

SGNIC
**Guidelines for Application of Second-Level Domain Names under
the Top-Level Domain of '.sg' During Soft Launch Period**

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Guidelines for Application of Second-Level Domain Names under the Top-Level Domain of '.sg' During Soft Launch Period

1. DEFINITIONS

- “Existing Registrant”** means a holder of a third-level '.sg' domain name registered with SGNIC before or by 5.00 pm on 6 September 2004 seeking to apply for a second-level '.sg' domain name, which is identical to that so registered under the third-level, provided that:
- (a) the organization name and/or first name, last name as stated in the application for the second-level is identical to that registered as the said third-level domain name; and
 - (b) the third-level domain name continues to exist in SGNIC system until 12.00 noon on 3 January 2005.
- “General Launch”** means the launch of the application of second-level domain names under the top-level domain of '.sg' to the general public on a first-come-first-served basis from 12:00 noon on 3 January 2005.
- "Government Organisations"** means entities which form part of the government of Singapore.
- “Qualifying Trade Mark”** means a trade mark registered in Singapore as of the date of the application for the SLD comprising a word mark which is identical to the SLD for which registration is sought.
- “Qualifying Well Known Mark”** means a trade mark which is well known (as defined in the Trade Marks Act, Cap 332) in Singapore as of the date of the application for the SLD comprising a word mark which is identical to the SLD for which registration is sought.
- “Registered Trade Mark Holder”** means a proprietor of a valid and subsisting Qualifying Trade Mark registered with the Intellectual Property Office of Singapore as of the date of the application for the SLD.
- “SLD”** means a second-level domain name under the top-level domain of '.sg';

"SLG"

means this document that sets out the special eligibility requirements, allocation procedures, payment requirements and the timings applicable during the Soft Launch Period contained in this document.

"Soft Launch Period"

means the period commencing from the time SGNIC accepts applications for SLDs during the Sunrise Period and ending immediately before the General Launch;

"Sunrise Period"

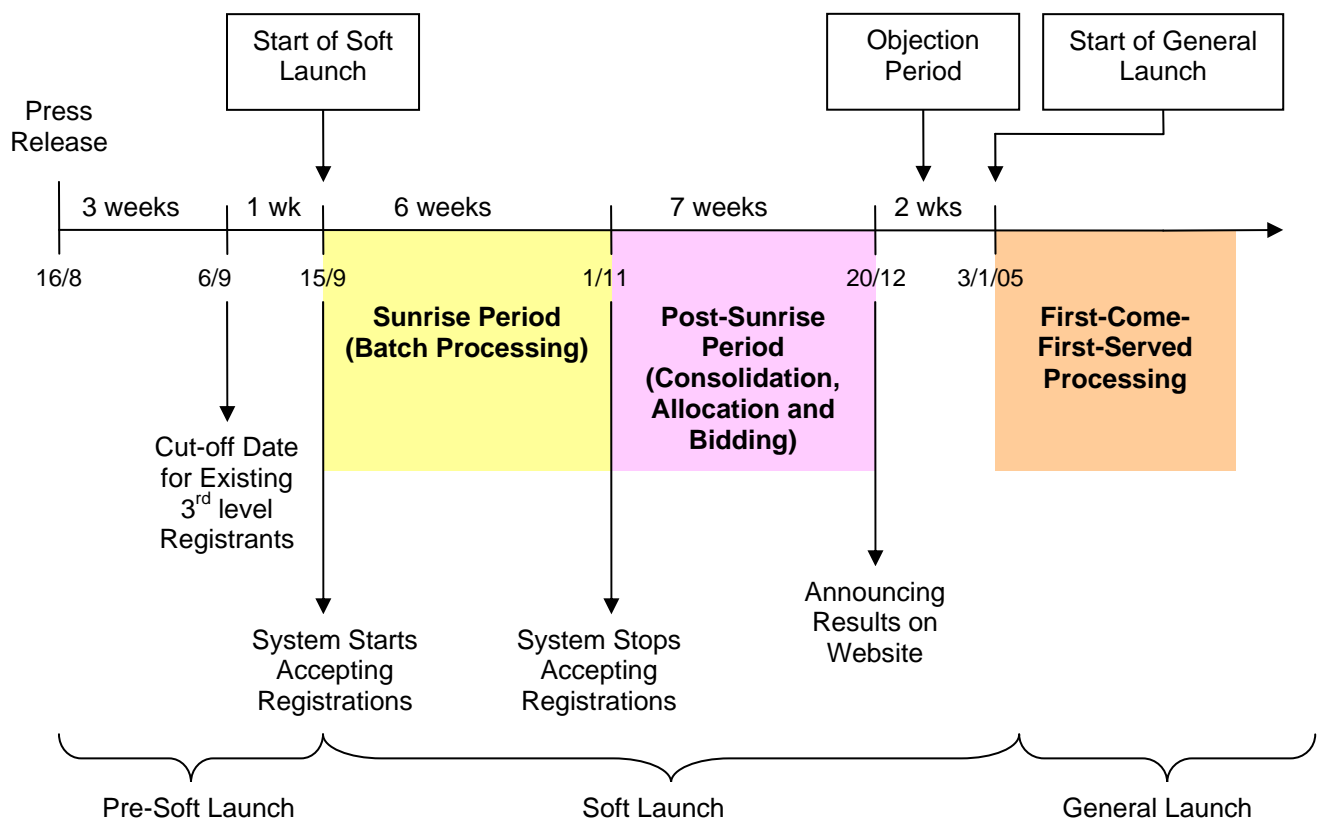
means the period defined in the SLG for the application of SLDs, where the processing of applications is on a batch basis.

