

SGNIC
**Guidelines for Application of 'Temasek' Prefixed Domain Names During
Special Launch Period**

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Guidelines for Application of ‘Temasek’ Prefixed Domain Names During Special Launch Period

1. DEFINITIONS

“Application Period”	means the period defined in the SLG for the application of any SLDN, where the processing of applications is on a batch basis.
“Existing Registrant”	means the registrant reflected in SGNIC’s records of the domain name ‘temasek.com.sg’ as at 1700 hrs on 18 April 2007, provided the said domain name registration remains valid, subsisting and registered in the name of the same registrant until 1700 hrs on 2 July 2007.
“Government Organisations”	means all entities and agencies which form part of the Government of Singapore, including Organs of State and statutory boards.
“Qualifying Trade Mark”	means a valid and subsisting trade mark registration in Singapore for the word “TEMASEK” as of the date of the application for any SLDN;
“Qualifying Well Known Mark”	means an unregistered trade mark for the word “TEMASEK” which is well known (as defined in the Trade Marks Act, Cap 332) in Singapore as of the date of the application for any SLDN;
“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 any SLDN.
“Registrar”	Means a registrar accredited by SGNIC to accept SLDN applications;
“Special Launch Domain Name” or “SLDN”	means any of the following domain names: ‘temasek.sg’, ‘temasek.org.sg’, ‘temasek.edu.sg’, ‘temasek.net.sg’, ‘temasek.per.sg’, and ‘temasek.gov.sg’

“Special Launch Guidelines” or “SLG”

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

“Special Launch Period”

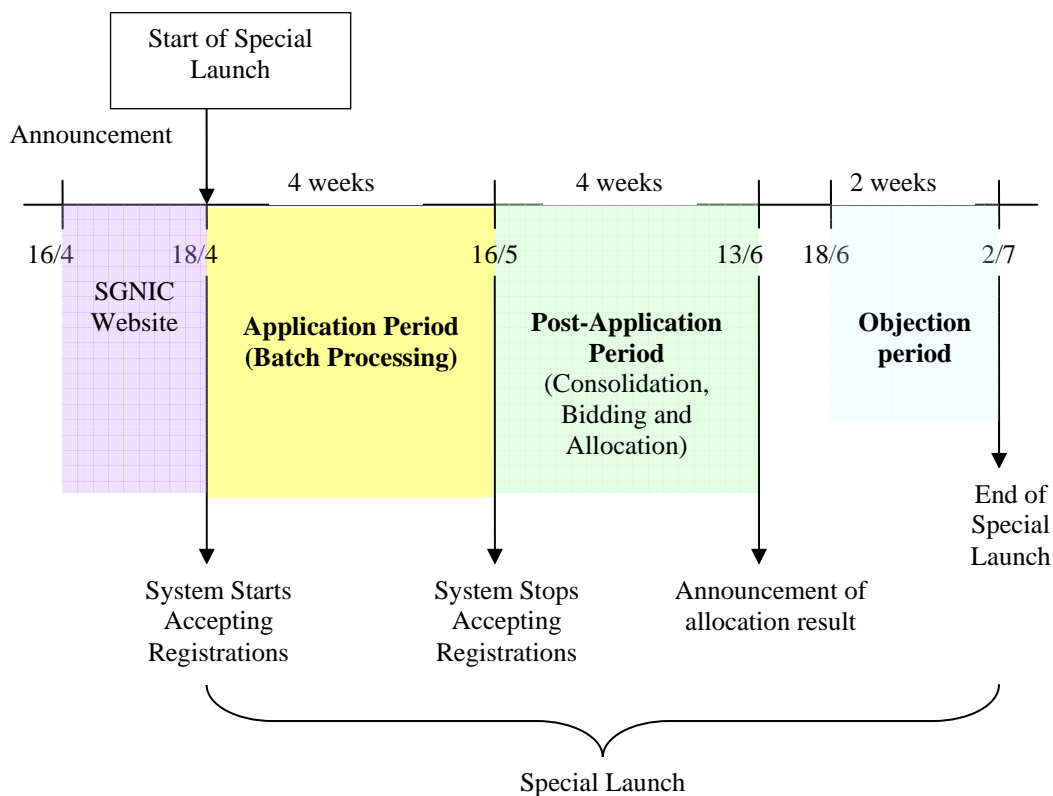
means the period commencing from the time SGNIC accepts applications for any SLDN and ending immediately at the end of the Objection Period.

“Well-Known Trade Mark Holder”

means the proprietor of a Qualifying Well Known Mark;

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 SLDNs DURING THE SPECIAL LAUNCH PERIOD

- 3.1 Any person or entity wishing to register any SLDN may submit an application therefor during the Special Launch Period. All applications for and registrations of any SLDN received during the Special Launch 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 any SLDN made during the Special Launch 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 SPECIAL LAUNCH PERIOD

