亞洲域名爭議解決中心
ASIAN DOMAIN NAME DISPUTE RESOLUTION CENTRE
(HONG KONG OFFICE)

COMPLAINT TRANSMITTAL COVERSHEET

Attached is a Complaint that has been filed against you with the Hong Kong Office of Asian Domain Name Dispute Resolution Centre (ADNDRC) pursuant to the Uniform Dispute Resolution Policy for Frogans Addresses, adopted by the Organization for the Promotion, Protection and Progress of Frogans Technology (OP3FT) on 12 February 2014 (the Policy), the Rules for Uniform Dispute Resolution Policy for Frogans Addresses, approved by the OP3FT on 7 July 2015 (the Rules) and the ADNDRC Supplemental Rules for Uniform Dispute Resolution Policy for Frogans Addresses effective from 31 July 2015 (the Supplemental Rules).

The Policy is incorporated by reference into your Registration Agreement. The Registration Agreement is either the agreement with the FCR Account Administrator(s) of your Network Name(s) and/or Site Name(s), or the FCR Account Administrator Agreement with the FCR Operator (if you have registered your Network Name(s) and/or Site Name(s) on your own behalf as an FCR Account Administrator). In accordance with the Policy, you are required to submit to and participate in a mandatory administrative proceeding in the event that a third party (a Complainant) submits a Complaint to a dispute resolution service provider, such as the ADNDRC, concerning a Network Name or Site Name that you have registered. You will find the name and contact details of the Complainant, as well as the Network Names(s) and/or Sites Name(s) that is/are the subject of the Complaint in the document that accompanies this Coversheet.

You shall submit a Response to the Complaint in accordance with the Rules and Supplemental Rules to the Hong Kong Office of ADNDRC and the Complainant. The due date for and other information regarding the submission of your Response are specified in the Written Notice of ADNDRC. Should you so desire, you may wish to seek the assistance of legal counsel to represent you in the administrative proceeding.

- The Policy can be found at https://www.frogans.org/en/resources/udrpf/udrpf-20140212-en.pdf
- The Rules can be found at https://www.frogans.org/en/resources/udrpf/udrpf-rules-20150707-en.pdf
- The ADNDRC Supplemental Rules, as well as other information concerning the resolution of Network Name or Site Name disputes can be found at http://www.adndrc.org

Alternatively, you may contact the Hong Kong Office of ADNDRC to obtain any of the above documents. The contact details are as follows:

Tel: (852) 2525 2381
Fax: (852) 2524 2171
Email: hkiac@adndrc.org

You are kindly requested to contact the Hong Kong Office of ADNDRC to provide the contact details to which you would like (a) the official version of the Complaint and (b) other communications in the administrative proceeding to be sent.

By submitting this Complaint to the ADNDRC, the Complainant hereby agrees to abide and be bound by the provisions of the Policy, the Rules and the Supplemental Rules.

Asian Domain Name Dispute Resolution Centre
(Hong Kong Office)

COMPLAINT IN ACCORDANCE WITH THE UNIFORM DISPUTE RESOLUTION POLICY FOR FROGANS ADDRESSES

This form shall be used to apply to Asian Domain Name Dispute Resolution Centre (ADNDRC) pursuant to the Uniform Dispute Resolution Policy for Frogans Addresses, adopted by the Organization for the Promotion, Protection and Progress of Frogans Technology (OP3FT) on 12 February 2014 (the Policy), the Rules for Uniform Domain Name Dispute Resolution Policy for Frogans Addresses, approved by OP3FT on 7 July 2015 (the Rules) and the ADNDRC Supplemental Rules for Uniform Dispute Resolution Policy for Frogans Addresses effective from 31 July 2015 (the Supplemental Rules).

(Note: In case any section of the form is not applicable, please put in N/A".)

CHOICE OF ADNDRC OFFICE TO ADMINISTER THE PROCEEDINGS
The Complainant hereby chooses the Hong Kong Office of the ADNDRC to administer the Network Name or Site Name dispute proceedings referred to in this Complaint.

1.a DISPUTED SITE NAME(S) OF PUBLIC FROGANS NETWORK(S) : *(Frogans Address(es) to be listed in full; for each Site Name, provide the linguistic category indicated in the FCR Whois Database. See UDRP-F Rule 3(b)(vi))*
(If there is insufficient space, please provide details on a separate A4 sheet in the same format.)

