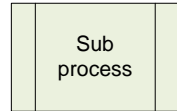


Logo Here

Process Legend



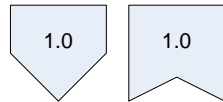
Process Step



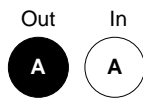
Sub-Process Step



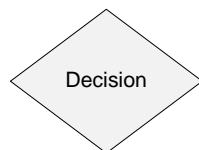
Process Input



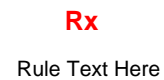
Off Page Reference



On Page Reference



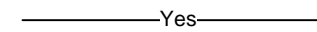
Decision



Process Rule



Begin of Process



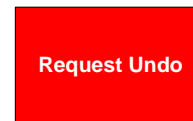
Process Flow



Diversion to External Process



Parallel Process



Proposed Process Steps



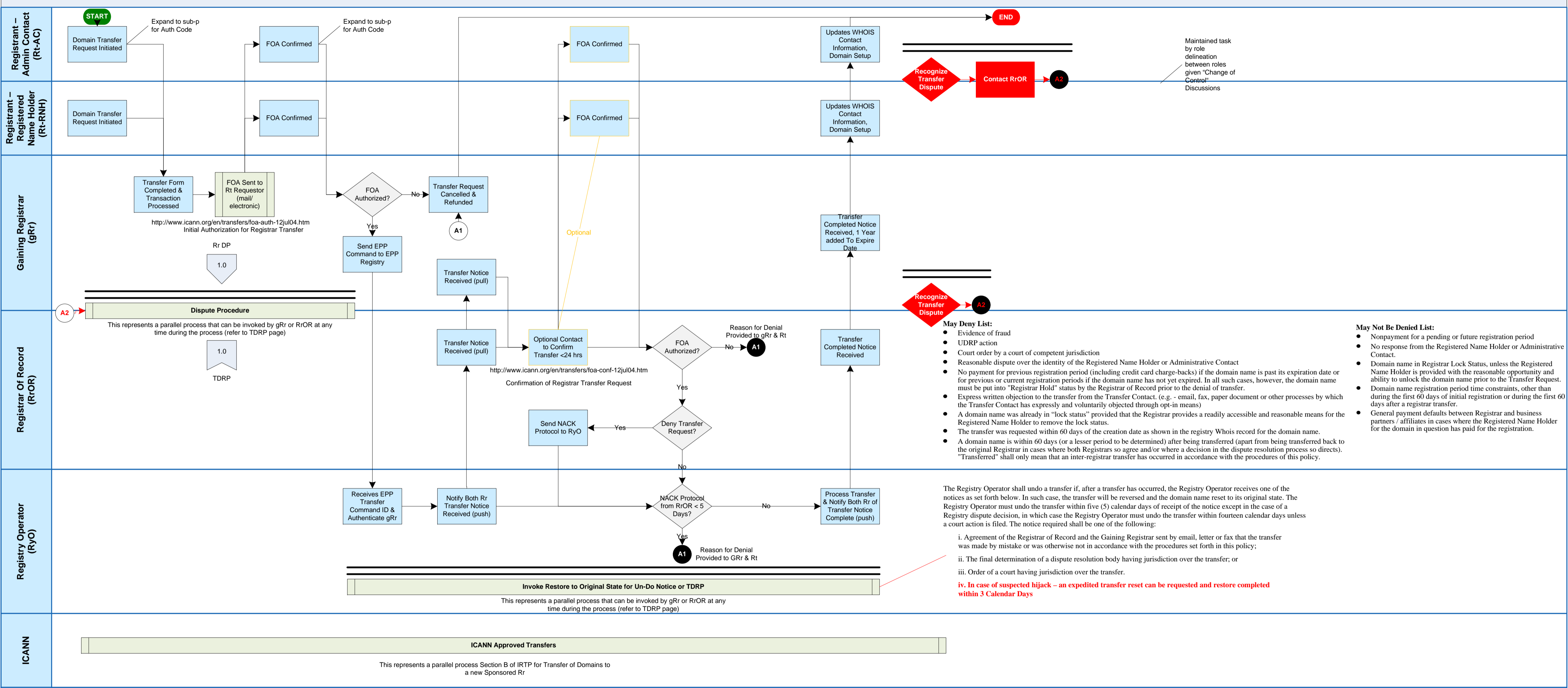
Terminator of Process



External Process not Active



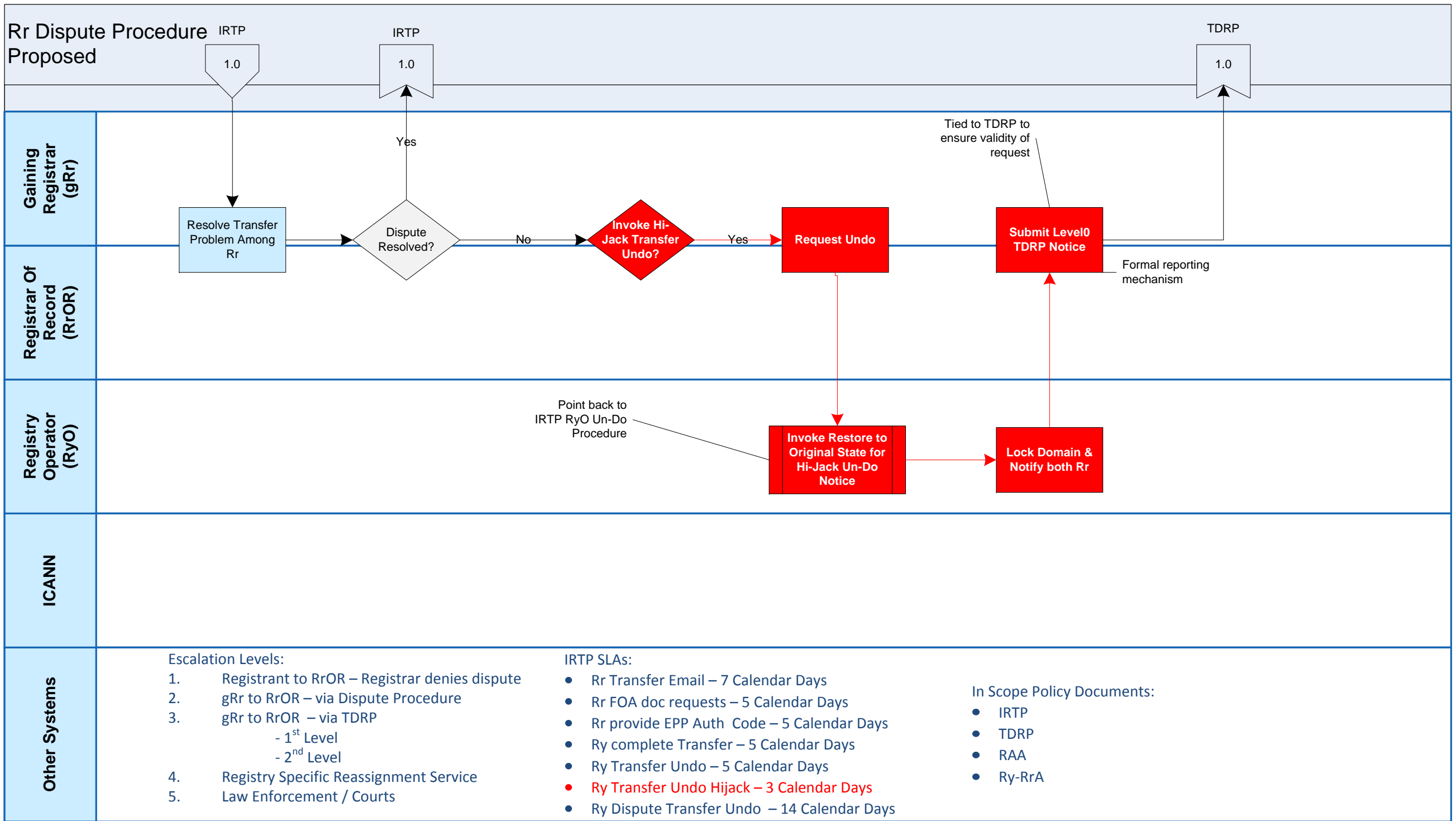
Optional Process Step

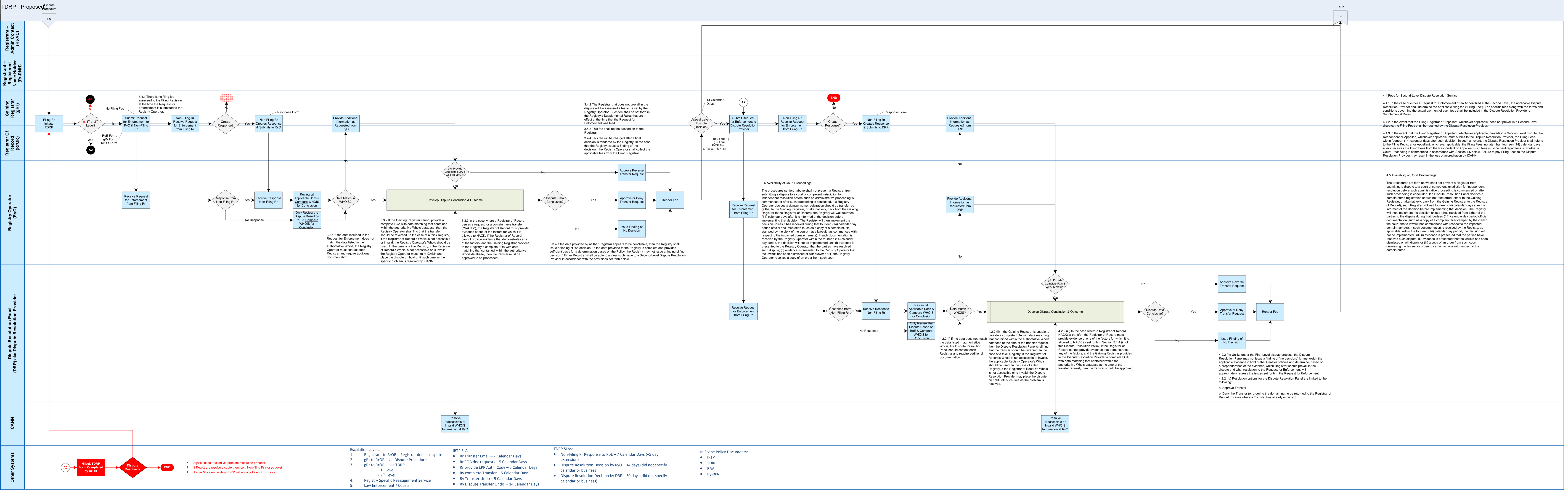


- Escalation Levels:**
- Registrant to RrOR – Registrar denies dispute
 - gRr to RrOR – via Dispute Procedure
 - gRr to RrOR – via TDRP
 - 1st Level
 - 2nd Level
 - Registry Specific Reassignment Service
 - Law Enforcement / Courts
- IRTP SLAs:**
- Rr Transfer Email – 7 Calendar Days
 - Rr FOA doc requests – 5 Calendar Days
 - Rr provide EPP Auth Code – 5 Calendar Days
 - Ry complete Transfer – 5 Calendar Days
 - Ry Transfer Undo – 5 Calendar Days
 - Ry Transfer Undo Hijack – 3 Calendar Days**
 - Ry Dispute Transfer Undo – 14 Calendar Days

- In Scope Policy Documents:**
- IRTP
 - TDRP
 - RAA
 - Ry-RrA

Maintained task by role delineation between roles given "Change of Control" Discussions





3.4.1 There is no filing fee assessed to the Filing Registrar at the time the Request for Enforcement is submitted to the Registry Operator.

