 2013: Panel appointed (Determination due: 45 days)

We are here:

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Overview of LRO Stages

- In principle proceedings would typically be based on a single round of **electronically filed pleadings using model forms**, without hearing (by teleconference if possible)
  - Fees due at filing; 5-day cure period for administrative compliance deficiencies
- 30 days from close of **seven-month objection filing window**: ICANN publishes its "Dispute Announcement"
- From WIPO Center notification: 30 day (mandatory) response due date
- 30 days from response: WIPO Center to appoint panel (stay for any mediation)
- 45 days for panel determination
- WIPO resources: Filing Guidelines, FAQs, Rules, Fee Schedule, Model Pleadings

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What Criteria Will LRO Panels Apply?

- **ICANN AGB § 3.5.2**
  - LRO criteria founded on WIPO *Joint Recommendation Concerning Provisions on the Protection of Marks, and Other Industrial Property Rights in Signs, on the Internet*

- Whether – with respect to the objector's trademark or IGO name or acronym – the potential use of the applied-for gTLD by the applicant:

  (i) **Takes unfair advantage of** the distinctive character or reputation, or

  (ii) **Unjustifiably impairs** the distinctive character or reputation, or

  (iii) Otherwise **creates an impermissible likelihood of confusion**

- Panels may refer to non-exclusive consideration factors

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LRO Consideration Factors

- Trademarks:

1. Identity or similarity (appearance, phonetics, meaning)
2. Objector's bona fide acquisition/use of the mark
3. Relevant recognition by the public
4. Knowledge of the objector's mark, any pattern of applicant infringement
5. Applicant's use (including preparations) of the mark in connection with a bona fide offering
6. Applicant's rights in the mark, including whether such acquisition/use has been bona fide, and whether the intended TLD use is consistent therewith
7. Whether applicant is commonly known by the mark
8. Whether the applicant's intended use would create a likelihood of confusion

- IGOs: five similar consideration factors

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More WIPO Information

- LRO FAQs
  - *www.wipo.int/amc/en/domains/lro/*
- Trademark Rights Protection Mechanisms Snapshot
  - *www.wipo.int/amc/en/domains/rpm/*
- WIPO New gTLD Policy Snapshot
  - *www.wipo.int/amc/en/domains/newgtld/*
- UDRP Filing
  - *www.wipo.int/amc/en/domains/gtld/udrp/index.html*

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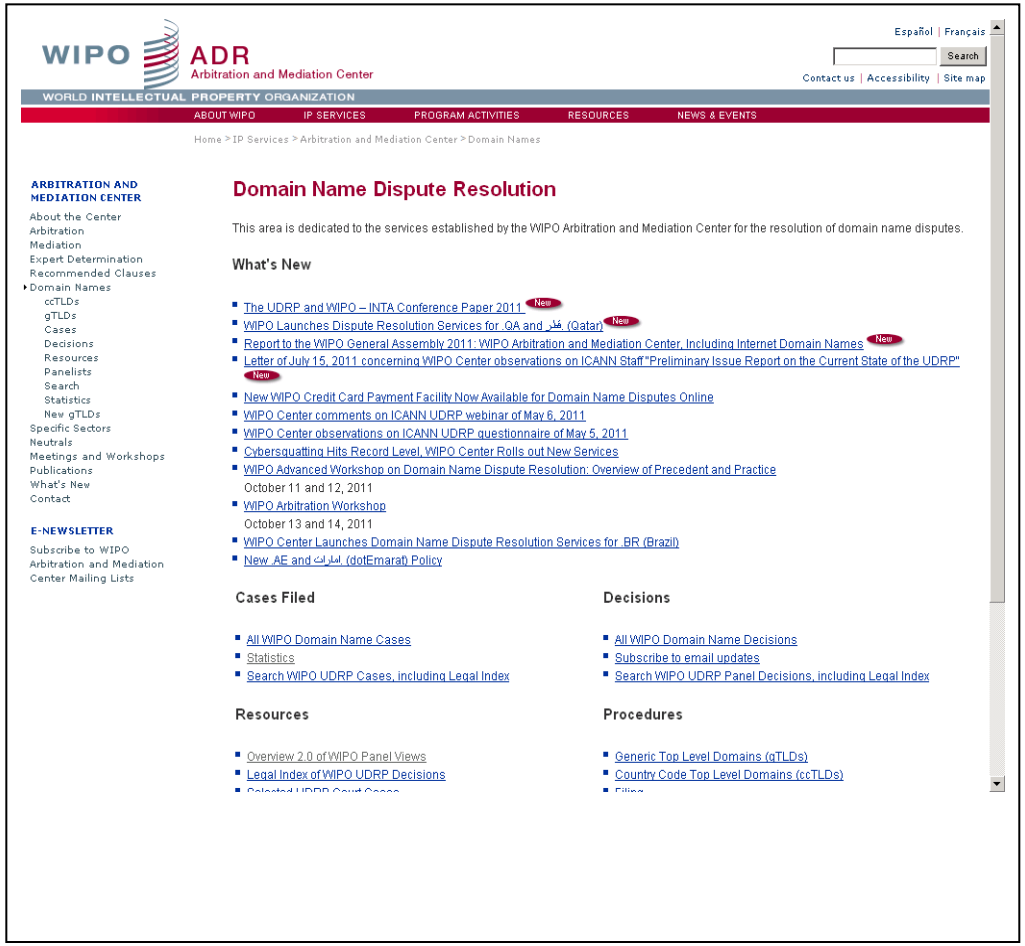
Updates and General Information



Where to find updates regarding Center activities, including updates on ccTLD developments, and other information regarding UDRP filings, WIPO Overview of WIPO Panel Views on Selected UDRP Questions, Second Edition ("WIPO Overview 2.0"), and Index of WIPO UDRP Panel Decisions.

Found at:

http://www.wipo.int/amc/en/domains/

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Additional information:

- WIPO Center email:
  - arbiter.mail@wipo.int
  - francisco.rios@wipo.int

- Upcoming events :
  - WIPO Arbitration Workshop, Singapore, October 18 and 19, 2012
  - WIPO Advanced Workshop on Domain Name Dispute Resolution: Update on Precedent and Practice, Geneva, October 23 and 24, 2012
  - Program information and registration: www.wipo.int/amc/en/events/

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