



THE ASIAN DOMAIN NAME DISPUTE RESOLUTION CENTRE
SUPPLEMENTAL RULES TO THE INTERNET CORPORATION FOR ASSIGNED NAMES AND
NUMBERS (ICANN) UNIFORM RAPID SUSPENSION SYSTEM ("URS")

THE SUPPLEMENTAL RULES
(IN EFFECT AS OF 10 DECEMBER 2013)

Article 1. Definitions

1. "The Procedure" means the Uniform Rapid Suspension System Procedure (the "Procedure") as approved by ICANN and effective as of 1 March 2013.
2. "The Rules" means the Uniform Rapid Suspension System ("URS") Rules as approved by ICANN and effective as of 28 June 2013.
3. "The Supplemental Rules" means these rules which are Supplemental to the Rules and the Procedure and are adopted by the Asian Domain Name Dispute Resolution Centre (the "ADNDRC") to assess Complaints regarding Domain Name Dispute and administer proceedings in conformity with the Procedure, the Rules and where required supplement them.
4. "The Centre" means the ADNDRC jointly established by the China International Economic and Trade Arbitration Commission (the "CIETAC") and the Hong Kong International Arbitration Centre (the "HKIAC") on 28 February 2002 with its Beijing Office managed and operated by CIETAC, its Hong Kong Office managed and operated by HKIAC, its Seoul Office managed and operated by Korean Internet Address Dispute Resolution Committee (the "KIDRC") and its Kuala Lumpur Office managed and operated by Kuala Lumpur Regional Centre for Arbitration (the "KLRCA").
5. "Relevant Office of the Centre" means the Beijing Office of the Centre, the Hong Kong Office of the Centre, the Seoul Office of the Centre or the Kuala Lumpur Office of the Centre as the case may be, or as the context may require.
6. "Business Day" means the working day as defined in the place where the Relevant Office of the Centre is located.
7. "Calendar Day" means that all days, including weekends and international and national holidays, shall be counted in determining deadlines and due dates.

8. Any terms defined in the Procedure and the Rules shall have the same meaning in the Supplemental Rules.

Article 2. Scope

1. The Supplemental Rules are to be read and used in connection with the Procedure and the Rules.
2. To the extent that the Supplemental Rules conflict with the Rules, the Rules supersede.
3. The Centre shall use the Procedure, the Rules, and the Supplemental Rules in connection with any Complaint submitted to it.

Article 3. Communications

1. Any submission that may or is required to be made to the Centre pursuant to the Procedure, the Rules, and the Supplemental Rules shall be made electronically via the Internet in accordance with the Guidelines for URS Submission (the "Guidelines") which can be found at <https://www.adndrc.org/urs/guide>.
2. Any communications to the Examiner by either Party shall be made through the Relevant Office of the Centre which the Complainant has selected to administer the proceedings.
3. Communication between the Examiner and the Parties shall be coordinated through the Case Administrator.

Article 4. The Complaint

1. The Complainant shall have the right to select the Beijing Office of the Centre, the Hong Kong Office of the Centre, the Seoul Office of the Centre or the Kuala Lumpur Office of the Centre to administer the URS proceeding initiated by a Complaint filed by the Complainant. Such choice shall be made by the Complainant at the time the Complainant files a Complaint and such choice shall be final and binding on the Complainant and the Respondent.
2. The Complaint shall be accompanied by payment of the filing fee, as set forth in Article 14 of the Supplemental Rules.
3. The Complainant shall send its Complaint to the Relevant Office of the Centre selected to administer the proceedings, using the electronic complaint form (Form C_URS) in accordance with the Guidelines.

Article 5. Administrative Review

1. The Relevant Office of the Centre shall, within two (2) Business Days of acknowledging receipt of the Complaint, conduct an administrative review of the Complaint for compliance with the Procedure, the Rules, and the Supplemental Rules.
2. If a Complaint is deemed compliant with the Procedure, the Rules, and the Supplemental Rules, the Relevant Office of the Centre shall forward the Complaint to the Registry Operator in accordance with Article 4(a) of the Rules.
3. If a Complaint is deemed non-compliant with the Procedure, the Rules, and the Supplemental Rules, the Complaint will be dismissed without prejudice to the Complainant filing a new complaint in accordance with Article 3.3 of the Procedure. The initial filing fee shall not be refunded in these circumstances.
4. Where the domain name is registered with a privacy/proxy service, the Relevant Office of the Centre may proceed to notify the Registry Operator of the Complaint in the absence of information on the identity of the Registrant. Upon receipt of information from the Registry Operator as to the identity of the Registrant, the Relevant Office of the Centre shall ask the Complainant to include the relevant information on the identity of the Registrant into its Complaint. Where the Complaint relates to more than one domain name registered by more than one Registrant, the Complainant shall revise and resubmit the Complaint according to Article 3(c) of the Rules within two (2) Business Days upon receipt of the notice from the Relevant Office of the Centre. If the Complainant fails to comply with the notice from the Relevant Office of the Centre, the Complaint shall be dismissed without prejudice to the Complainant filing a new complaint. The initial filing fee shall not be refunded in these circumstances.

