

**THE ASIAN DOMAIN NAME DISPUTE RESOLUTION CENTRE  
SUPPLEMENTAL RULES TO THE INTERNET CORPORATION FOR ASSIGNED  
NAMES AND NUMBERS (ICANN) REGISTRAR TRANSFER DISPUTE  
RESOLUTION POLICY**

**THE SUPPLEMENTAL RULES  
(IN EFFECT AS OF 24 January 2014)**

**Article 1. Definitions**

1. "The Policy" means the Registrar Transfer Dispute Resolution Policy as approved by ICANN on 12 July 2004.
2. "The Supplemental Rules" mean these Rules which are Supplemental to the Policy and are adopted by the Asian Domain Name Dispute Resolution Centre (ADNDRC) to assess Request of Enforcement or Appeal regarding Registrar Transfer Dispute and administer proceedings in conformity with "the Policy" and where required supplement them.
3. "The Centre" means the Asian Domain Name Dispute Resolution Centre (ADNDRC) jointly established by the China International Economic and Trade Arbitration Commission (CIETAC) and the Hong Kong International Arbitration Centre (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 (KIDRC), its Kuala Lumpur Office managed and operated by Kuala Lumpur Regional Centre for Arbitration (KLRCA).
4. "Relevant Office of the Centre" shall mean 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.
5. Any terms defined in the Policy 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 Policy.
2. The Centre shall use the Policy and the Supplemental Rules in connection with any Request for Enforcement or Appeal submitted to it.

**Article 3. Communications between Parties and the Centre**

Unless otherwise agreed beforehand with the relevant Office of the Centre, any submission that may or is required to be made to the Centre pursuant to the Rules, Rules, the Policy and the Supplemental Rules may be made electronically via Internet. For any electronic submission and communications to the relevant Office of Office of the Centre, the following address shall be used:

if to the Beijing Office: [cietac@adndrc.org](mailto:cietac@adndrc.org)

if to the Hong Kong Office: [hkiac@adndrc.org](mailto:hkiac@adndrc.org)

if to the Kuala Lumpur Office: [klrca@adndrc.org](mailto:klrca@adndrc.org)  
if to the Seoul Office: [kidrc@adndrc.org](mailto:kidrc@adndrc.org)

The relevant Office of the Centre shall maintain an archive of all communications received or required to be made under the Supplemental Rules for a period of one year from the date of filing the initial Request for Enforcement or Appeal from the Filing Registrar or the Appellant. Subsequently, all communications and documentation received shall be destroyed.

#### **Article 4. Communications between Parties and the Panel**

1. Where a Party intends to send any communications to the Panelist(s), it shall be addressed through the Office of the Centre which the Request for Enforcement or the Appeal has selected to administer the proceedings.
2. Where a Party sends any communications to the relevant Office of the Centre, it shall at the same time send a copy to the other Party with verification of service lodged with the relevant Office of the Centre.

#### **Article 5. The Request for Enforcement and the Appeal**

1. The Filing Registrar or the Appellant shall have the right to select either the Beijing Office of the Centre or the Hong Kong Office of the Centre to administer the Registrar Transfer Dispute administrative proceeding initiated by a Request for Enforcement filed by the Filing Registrar, or an Appeal filed by the Appellant. Such choice shall be made by the Filing Registrar at the time the Filing Registrar submit a Request of Enforcement, or by the Appellant at the time the Appellant submit an Appeal; and such choice shall be final and binding on the Filing Registrar or the Appellant and the Respondent or the Appellee.
2. In the event stated in the Paragraph 4.2.1 of the Policy, the Filing Registrar shall be required to send its Request for Enforcement in electronic form to the Office of the Centre which the Filing Registrar has selected to administer the proceedings, using Form Fil under the cover of the Transmittal Coversheet of the "Request for Enforcement".
3. In the event stated in the Paragraph 4.3.1 and Paragraph 4.3.2 of the Policy, the Appellant shall be required to send its Appeal in electronic form to the Office of the Centre which the Appellant has selected to administer the proceedings, using Form App under the cover of the Transmittal Coversheet of the "Appeal".
4. The Filing Registrar or the Appellant shall provide a copy of the Request for Enforcement or the Appeal to the Respondent or the Appellee at the same time as it submits it to the relevant Office of the Centre.
5. The relevant Office of the Centre shall forward the Request for Enforcement or the Appeal to the Respondent(s) or the Appellee within three (3) calendar days following receipt of the initial fee from the Filing Registrar or the Appellant.
6. The administrative proceedings will be deemed to have commenced on the date that the relevant Office of the Centre forwards the Request for Enforcement or the Appeal to the Respondent(s) or Appellee.