1. _____ 2. _____ 3._____

4. _____ 5. _____ 6. _____

7. _____ 8. _____ 9. _____

1.b DISPUTED NETWORK NAME(S) OF DEDICATED FROGANS NETWORK(S): *(for each Network Name, provide the linguistic category indicated in the FCR Whois Database. See UDRP-F Rule 3(b)(vi))*
(If there is insufficient space, please provide details on a separate A4 sheet in the same format.)

1. _____ 2. _____ 3. _____

4. _____ 5. _____ 6. _____

7. _____ 8. _____ 9. _____

1.c DISPUTED SITE NAME(S) OF DEDICATED FROGANS NETWORK(S): *(Frogans Address(es) to be listed in full; for each Site Name, provide the linguistic category indicated in the FCR Whois Database. See UDRP-F Rule 3(b)(vi))*
(If there is insufficient space, please provide details on a separate A4 sheet in the same format.)

1. _____ 2. _____ 3. _____

4. _____ 5. _____ 6. _____

7. _____ 8. _____ 9. _____

2 INDICATE THE FCR ACCOUNT ADMINISTRATOR(S) WITH WHICH THE NETWORK NAME(S) AND/OR SITE NAME(S) IS / ARE REGISTERED, INCLUDING THEIR FULL CONTACT DETAILS:

_____

_____

_____

_____

_____

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_____

_____

3 **DETAILS OF PARTIES:** *(If there is more than one Complainant, please use a separate A4 sheet to provide the contact details for each and briefly describe the basis on which they are being joined in a common Complaint. If there is more than one respondent, a separate Form C should be used.)*

COMPLAINANT:

Name _____

Address _____

_____

_____

Tel No _____

Fax No _____

Email _____

Legal Status _____

Place of Incorporation _____

Principal Place of Business _____

_____

_____

Authorized Representative (if any)**:**

Name _____

Address _____

_____

_____

Tel No _____

Fax No _____

Email _____

RESPONDENT:

Name _____

Address _____

_____

_____

Tel No _____

Fax No _____

Email _____

Legal Status _____

Place of Incorporation _____

Principal Place of Business _____

_____

_____

Authorized Representative (if any)**:**

Name _____

Address _____

_____

_____

Tel No _____

Fax No _____

Email _____

4 **COMPLAINANT'S PREFERRED CONTACT PERSON:**

Name of the Contact Person:

_____

Information of the Contact Person:

Telephone: _____

Email: _____

5 INDICATE REASONS WHY THE PERSON / ENTITY IDENTIFIED IN THE COMPLAINT HAS BEEN IDENTIFIED AS THE RESPONDENT: (Copy of database search(es) should be attached to this Complaint.)

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6 INDICATE WHETHER THERE ARE LEGAL PROCEEDINGS THAT HAVE BEEN COMMENCED OR TERMINATED IN CONNECTION WITH OR RELATING TO ANY OF THE NETWORK NAME(S) OR SITE NAME (S) THAT ARE THE SUBJECT OF THE COMPLAINT: (Please attach any supporting documentation.)

_____

_____

_____

_____

_____

7 COMPLAINT: (Please specify the trademark(s) or service mark(s) on which the Complaint is based and, for each mark, describe the goods or services, if any, in connection with which the mark is used. If applicable, please attach copies of all registration certificates.)

_____

_____

_____

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8 SUMMARIZE BRIEFLY THE FACTUAL AND LEGAL GROUNDS ON WHICH THE COMPLAINT IS MADE:

(Word limit shall be 3,000 words maximum.)

The Uniform Dispute Resolution Policy for Frogans Addresses provides, at Paragraph 4(a), that in the administrative proceeding, the complainant must prove that EACH of the following three elements is present:

i) The disputed Network Name(s) and/or Site Name (s) is/are identical or confusingly similar to a trademark or service mark in which the Complainant has rights:

_____

_____

_____

_____

_____

ii) The Respondent has no rights or legitimate interests in respect of the Network Name(s) and/or Site Name(s):

_____

_____

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_____

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iii) The disputed Network Name(s) and/or Site Name(s) has/have been registered and is/are being used in bad faith:

_____

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_____

9 REMEDIES SOUGHT: *(* delete as appropriate)*

The Complainant requests that ***the disputed Network Name(s) and/or Site Name(s) be transferred to the Complainant*** */* ***the disputed Network Name(s) and/or Site Name(s) be cancelled*** *.