Article 6. The Response

1. Within fourteen (14) Calendar Days of the date of commencement of the URS administrative proceedings, the Respondent shall submit a Response in Form R_URS to the Relevant Office of the Centre in accordance with the Guidelines.
2. In accordance with Article 5.1 of the Procedure, the Respondent shall send a copy of the Response to the Complainant.
3. The Response shall be accompanied by payment of the Response Fee within one (1) Business Day, as set forth in Article 14 of the Supplemental Rules, if the Complaint relates to fifteen (15) or more disputed domain names against the same Registrant. The Response Fee will be refundable to the prevailing party.

4. If a Response is filed more than thirty (30) Calendar Days after a Default Determination, regardless of the number of disputed domain names in the Complaint, the Respondent shall pay a non-refundable fee for Re-examination set forth in accordance with Article 14 of the Rules.

Article 7. Appointment of Examiner

The Centre shall maintain and publish a list of Examiners and their qualifications. Any Party may refer to the Centre's Web site at <http://www.adndrc.org> for details. For URS proceedings, the Relevant Office of the Centre shall appoint suitable individuals from the list, having regard to:

- a. the nature of the dispute;
- b. the availability of the Examiner;
- c. the identity of the Parties;
- d. the independence and impartiality of the Examiner; and
- e. the relevant legal background;

Article 8. Impartiality and Independence of Examiner

1. The Examiner shall be and remain at all times wholly impartial and independent, and shall not act as advocate for any Party during the URS proceedings.
2. Prior to the appointment of any proposed Examiner, the Examiner shall declare in writing to the Parties and the Relevant Office of the Centre any circumstances which are likely to create an impression of bias or prevent a prompt resolution of the dispute between the Parties. If, at any stage during the URS proceeding, new circumstances arise that could give rise to justifiable doubt as to the impartiality or independence of the Examiner, the Examiner shall promptly disclose such circumstances to the Provider. In such event, the Provider shall have the discretion to appoint a substitute Examiner.
3. Except by consent of the Parties, no person shall serve as an Examiner in any dispute in which that person has any interest, which, if a Party knew of it, might lead him/her to think that the Examiner might be biased.
4. Where an Examiner has been appointed but before rendering a Determination the appointed Examiner fails to act or refuses to act, the Relevant Office of the Centre may appoint a substitute Examiner upon request by the Parties or in its discretion.

Article 9. Examiner Determination

1. An Examiner shall make its Determination in writing and shall state the reasons upon which the Determination is based. The Determination shall be of a length that the Examiner deems appropriate and shall meet all the requirements set forth in Article 13 of the Rules.
2. The Examiner shall communicate its Determination to the Relevant Office of the Centre within three (3) Business Days of its appointment. In exceptional circumstances, the Relevant Office of the Centre may extend the time as required for the Examiner to communicate its Determination.
3. The Relevant Office of the Centre shall within 24 hours upon receipt of a Determination from the Examiner notify the Determination to the Parties, the Registrar, the Registry Operator, and ICANN, and publish the full Determination on the Centre's website according to Article 9 of the Procedure and Article 15 of the Rules.

Article 10. Correction of Examiner Determination

1. Within seven (7) Calendar Days of receiving the Determination, a Party may, by written notice to the Relevant Office of the Centre and the other Party, request the Examiner to correct in the Determination any errors in computation, any clerical or typographical errors or any errors of a similar nature. Any such corrections shall be given in writing to the Parties and shall become a part of the Determination.
2. The Examiner may, on its own motion, correct any errors of the type referred to in Article 10(1) above within seven (7) Calendar Days of the date of the Determination.

Article 11. Filing of Appeal

1. The Notice of Appeal and any new admissible evidence shall be submitted in electronic format via the online system to the Relevant Office of the Centre which conducted the Examination or Re-examination.
2. The Relevant Office of the Centre shall notify the Registry Operator of the Appeal within two (2) Business Days upon receipt of the Notice of Appeal. If the Determination being appealed granted full control of the domain name to the Registrant, the Relevant Office of the Centre shall request the Registry Operator to re-lock the domain name subject to the outcome of the Appeal process.