3.4.2 The Registrar that does not prevail in the dispute will be assessed a fee to be set by the Registry Operator. Such fees shall be set forth in the Registry's Supplemental Rules that are in effect at the time that the Request for Enforcement was filed.

3.4.3 This fee shall not be passed on to the Registrant.

3.4.4 This fee will be charged after a final decision is rendered by the Registry. In the case that the Registry issues a finding of "no decision," the Registry Operator shall collect the applicable fees from the Filing Registrar.

4.4 Fees for Second-Level Dispute Resolution Service

4.4.1 In the case of either a Request for Enforcement or an Appeal filed at the Second Level, the applicable Dispute Resolution Provider shall determine the applicable filing fee ("Filing Fee"). The specific fees along with the terms and conditions governing the actual payment of such fees shall be included in the Dispute Resolution Provider's Supplemental Rules.

4.4.2 In the event that the Filing Registrar or Appellant, whichever applicable, does not prevail in a Second-Level dispute, the Filing Fees shall be retained by the Dispute Resolution Provider.

4.4.3 In the event that the Filing Registrar or Appellant, whichever applicable, prevails in a Second-Level dispute, the Respondent or Appellee, whichever applicable, must submit to the Dispute Resolution Provider, the Filing Fees within fourteen (14) calendar days after such decision. In such an event, the Dispute Resolution Provider shall refund to the Filing Registrar or Appellant, whichever applicable, the Filing Fees, no later than fourteen (14) calendar days after it receives the Filing Fees from the Respondent or Appellee. Such fees must be paid regardless of whether a Court Proceeding is commenced in accordance with Section 4.5 below. Failure to pay Filing Fees to the Dispute Resolution Provider may result in the loss of accreditation by ICANN.

4.5 Availability of Court Proceedings

The procedures set forth above shall not prevent a Registrar from submitting a dispute to a court of competent jurisdiction for independent resolution before such administrative proceeding is commenced or after such proceeding is concluded. If a Dispute Resolution Panel decides a domain name registration should be transferred (either to the Gaining Registrar, or alternatively, back from the Gaining Registrar to the Registrar of Record), such Registrar will wait fourteen (14) calendar days after it is informed of the decision before implementing that decision. The Registry will then implement the decision unless it has received from either of the parties to the dispute during that fourteen (14) calendar day period official documentation (such as a copy of a complaint, file-stamped by the clerk of the court) that a lawsuit has commenced with respect to the impacted domain name(s). If such documentation is received by the Registry, as applicable, within the fourteen (14) calendar day period, the decision will not be implemented until (i) evidence is presented that the parties have resolved such dispute; (ii) evidence is presented that the lawsuit has been dismissed or withdrawn; or (iii) a copy of an order from such court dismissing the lawsuit or ordering certain actions with respect to the domain name.

3.3.1 If the data included in the Request for Enforcement does not match the data listed in the authoritative Whois, the Registry Operator must contact each Registrar and require additional documentation.

3.3.2 If the Gaining Registrar cannot provide a complete FOA with data matching that contained within the authoritative Whois database, then the Registry Operator shall find that the transfer should be reversed. In the case of a thick Registry, if the Registrar of Record's Whois is not accessible or invalid, the Registry Operator's Whois should be used. In the case of a thin Registry, if the Registrar of Record's Whois is not accessible or is invalid, the Registry Operator must notify ICANN and place the dispute on hold until such time as the specific problem is resolved by ICANN.

3.3.3 In the case where a Registrar of Record denies a request for a domain name transfer ("NACK") by the Registrar of Record must provide evidence that demonstrates any of the factors, and the Gaining Registrar provides to the Registry a complete FOA with data matching that contained within the authoritative Whois database, then the transfer must be approved to be processed.

3.3.4 If the data provided by neither Registrar appears to be conclusive, then the Registry shall issue a finding of "no decision." If the data provided to the Registry is complete and provides sufficient basis for a determination based on the Policy, the Registry may not issue a finding of "no decision." Either Registrar shall be able to appeal such issue to a Second-Level Dispute Resolution Provider in accordance with the provisions set forth below.

