

## Complaint Resolution Service

This Complain Resolution Service (CRS) is part of the Registry Policies, which form a cohesive framework and must be read in conjunction with one another, as well as with other applicable agreements, policies, laws, and regulations which, taken together, represent the entirety the obligations and responsibilities with regard to any domain name registration.

Ordinarily, the Registry is unable to simply suspend a domain name where another member of the public complains or takes issue with the use to which a domain name is being put and a concerned member of the public always has the right to reach out to the domain name Registrant directly to bring any concerns to their attention.

If such direct contact this is not possible or advisable (it may be a sensitive concern after all), or if after doing so, there is still a concern that the registration or use of a domain name in the TLD is illegal, abusive, infringes the rights of others, is otherwise in violation of the Registry Policies, or is allegedly otherwise in violation of the law, we provide the CRS, through which anyone may register a complaint.

The CRS provides a transparent, efficient, and cost effective way for the public, including law enforcement, regulatory bodies, and intellectual property owners to (a) submit complaints or report concerns regarding the registration or use of a domain name in the TLD, and (b) where appropriate, to seek to have such concerns addressed through confidential and non-binding mediation.

Managed through the Abuse Point of Contact and a corresponding webform, the CRS provides a procedure for reporting and, where appropriate, addressing alleged illegal or prohibited conduct effected through a domain name in the TLD; prohibited conduct includes, but is not limited to: inaccurate Registrant Whois information; that a domain name registration is being used to facilitate or promote malware, operation of botnets, phishing, piracy, trademark or copyright infringement, fraudulent or deceptive practices, counterfeiting, or activity otherwise contrary to applicable law. The CRS framework employs two levels of review: (1) immediate action to protect the public interest, or (2) the optional appointment of an independent Ombudsperson to facilitate, where possible, confidential and non-binding complaint resolution between the parties.

The CRS is not intended to replace courts or ICANN-mandatory dispute resolution systems such as the UDRP (Uniform Domain Name Dispute Resolution Procedure) or URS (Uniform Rapid Suspension system).

To submit a complaint or report a concern regarding the registration or use of a domain name in the TLD, please use [the CRS Complaint form](#).

Complaints and reports of concern will be reviewed as follows.

### Step One: Confirmation and Communication

The Abuse Point of Contact will initially review all complaints and reports of concerns regarding alleged criminal or otherwise illegal or prohibited conduct for compliance with the Registry Policies.

Upon receipt of any Complaint, the Abuse Point of Contact will “lock” the domain name and associated records until the Complaint is determined frivolous, resolved, withdrawn, or dismissed, or pursuant to a court order or reasonable request from law enforcement. A Complaint shall not exceed 1,000 words or three (3) pages, whichever is less.

Review Tier 1: immediate action to protect the public interest: In the event of a report of alleged criminal or otherwise illegal or prohibited conduct requiring immediate action to protect the public interest, the Abuse Point of Contact will initiate an “Immediate Review of Request for Suspension in the Public Interest” (see Step Two below).

Review Tier 2: optional appointment of an independent Ombudsperson: In the event of a Complaint alleging non-compliance with the Registry Policies that does not require immediate

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action to protect the public interest, the Abuse Point of Contact will contact the parties to explore their interest in confidential and non-binding mediation aimed at facilitating an amicable resolution between the parties (see Steps Three through Seven below).

If the Abuse Point of Contact considers that the Complaint does not address a matter covered by the Registry Policies, is deficient, or is frivolous, the filing/complaining party (Complainant) will be promptly notified of the deficiencies identified. The Complainant has five (5) business days from the receipt of notification to correct the deficiencies and return the Complaint, failing which, the Abuse Point of Contact will deem the Complaint to be withdrawn and the domain lock will be removed. This will not prevent the Complainant from submitting a different Complaint in the future.