## **Article 6. The Response**

1. In accordance with the Paragraph 4.2.1 and Paragraph 3.2 of the Policy, within seven (7) days of the date of commencement of the administrative proceedings, the Respondent shall submit a Response using Form R-Fil to the relevant Office of the Centre.
2. In accordance with Paragraph 3.2.2 of the Policy, at the request of the Respondent, the Centre may, in exceptional cases, extend the period of time for the filing of the response, but in no case may the extension be more than an additional five (5) calendar days. The period may also be extended by written stipulation between the Parties, provided the stipulation is approved by the Centre.
3. In accordance with Paragraph 3.2.3 of the Policy, if a Respondent does not submit a response, in the absence of exceptional circumstances, the appointed Panel of the relevant Office of the Centre shall decide the dispute based upon the Request for Enforcement.
4. The Respondent shall provide a copy of the Response in electronic form to the Filing Registrar.

## **Article 7. Panelist(s) Appointment Procedures**

1. The Centre shall maintain and publish a list of Panelist(s) and their qualifications. Any Party may refer to the Centre's Web site at <http://www.adndrc.org> for details. For administrative proceedings, the relevant Office of the Centre shall appoint suitable person(s) from the list, having regard to:
  - a. the nature of the dispute;
  - b. the availability of the Panelist(s);
  - c. the identity of the Parties;
  - d. the independence and impartiality of the Panelist(s);
  - e. any stipulation in the relevant Registration Agreement; and
  - f. any suggestion made by the Parties themselves in accordance with Paragraph 7 of the Supplemental Rules.
2. Where the Filing Registrar or the Appellant has initially requested a three-member Panel and no Response was submitted by the Respondent in accordance with Paragraph 7(2) of the Supplemental Rules, the Filing Registrar or the Appellant shall be given the option of converting the three-member Panel to a single Panelist, within seven (3) calendar days after being notified by the relevant Office of the Centre. Failing this, a three-member Panel shall be constituted.
3. If a single Panelist is appointed, the relevant Office of the Centre shall reimburse the Filing Registrar or the Appellant the relevant amount paid by the Filing Registrar or the Appellant less the relevant Office's administrative fee in accordance with Article 14 of the Supplemental Rules.
4. Where a single Panelist is elected and a Response is received, the sole Panelist will be the highest mutually ranked Panelist on the list of five (5) Panelists that will be provided to each Party within three days.
5. Where a single Panelist is elected and no Response is received, the relevant Office of the Centre shall appoint the sole Panelist without regard to the five (5) Panelists on the list.

## **Article 8. Impartiality and Independence**

1. The Panelist(s) shall be and remain at all times wholly independent and impartial, and shall not act as advocate for any Party during the proceedings.
2. Prior to the appointment of any proposed Panelist(s), and after the appointment, the Panelist(s) 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. Except by consent of the Parties, no person shall serve as a Panelist(s) 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 Panelist(s) might be biased.
3. After a Panelist(s) has been appointed but before rendering a decision, a Panelist(s) dies, is unable to act, or refuses to act, the relevant Office of the Centre will, upon request by either Party, appoint a replacement Panelist(s).

## **Article 9. Panel Decision**

1. A Panel shall make its decision in writing and shall state the reasons upon which the decision is based. The decision shall be dated and signed by the Panelist(s) according to the requirements set forth in Paragraph 4.2 and Paragraph 4.38 of the Policy.
2. In accordance with Paragraph 4.2.2 and Paragraph 4.3.8 of the Policy, the Panel shall forward its decision to the relevant Office of the Centre within Thirty (30) days of its appointment. In exceptional circumstances, the relevant Office of the Centre may extend the time as required for the Panel to forward its Decision.
3. The relevant Office of the Centre shall within three (3) calendar days of its receipt of a decision from the Panelist(s) forwards copies of the decision to the Parties and the concerned Registry.

## **Article 10. Correction of Panel Decision**

1. Within seven (7) days of receiving the decision, a Party may by written notice to the relevant Office of the Centre and the other Party requests the Panel to correct in the decision 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 decision.
2. The Panel may correct any errors on its own initiative of the type referred to in Article 10(1) above within seven (7) days of the date of the decision being rendered.

