

**PROPOSED FRAMEWORK FOR RESOLVING DISPUTES OVER INTERNET  
DOMAIN NAMES REGISTERED UNDER .SG**

**A CONSULTATION DOCUMENT**

**20 July 2001**

## CONSULTATION PAPER

### PROPOSED FRAMEWORK FOR RESOLVING DISPUTES OVER INTERNET DOMAIN NAMES REGISTERED UNDER .SG

#### 1 OBJECTIVE

1.1 To invite industry comments on the proposed framework for resolving disputes over Internet domain names registered under .SG. The proposed framework is set out in the following documents:

- (a) The Singapore Domain Name Dispute Resolution Policy (the “Policy”) – Annex 1;
- (b) The Rules for the Singapore Domain Name Dispute Resolution Policy (the “Rules”) – Annex 2; and
- (c) The Supplemental Rules for the Singapore Domain Name Dispute Resolution Policy (the “Supplemental Rules”) – Annex 3.

#### 2. BACKGROUND

2.1 Singapore Network Information Centre (SGNIC), together with Singapore International Arbitration Centre (SIAC), Singapore Institute of Arbitrators (SIArb) and Singapore Mediation Centre (SMC) have developed a framework for resolving domain name disputes between a “.sg” domain name registrant and any third party. The framework, which is largely based on the ICANN Uniform Domain Name Dispute Resolution Policy and consistent with the WIPO (World Intellectual Property Organisation) guidelines on “ccTLDs Best Practices for the Prevention and Resolution of Intellectual Property Disputes”, is designed to resolve “.sg” domain name disputes in a fair, fast and cost effective way.

### 3 SINGAPORE DOMAIN NAME DISPUTE RESOLUTION POLICY

3.1 The dispute resolution service will be provided by a secretariat established jointly by SMC and SIAC. Under the framework, in the event that a complainant asserts to the secretariat that:

- (a) a “.sg” domain name is identical or confusingly similar to a name, trademark or service mark in which the complainant has rights;
- (b) the registrant has no rights or legitimate interests in respect of the domain name; and
- (c) the domain name has been registered or is being used in bad faith,

the “.sg” domain name registrant would be required by the terms of his registration agreement with SGNIC to have the dispute resolved through an administrative proceeding conducted before an Administrative Panel appointed by the secretariat. The matter will be mediated first if both parties agree to mediation. If either party does not agree to mediation, the dispute will be decided by administrative proceeding.

3.2 The administrative proceeding would be conducted before a single-member or three-member Administrative Panel. The secretariat will appoint a single-member Administrative Panel unless either the complainant or the registrant requests for the appointment of a three-member Administrative Panel. In the event that the complainant requests for a single-member panel but the registrant requests for a three-member panel, the fees for the dispute resolution service would be borne equally by the registrant and the complainant. In any other case, all fees for the dispute resolution service would be borne by the complainant.

3.3 The decision of the Administrative Panel will be implemented by SGNIC, unless a party dissatisfied with the Panel’s decision applies to the court to review the matter within 10 working days from the date SGNIC is informed of the Panel’s decision.

3.4 The administrative proceeding may be concluded in as short as 30 working days and may cost as little as \$2,750. The administrative proceeding therefore offers a

quicker and cheaper way of resolving “.sg” domain name disputes compared to litigation in the courts.

#### 4 FOR INDUSTRY COMMENTS

- 4.1 Industry’s feedback is sought on the proposed dispute resolution framework. All views and comments should be submitted to SGNIC in hard copy (1 copy) and diskette (Word 97 format). Comments may also be e-mailed. Comments should be clear and succinct. All written comments should be submitted to SGNIC on or before 12 noon on 17 August 2001. Comments received after 12 noon on 17 August 2001 will not be accepted or considered. Respondents are required to include their personal/company particulars as well as the correspondence address in their submissions. All comments and views should be addressed to:

Mr Lim Choon Sai  
Director  
Singapore Network Information Centre (SGNIC) Pte Ltd  
8 Temasek Boulevard  
#14-00 Suntec Tower 3  
Singapore 038988  
E-mail: Lim\_Choon\_Sai@nic.net.sg

- 4.2 Unless SGNIC is specifically requested not to publicise a particular comment, SGNIC may, if it thinks appropriate, publicise the comments received.
- 4.3 Based on the written comments, SGNIC will where necessary, make appropriate modifications to the proposed framework.