### Step Two: Immediate Review of Request for Suspension in the Public Interest

On receipt of a Complaint or report of alleged criminal or otherwise illegal or prohibited conduct requiring immediate action to protect the public interest, the Abuse Point of Contact will initiate an "Immediate Review of Request for Suspension in the Public Interest" to determine, whether or not specifically requested by the Complainant, if a Critical Issue Suspension (CIS) is warranted.

A request for a CIS may be granted in cases where there is a compelling and demonstrable threat to the stability of the Internet, critical infrastructure, or public safety. A CIS does not terminate the Registrant's rights or their domain name registration; it simply modifies the Name Server records in the zone, temporarily disabling resolution. Suspensions under the CRS, including a CIS, may be appealed to the Ombudsperson's office for resolution.

Absent compelling circumstances including, but not limited to, a court order or reasonable request from law enforcement, where the Abuse Point of Contact has activated a CIS, a suspension notice will be sent to the Registrant's administrative contact with a copy to the Registrar, usually within 48 hours.

### Step Three: Formal Notification of Complaint

Any Complaint alleging non-compliance with the Registry Policies must be submitted to the Abuse Point of Contact using the webform provided on the Registry's website; all required fields must be complete, the Complaint must be signed electronically, and any fee required by the webform must be paid in advance of the Abuse Point of Contact attending to the complaint. The types of conduct that may be raised as the basis for a Complaint alleging non-compliance with the Acceptable Use Policy can be found on the Registry's website.

In the event that a Complaint alleging non-compliance with the Registry Policies is submitted to the Abuse Point of Contact, typically within 5 business days of receipt of the Complaint, the Abuse Point of Contact will send a "Formal Notification of Complaint" including a copy of the Complaint, by email to the Respondent using the administrative contact details provided in the Whois for the domain name as well as to any other Registrant email addresses provided by the Complainant.

Either Party may provide an additional email address by notifying the Abuse Point of Contact; the Registrant may not, however, change the Registrant information for the domain name without mutual agreement of the parties or unless a settlement is reached.

Communications must be in English and any email attachments should be in a standard format, such as Microsoft Word or PDF, and should not exceed 10MB individually or 50MB together.

Any communication between the Parties shall copy the other Party, the Abuse Point of Contact, and the Ombudsperson, if appointed.

Except as otherwise decided by the Abuse Point of Contact in its sole discretion, all communications under the CRS shall be deemed received at the date and time on which the email or communication was sent as determined by the time zone of the Abuse Point of Contact;

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in case of doubt, however, it shall be the responsibility of the sending party to provide proof of transmission.

### Step Four: Commencement of Complaint Resolution Service Proceedings

At the same time as the notification to the Parties (by email) of the commencement of a CRS proceeding, the Abuse Point of Contact will contact the parties to explain the confidential and non-binding nature of the CRS, and to gauge their interest in Registry-facilitated mediation aimed at allowing the Parties to reach an amicable solution.

For the avoidance of doubt, even if the Parties do not decide to engage in CRS-based mediation, the Registry may, in its sole discretion (including based on reports made to the Registry by third parties), suspend, transfer, or terminate a Registrant's service, including a domain name registration, for violation of any of the requirements or provisions of the Registry Policies on receipt of a complaint if the Registry believes (a) a violation has or may have occurred; and/or (b) suspension and/or termination may be in the public interest. Also, for the avoidance of any doubt, the Respondent may submit a Response even if it decides not to participate in mediation, e.g., to provide information to the Registry as to any alleged non-compliance.

### Step Five: the Response

Within fifteen (15) business days of the date of commencement of a CRS proceeding, the Respondent (i.e., the domain name Registrant) may submit a Response.

The Response must be submitted to the Abuse Point of Contact using the webform provided on the Registry's website; all required fields must be completed, and the Response must be signed electronically.

Using the Registry's webform, the Response shall:

- a. specifically dispute each alleged instance of non-compliance (the "grounds for the Complaint") raised by the Complainant that the Respondent wishes to rely upon to rebut the Complainant's assertions;
- b. indicate whether the Respondent wishes to be contacted directly or through an authorized representative—if the Respondent wishes to use an authorized representative, their contact details including email address must be provided;
- c. mention whether any legal proceedings have been commenced (even if terminated) in connection with the domain name(s) which is the subject of the Complaint; and
- d. not exceed 1,000 words or three (3) pages, whichever is less.