"Well-Known Trade Mark Holder"

means the owner of a Qualifying Well Known Mark as of the date of the application for the SLD.

Words that are defined in the Registrant Agreement and Registration Policies, Procedures and Guidelines (RPPG) will have the same meaning if used in the SLG, unless otherwise indicated.

2. IMPLEMENTATION TIMELINE



3. GUIDELINES FOR REGISTERING SECOND-LEVEL DOMAIN NAMES DURING THE SUNRISE PERIOD

- 3.1 Any person or entity wishing to register a SLD may submit an application therefor during the Sunrise Period. All applications for and registrations of SLDs received during the Sunrise Period shall be governed by the SLG, Registrant Agreement (see Annex 1) and the RPPG (see Annex 2). In the event of a conflict, the SLG shall prevail.
- 3.2 Applications for SLDs made during the Sunrise Period will not be processed on a first-come-first-served basis, but will be processed in accordance with the requirements and procedures set out in the SLG.

4. GENERAL ALLOCATION AND ELIGIBILITY REQUIREMENTS DURING THE SUNRISE PERIOD

- 4.1 During the Sunrise Period, all individuals and entities are eligible to apply for any SLD. Applicants which are not resident in Singapore, however, must appoint a local agent having a valid Singapore postal address as the Administrative Contact for the SLD, who shall also be authorized to receive all communications from SGNIC relating to the application. All applications for SLDs must be accompanied by a declaration form (Annex 3), indicating applicants' status (i.e. trade mark holders, government bodies, existing registrants or new applicants) together with any other requisite documents SGNIC may require ("the SLD Application"). The SLD Application must be submitted to SGNIC via the registrars during the Sunrise Period.
- 4.2 All SLD Applications complying with SGNIC's requirements received during the Sunrise Period will be processed together and not on a first-come-first-served basis. Where there are two or more SLD Applications for the same SLD, the priority for allocation will be determined at the end of the Sunrise Period in the following order:
- (a) Proprietors of a Qualifying Trade Mark or Qualifying Well-Known Mark, where the said marks comprise word marks identical to the domain name applied for. For example, a holder of a registered trade mark 'ABC' seeking to register the SLD 'ABC.sg'.
 - (b) All Government Organisations.
 - (c) Applicants that are not Government Organisations but have a current Registrant Agreement with SGNIC in relation to a current third-level domain name registered under the 'com/org/net/edu/per.sg' categories (as of the date of the SLD Application) which is identical to the SLD sought to be registered and who qualify as Existing Registrants. For example, the holder of 'XYZ.com.sg' seeking to register the SLD 'XYZ.sg'.
 - (d) Applicants that are not in the above (a), (b) and (c) categories (i.e. new applicants).

Each group of applicants described above shall be known as a "Group". Priority in registration of the SLD would be given to each Group in the order set forth above. Within each Group, Existing Registrants will have priority over new applicants. Registered Trade Mark Holders have priority over unregistered Well-Known Trade Mark Holders.