3.5 Availability of Court Proceedings

The procedures set forth above shall not prevent a Registrar from submitting a dispute to a court of competent jurisdiction for independent resolution before such administrative proceeding is commenced or after such proceeding is concluded. If a Registry Operator decides a domain name registration should be transferred (either to the Gaining Registrar, or alternatively, back from the Gaining Registrar to the Registrar of Record), the Registry will wait fourteen (14) calendar days after it is informed of the decision before implementing that decision. The Registry will then implement the decision unless it has received during that fourteen (14) calendar day period official documentation (such as a copy of a complaint, file-stamped by the clerk of the court) that a lawsuit has commenced with respect to the impacted domain name(s). If such documentation is received by the Registry Operator within the fourteen (14) calendar day period, the decision will not be implemented until (i) evidence is presented to the Registry Operator that the parties have resolved such dispute; (ii) evidence is presented to the Registry Operator that the lawsuit has been dismissed or withdrawn; or (iii) the Registry Operator receives a copy of an order from such court.

4.2.2 (i) If the data does not match the data listed in authoritative Whois, the Dispute Resolution Panel should contact each Registrar and require additional documentation.

4.2.2 (ii) If the Gaining Registrar is unable to provide a complete FOA with data matching that contained within the authoritative Whois database at the time of the transfer request, then the Dispute Resolution Panel shall find that the transfer should be reversed. In the case of a thick Registry, if the Registrar of Record's Whois is not accessible or invalid, the applicable Registry Operator's Whois should be used. In the case of a thin Registry, if the Registrar of Record's Whois is not accessible or is invalid, the Dispute Resolution Provider may place the dispute on hold until such time as the problem is resolved.

4.2.2 (iii) In the case where a Registrar of Record NACKs a transfer, the Registrar of Record must provide evidence of one of the factors for which it is allowed to NACK as set forth in Section 3.1.4 (ii) of this Dispute Resolution Policy. If the Registrar of Record cannot provide evidence that demonstrates any of the factors, and the Gaining Registrar provides to the Dispute Resolution Provider a complete FOA with data matching that contained within the authoritative Whois database at the time of the transfer request, then the transfer should be approved.

4.2.2 (iv) Unlike under the First-Level dispute process, the Dispute Resolution Panel may not issue a finding of "no decision." It must weigh the applicable evidence in light of the Transfer policies and determine, based on a preponderance of the evidence, which Registrar should prevail in the dispute and what resolution to the Request for Enforcement will appropriately redress the issues set forth in the Request for Enforcement.

4.2.2 (v) Resolution options for the Dispute Resolution Panel are limited to the following:

- a. Approve Transfer
- b. Deny the Transfer (or ordering the domain name be returned to the Registrar of Record in cases where a Transfer has already occurred)

Escalation Levels:

1. Registrant to rROR – Registrar denies dispute
2. gR to rROR – via Dispute Procedure
3. gR to rROR – via TDRP
4. Registry Specific Reassignment Service
5. Law Enforcement / Courts

IRTP SLAs:

- Rr Transfer Email – 7 Calendar Days
- Rr FOA doc requests – 5 Calendar Days
- Rr provide EPP Auth. Code – 5 Calendar Days
- Ry complete Transfer – 5 Calendar Days
- Ry Transfer Undo – 5 Calendar Days
- Ry Dispute Transfer Undo – 14 Calendar Days

TDRP SLAs:

- Non-Filing Rr Response to RoE – 7 Calendar Days (+5 day extension)
- Dispute Resolution Decision by RyO – 14 days (did not specify calendar or business)
- Dispute Resolution Decision by DRP – 30 days (did not specify calendar or business)

In Scope Policy Documents:

- IRTP
- TDRP
- RAA
- Ry-RA

Other Systems

- Hijack TDRP Form Completed by rROR
- Dispute Resolver
- END

- Hijack cases tracked via problem resolution protocols
- If Registrars resolve dispute them self, Non-filing Rr closes ticket
- If after 30 calendar days, DRP will engage Filing Rr to close