- 4.1 Applicants for any SLDN must meet the existing registration criteria applicable in respect of the relevant domain name category. Thus, by way of example, applicants for 'temasek.com.sg' must meet all registration criteria for 'com.sg' domain names. Likewise, applicants for 'temasek.sg' which are not resident in Singapore must appoint a local agent having a valid Singapore postal address as the Administrative Contact, who shall also be authorized to receive all communications from SGNIC relating to the application.
- 4.2 All SLDN applications 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 SLDN Application"). All SLDN applications must be submitted to SGNIC via any Registrar during the Special Launch Period.
- 4.3 All SLDN Applications complying with SGNIC's requirements received during the Special Launch Period will be processed as a batch and not on a first-come-first-served basis. Where there are two or more SLDN Applications for the same SLDN, the priority for allocation will be determined at the end of the Special Launch Period in the following order:
- (a) Proprietors of a Qualifying Trade Mark;
 - (b) Qualifying Well-Known Mark Holders;
 - (c) All Government Organisations;

- (d) the Existing Registrant (if not claiming priority under the above categories) and
- (e) Applicants that are not in the above categories (i.e. new applicants);

Each group of applicants within the same category as described above shall be known as a "Group". Priority in registration of any SLDN would be given to each Group in the order set forth above, PROVIDED ALWAYS that if the Existing Registrant is within the Group enjoying the highest priority to allocation, the Existing Registrant will enjoy priority for allocation over other applicants within that Group.

- 4.4 Where in SGNIC's opinion there are two or more applicants for any SLDN within the same Group having the highest priority to registration (and the Existing Registrant is not amongst such applicants) the applicants in that Group will be invited to bid for the SLDN in accordance with a bidding process described in Section 6 below.

5. APPLICATION PROCEDURE

- 5.1 All SLDN Applications must be submitted via any Registrar 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 SLDNs must also complete the declaration form and submit it (together with supporting documents, if any) when applying for the SLDN. Registrars shall not submit a SLDN 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 each Registrar shall have 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 the Registrar through which their SLDN Application is submitted.
- 5.6 The applicant hereby acknowledges and agrees that SGNIC is not responsible for and bears no liability for any breach or failure of any Registrar to dutifully perform its obligations, including without limitation, to submit any SLDN Application to SGNIC, or to refund or repay any fees to the applicant.

6. BIDDING PROCEDURE

6.1 Where there are two or more applicants for a SLDN within the same Group having the same priority for allocation to any SLDN such that these applicants are to be invited to bid for the SLDN as set forth in Section 4.4 above, SGNIC will notify such applicants of the bidding details and invite these applicants to participate in the bidding exercise.

6.2 SGNIC must receive payment in full of the sum bid by the winner of any bidding exercise by the time specified by SGNIC, failing which without prejudice to SGNIC's rights and remedies, the winner's SLDN application will be rejected and SGNIC may in its absolute discretion determine the manner in which to allocate any SLDN to any other applicant, or withdraw the offer of the SLDN.

7. ALLOCATION IS NOT GUARANTEED

7.1 SGNIC does not guarantee that any applicant meeting any application criteria or with a corresponding identical third-level domain name registered with SGNIC will be allocated any SLDN, even if the applicant complies with all application requirements.

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 13 June 2007.

8.2 An objection period of 14 calendar days is provided for any unsuccessful applicant for a SLDN to raise objections against any allocation of that SLDN during the Post-Application 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 will 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 the SLDN during the Post-Application Period are announced.

8.4 A complainant raising an objection to any SLDN allocation result must state the basis (and furnish all documents in support thereof) upon which it asserts that (a) it meets the qualifications for the filing of a Complaint, and (b) the allocation of the SLDN was not made in accordance with the SLG and submit the Objection Form (in the form set out in Annex 4) together with all requisite documents or information prescribed by SGNIC.

- 8.5 The objection form (Annex 4) together with all requisite documents or information prescribed by SGNIC must be delivered not later than 1700 hours on the day referred to in Clause 8.2 above 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. **NOTICES**

- 9.1 All notices by SGNIC to any applicant may be sent by it to the applicant via mail or courier to the applicant's mailing address as set out under the "Owner Contact" field of the application submitted to the Registrar in respect of the SLDN Application. Such notice shall be deemed to have been valid and received by applicant, if to a Singapore address, within 3 working days of such posting, and where the address is outside Singapore, within 7 working days of such posting. SGNIC may also effect service of any process of the applicant in the manner stated herein.

10. **ACTIVATION OF DOMAIN NAME**

If there is no objection filed in accordance with Section 8 against the allocation of any SLDN, the SLDN shall be activated and allocated to the successful applicant meeting all of SGNIC's criteria immediately after the objection period expires. If an objection is filed against the SLDN, the SLDN will not be activated and allocated to the applicant until SGNIC has rendered a decision.

11. **DISPUTES**

- 11.1 By filing an application to register a SLDN, without prejudice to the applicant's obligations and undertakings pursuant to the Registrant's Agreement, the applicant agrees to be bound by the terms and conditions of this SLG, as well as the Singapore Domain Name Dispute Resolution Policy, Rules and Supplemental Rules ("Dispute Resolution Policy") referred to in the Registrant

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

- 11.2 This SLG shall be governed by Singapore law, and all Applicants submit to the exclusive jurisdiction of the Singapore courts.

12. **GENERAL**

SGNIC shall have the right to amend the SLG or withdraw the allocation of any SLDN at any time. Amendments to the SLG will be published 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. Applicants shall review SGNIC's website regularly and inform themselves of all such amendments.