- 4.3 Where there are two or more applicants for the same SLD within a Group, these applicants will be invited to bid for the SLD in accordance with a bidding process described in Section 6 below.

5. APPLICATION PROCEDURE

- 5.1 All SLD Applications must be submitted via SGNIC's accredited registrars using SGNIC's prescribed form therefor. The registrar will submit the registration request on-line to SGNIC on behalf of the applicant.
- 5.2 Applicants applying for SLDs must also complete the declaration form and submit it (together with supporting documents, if any) when applying for their SLD. Registrars shall not submit an SLD Application to SGNIC via the SgR2R system unless the applicants have submitted the required documents.
- 5.3 Registrars shall ensure that the declaration form is duly completed before forwarding it to SGNIC via the SgR2R system within 7 calendar days from the date of application.
- 5.4 SGNIC and its registrars reserve the right to reject any application which is not in accordance with the SLG.
- 5.5 Since application may not result in successful registration, applicants must understand and agree to the payment/refund terms of their selected registrar.

6. BIDDING PROCEDURE

Where there are two or more applicants for the same second-level domain name within each Group referred to in Section 4 above, SGNIC will notify applicants of the bidding details and invite applicants to participate in the bidding exercise.

7. ALLOCATION IS NOT GUARANTEED

SGNIC does not guarantee that all applicants will be allocated a SLD based on their current corresponding identical third-level domain name registered with SGNIC even if the applicants comply with all application requirements. This may be due (amongst other reasons) to another applicant with a higher priority may having also applied for the same SLD or the SLD applied for having been reserved by SGNIC.

8. **OBJECTION AGAINST THE ALLOCATION RESULT**

- 8.1 The result of successful allocations will be posted on SGNIC's website (<http://www.nic.net.sg>) on 20 December 2004.
- 8.2 An objection period of 14 calendar days is provided for the public to raise objections against any allocation of a SLD during the Post-Sunrise Period which the objector considers to not to have been made in accordance with the SLG. Objections not related to the procedures set out in the SLG shall not be entertained.
- 8.3 Objections to the allocation results may be made within 14 calendar days from the date on which the results for allocation of a SLD during the Post-Sunrise Period are announced.
- 8.4 A person raising an objection to an SLD allocation result shall provide evidence that the SLD allocated by SGNIC during the Post-Sunrise Period did not comply with the Guidelines.
- 8.5 Objections shall be filed by completing an objection form (Annex 4) together with all requisite documents or information prescribed by SGNIC and sending the completed objection form to SGNIC, addressed to:
- GM, SGNIC
Singapore Network Information Centre (SGNIC) Pte Ltd
8 Temasek Boulevard
#14-00 Suntec Tower 3
Singapore 038988
- 8.6 SGNIC will appoint a panel to evaluate each objection. SGNIC will render a decision in respect of an objection within 30 days under normal circumstances. SGNIC's decision on the objection raised in the objection form shall be final and binding.
- 8.7 SGNIC will not be responsible for any loss whatsoever caused to the applicants in relation to the allocation results.

9. **ACTIVATION OF SECOND-LEVEL DOMAIN NAMES**

If there is no objection filed against an allocated SLD, the SLD shall be activated and allocated to the applicant immediately after the objection period expires. If an objection is filed against an allocated SLD, the SLD will not be activated and allocated to the applicant until SGNIC has rendered a decision.

10. **DISPUTES**

All disputes in relation to SLDs (except disputes arising from the allocation results announced during the Soft Launch Period, which will be dealt with in accordance with Section 8) will be dealt with in accordance with the Singapore Domain Name Dispute Resolution Policy, Rules and Supplemental Rules ("Dispute Resolution Policy")

referred to in the Registrant Agreement regardless of when the SLD was registered. If an applicant intends to file or has filed an objection under Section 8, such applicant shall not commence any court or administrative proceedings under the Dispute Resolution Policy until SGNIC renders its final decision under Section 8.6.

11. **GENERAL**

SGNIC reserves the right to amend the SLG at any time. Each time SGNIC amends the SLG, SGNIC will publish the amended version of the SLG on SGNIC's website. Each amended version of the SLG will become binding and effective on all applicants on the effective date specified by SGNIC, and will supersede all previous versions of the SLG. All applicants should review SGNIC's website regularly in order to inform themselves of all such amendments.