## **Article 11. Publication of Panel Decision**

The relevant Office of the Centre shall submit the decision of the Panel to the Parties, the concerned Registry and ICANN. Unless the Panel determines otherwise, the relevant Office of the Centre shall publish the full decision on the Centre's Web site, listing:-

Listing:-

1. the Domain Name that is in dispute and is the subject of a Request for Enforcement or an Appeal;
2. the case number;
3. the date the administrative proceedings officially began in accordance with the Article 5.6 above.
4. the decision rendered by the Panelist(s) in accordance with Paragraph 4.2.2 and Paragraph 4.3.8 of the Policy.

**Article 12. Limits on Description of Written Statements**

1. The (maximum) word limit shall be 3,000 words. Parties are required to observe this as the Panel in their own discretion shall have liberty to ignore those words exceeding the maximum stated limit.
2. There shall be no set word limit in regard to a Panel Decision.

**Article 13. Appointment of Case Administrator**

1. When the Request for Enforcement or the Appeal is sent by the relevant Office of the Centre to the Respondent or the Appellee, 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 Request for Enforcement or the Appeal.
2. Communication between the Panelist(s) and the Parties shall be coordinated through the Case Administrator.

**Article 14. Fees (US Dollars)**

1. The applicable fees for documents only administrative procedure are specified as follows:-

Number of Domain Name involved in the Request for Enforcement or the Appeal	Fee for Panelists		ADNDRC's Administrative Fee	Total Fees	
	Single Panelist	Three Panelists		Single Panelist	Three Panelists
1 to 2 domain names	US\$500	Presiding Panelist: US\$1,000 Each Co-Panelist: US\$500	US\$500	US\$1,000	US\$2,500
3 to 5 domain names	US\$600	Presiding Panelist: US\$1,200 Each Co-Panelist: US\$600	US\$600	US\$1,200	US\$3,000

6 to 9 domain names	US\$800	Presiding Panelist: US\$1,400 Each Co-Panelist: US\$700	US\$800	US\$1,600	US\$3,600
10 domain names or more	US\$1,500	Presiding Panelist: US\$2,500 Each Co-Panelist: US\$1,500	US\$1,500	US\$3,000	US\$7,000

2. If any amendments are required due to deficiencies in the Request for Enforcement and the Appeal (Form Fil and Form App), an additional charge of US\$150 shall accompany any resubmission.
3. Fees to be paid to the relevant Office of the Centre in accordance with the Supplemental Rules shall be paid by draft made payable to "China International Economic and Trade Arbitration Commission" in the event the proceedings are to be administered by the Centre's Beijing Office, "Hong Kong International Arbitration Centre" in the event the proceedings are to be administered by the Centre's Hong Kong Office, "Kuala Lumpur Regional Centre for Arbitration" in the event the proceedings are to be administered by the Centre's Kuala Lumpur Office, or "Korean Internet address Dispute Resolution Committee" in the event the proceedings are to be administered by the Centre's Seoul Office. All fees to be paid are in US Dollars.
4. The Filing Registrar or the Appellant shall be responsible for paying the total fees within three (3) days of submitting the Request for Enforcement or an Appeal to our centre. The said fees are at the disposal of the relevant Office of the Centre in compliance with Paragraph 4.4.2 and 4.4.3 of the Policy.
5. If Filing Registrar or the Appellant has elected to have the dispute decided by a single-member Panel and Respondent or the Appellee elects a three-member Panel, Respondent or the Appellee shall be required to pay one-half of the applicable fee for a three-member Panel as set forth in the Provider's Supplemental Rules. This payment shall be made within seven (7) days after receipt of the Request for Enforcement or the Appeal, and is not refundable. In the event that the required payment is not made, the dispute shall be decided by a single-member Panel.
6. The said fees do not include any payments that might have to be made to a lawyer representing a Party.
7. All bank charges, transfer fees or 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.
8. The Registrar that loses the dispute resolution process will bear the costs of the dispute resolution process in addition to any other costs as defined by the Registry.

#### **Article 15. Exclusion of Liability**

1. Without prejudice to any existing rule of law, no Panelist shall be liable to any Party, a concerned Registrar or ICANN for any act or omission in connection with the administrative proceedings conducted under the Policy and the

Supplemental Rules, save 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, a concerned Registrar or ICANN for any act or omission in connection with any administrative proceedings conducted under the Policy and the Supplemental Rules, save in the case of fraud, dishonesty or deliberate wrongdoing.

#### **Article 16. Miscellaneous**

1. Words importing the singular number only shall include the plural and the converse shall also apply.
2. Words importing the masculine gender shall include the feminine gender and the converse shall also apply.

#### **Article 17. Amendments**

Subject to the Policy, the Centre on ICANN's consent may amend the Supplemental Rules from time to time.