Article 12. Appointment of Appeal Panel

1. The Appellant shall elect to have the Appeal decided by a single-member Panel or three-member Panel and shall pay a fee to cover the costs of the Appeal within three (3) Business Days as set forth in Article 14 of the Supplemental Rules.
2. The Relevant Office of the Centre shall appoint suitable individuals from the list of Examiners to form the Appeal Panel having regard to the factors listed in Article 7 of the Supplemental Rules. The Relevant Office of the Centre will not re-appoint the Examiner whose Determination is being appealed.
3. Where the Appellant elects to have the Appeal decided by a three-member Panel, both the Appellant and Appellee shall provide the Relevant Office of the Centre with a list of three (3) candidates from the Centre's list of Examiners within five (5) Calendar Days after the date of the Notice of Appeal. The Relevant Office of the Centre shall endeavor to appoint one Examiner from the list of candidates provided by each Party. If the Relevant Office of the Centre is unable to secure the appointment of an Examiner on its customary terms from either Party's list of candidates within ten (10) Calendar Days after the date of the Notice of Appeal, the Relevant Office of the Centre shall make that appointment from its list of Examiners. The third Examiner shall be appointed by the Relevant Office of the Centre from its list of Examiners.
4. Where the Appellant elects to have the appeal decided by a single-member Panel, the Appellee may still elect a three-member Panel within five (5) Calendar Days upon receipt of the Notice of Appeal by paying half of the applicable fees for a three-member Panel as set forth in Article 14 of the Supplemental Rules. In the event that the required payment is not made, the appeal shall be decided by a single-member Panel.
5. The fees for a three-member Panel shall be borne in their entirety by the Appellant, except where the election for a three-member Panel was made by the Appellee within five (5) calendar days after the date of the Notice of Appeal, in which case the applicable fees shall be shared equally between the Parties.

Article 13. Determination of Appeal Panel

The Appeal Panel shall notify its Determination to the Relevant Office of the Centre within fourteen (14) Calendar Days of its appointment. In exceptional circumstances, the Relevant Office of the Centre may extend the time as required for the Appeal Panel to communicate its Determination.

Article 14. Fees

1. The applicable fees are specified as follows:

(a) Fees for Examination and Re-examination:

Number of Domain Name Involved	Fees for the Complainant	Fees for the Respondent	
	(i) Filing Fees	(ii) Response Fees (Refundable to the Prevailing Party)	(iii) Re-examination Fees (If applicable, non-refundable)
1 to 5 domain names	US\$ 360	Nil	US\$ 180
6 to 14 domain names	US\$ 400	Nil	US\$ 200
15 to 29 domain names	US\$ 450	US\$ 450	US\$ 225
30 domain names or more	(To be determined by the Relevant Office of ADNDRC)		

(b) Fees for Appeal:

Number of Domain Name Involved	Single-member Panel		Three-member Panel	
	Fees for Appeal Panel	Additional Fees for Introduction of New Evidence	Fees for Appeal Panel	Additional Fees for Introduction of New Evidence
1 to 5 domain names	US\$ 360	US\$ 150	US\$ 900	US\$ 250
6 to 14 domain names	US\$ 400	US\$ 200	US\$ 1000	US\$ 350
15 to 29 domain names	US\$ 450	US\$ 250	US\$ 1,100	US\$ 500
30 domain names or more	(To be determined by the Relevant Office of ADNDRC)			

2. Fees to be paid to the Relevant Office of the Centre in accordance with the Supplemental Rules shall be paid within one (1) Business Day to:

- "China International Economic and Trade Arbitration Commission" in the event the URS proceedings are to be administered by the Centre's Beijing Office, or

- "Hong Kong International Arbitration Centre" in the event the URS proceedings are to be administered by the Centre's Hong Kong Office, or
 - "Korean Internet Address Dispute Resolution Committee" in the event the URS proceedings are to be administered by the Centre's Seoul Office, or
 - "Kuala Lumpur Regional Centre for Arbitration" in the event the URS proceedings are to be administered by the Centre's Kuala Lumpur Office.
3. Fees do not include attorney fees.
 4. All bank charges, transfer fees or any other amounts that may be levied in connection with a payment made to the Relevant Office of the Centre shall be the responsibility of the Party making the payment.
 5. Fees shall be paid in US Dollars or in any other currencies the Relevant Office of the Centre agrees to accept.

Article 15. Appointment of Case Administrator

When the Complaint is transmitted by the Relevant Office of the Centre to the Respondent, the Relevant Office of the Centre shall notify the Parties of the name and contact details of the Case Administrator responsible for the administration of the proceedings commenced by the Complainant.

Article 16. Exclusion of Liability

1. Without prejudice to any existing rule of law, the Examiner shall not be liable to any Party, Registrar, Registry Operator or ICANN for any act or omission in connection with the URS proceedings conducted under the Procedure, the Rules and the Supplemental Rules, except in the case of fraud, dishonesty or deliberate wrongdoing.
2. Without prejudice to any existing rule of law, the Centre, its officers and its staff, shall not be liable to any Party, Registrar, Registry Operator or ICANN for any act or omission in connection with any URS proceedings conducted under the Procedure, the Rules, and these Supplemental Rules, except in the case of fraud, dishonesty or deliberate wrongdoing.

Article 17. Miscellaneous

1. Words importing the singular number shall include the plural and vice versa.
2. Words importing the masculine gender shall include the feminine gender and vice versa.

Article 18. Amendments

Subject to the Procedure and the Rules, the Centre may amend the Supplemental Rules from time to time at its sole discretion. The amended Supplemental Rules shall come into force after thirty (30) Calendar Days from their publication.

Article 19. Interpretation

These Supplementary Rules are subject to the interpretation of the Centre.