(If the dispute concerns a Site Name of a Dedicated Frogans Network, the only available remedy is cancellation)

10 THE COMPLAINANT ELECTS TO HAVE THE COMPLAINT DECIDED BY ONE / THREE* PANELIST(S):
(delete as appropriate)*

11 IF THE COMPLAINANT ELECTS TO HAVE THE COMPLAINT DECIDED BY THREE PANELISTS AND THERE ARE THREE PROPOSED PANELIST(S), PLEASE LIST THEM BELOW IN PREFERENCE TOGETHER WITH THEIR CONTACT DETAILS:

1. _____

2. _____

3. _____

12 THE COMPLAINANT SHALL SUBMIT, WITH RESPECT TO ANY CHALLENGES TO A DECISION IN THE ADMINISTRATIVE PROCEEDING CANCELING OR TRANSFERRING THE NETWORK NAME(S) AND/OR SITE NAME(S), TO THE JURISDICTION OF THE COURTS IN AT LEAST ONE SPECIFIED MUTUAL JURISDICTION. *(Please indicate by checking ONE of the boxes provided below.)*

- ☐ the location of the principal office of the FCR Operator.
- ☐ the location of the Network Name or Site Name holder's address, as shown for the registration of the Network Name(s) and/or Site Name(s) in the FCR WHOIS database at the time of the submission of the Complaint to the Center.
- ☐ the location of the principal office of the FCR Operator AND the Network Name or Site Name holder's address, as shown for the registration of the Network Name(s) and/or Site Name(s) in the FCR WHOIS database at the time of the submission of the Complaint to the Center.

13 REGISTRATION AGREEMENT OF THE CONCERNED FCR ACCOUNT ADMINISTRATOR INCORPORATING THE POLICY: (Please attach a copy of the agreement to this Complaint.)

14 OTHER RELEVANT DETAILS: (Optional**)**

_____

_____

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_____

15 ADDITIONAL INFORMATION

(i) Annex any additional documentation to support the Complaint, together with a schedule indexing such document(s).

(ii) The Complaint may relate to more than one Network Name or Site Name, provided that the Network Names and/or Site Names are registered by the same domain name holder.

(iii) This Complaint shall be submitted in electronic form in accordance with the Rules to the Hong Kong Office of ADNDRC:

Asian Domain Name Dispute Resolution Centre (Hong Kong Office)
38/F Two Exchange Square,
8 Connaught Place Central,
Hong Kong
Tel: (852) 2525 2381
Fax: (852) 2524 2171
Email: hkiac@adndrc.org

(iv) Enclose appropriate fees in accordance with Article 15 of the Supplemental Rules.

(v) The following documents should be consulted in connection with preparing this Complaint:

- Uniform Dispute Resolution Policy for Frogans Addresses ("the Policy");
- Rules for Uniform Dispute Resolution Policy for Frogans Addresses ("the Rules");
- ADNDRC Supplemental Rules for Uniform Dispute Resolution Policy for Frogans Addresses ("the Supplemental Rules")

(vi) Any communication by a party shall be copied to the other party and the ADNDRC's Hong Kong Office.

16 CERTIFICATE

The Complainant agrees that its claims and remedies concerning the registration of the Network Name or Site Name, the dispute, or the dispute's resolution shall be solely against the Network Name or Site Name holder and waives all such claims and remedies against (a) ADNDRC, or any of its Offices, or any Panelist(s), except in the case of deliberate wrongdoing,, (b) the FCR Account Administrator, except in the case where the FCR Account Administrator is the Network Name or Site Name holder, (c) the FCR Operator, and (d) the Organization for the Promotion, Protection and Progress of Frogans Technology, as well as their directors, officers, employees, and agents.

The Complainant certifies that the information contained in this Complaint is to the best of the Complainant's knowledge, complete and accurate, that this Complaint is not being presented for any improper purpose, such as to harass, and that the assertions in this Complaint are warranted under the Rules and under applicable law, as it now exists or as it may be extended by a good-faith and reasonable argument.

Signature: _____ Date: _____

Name and Capacity (in print): _____