Once submitted, a copy of the Response will be forwarded to the Complainant and to the Respondent as soon as practicable. In the event there is no Response, the Complaint shall be deemed closed; the Parties may however submit a new Complaint in future, or a UDRP or URS or court claim.

### Step Six: Reply by the Complainant

Within five (5) business days of receiving the Respondent's Response, the Complainant may submit a Reply to the Respondent's Response, which shall not exceed 1,000 words or three (3) pages, whichever is less (annexes may only be included with the permission of the Abuse Point of Contact). The Reply should be confined to answering any new points raised in the Response that could not have reasonably been foreseen when the Complaint was submitted.

### Step Seven: Amicable Complaint Resolution (Ombudsperson)

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If the Parties have agreed to mediation, within ten (10) business days of the receipt of the Complainant's Reply (or the expiry of the deadline to do so), the Abuse Point of Contact will arrange with the Ombudsperson's office for mediation to be conducted. Mediation will be conducted in a manner that the Ombudsperson, at their sole discretion, considers appropriate.

Mediation conducted between the Parties during mediation (including any information obtained from or in connection to negotiations) shall be strictly confidential as between the Parties and the Ombudsperson. Neither the Ombudsperson nor any Party may use or reveal details of such negotiations to any third parties (including a UDRP or URS provider) unless ordered to do so by a court of competent jurisdiction.

If the Parties reach settlement during the mediation, then the existence, nature, and terms of the settlement shall be confidential as between the Parties unless the Parties specifically agree otherwise, a court competent jurisdiction orders otherwise, or applicable laws or regulations require it.

Any settlement reached by the Parties must be in writing to be enforceable and should include instructions for the Registry (and if applicable, Registrar) concerning the disposition of domain name and timing; the Ombudsperson will provide a (non-mandatory) template for such purposes.

If the Parties did not achieve an acceptable resolution through mediation within twenty (20) business days of the appointment of an Ombudsperson, the Ombudsperson will send notice to the Parties and Abuse Point of Contact that it does not appear that the Complaint can be resolved through the CRS. In such case, the Complainant shall have the option of availing itself of the courts or other processes such as the UDRP or URS. The Registry shall unlock the domain name within fifteen (15) business days of such notice from the Ombudsperson.

### Effect of Court Proceedings

If, before or during the course of proceedings under the CRS, the Ombudsperson or Abuse Point of Contact is made aware that legal proceedings have begun in or before a court or other body of competent jurisdiction, including but not limited to a URS or UDRP proceeding, and that such legal proceeding specifically relates to a domain name and conduct which is the subject of a Complaint, the CRS will be terminated.

A Party must promptly notify the Ombudsperson if it initiates or becomes aware of legal proceedings before a court or panel of competent jurisdiction, including but not limited to a URS or UDRP proceeding, relating to a domain name which is the subject of a Complaint during the course of proceedings under the CRS.

The applicable fees with respect to the referral of proceedings under the CRS to the Ombudsperson are (in Euros) €50 plus applicable taxes for Complaints involving 1-5 domain names and only one Complainant. For Complaints involving 6 or more domain names, the Ombudsperson and/or Abuse Point of Contact will set a fee in consultation with the Abuse Point of Contact. Fees are calculated on a cost-recovery basis; the Registry does not intend profit from its mediation or administration services of the Complaint Resolution Service.

### Exclusion of Liability

Neither the Registry employees, directors, officers, representatives, delegees, shareholders, agents, successors, and/or assigns or those of its affiliates; nor any employee or agent of the Ombudsperson shall be liable to a Party for anything done or omitted, whether (to the extent permitted by applicable law) negligently or otherwise, in connection with any proceedings under the CRS unless the act or omission is shown to have been intentionally done in bad faith.