



*[Name & Address of
Complainant]*)
)
)
(Complainant))
)
v.)
)
*[Name and Address of
Respondent]*)
)
(Respondent))
_____)

Domain Names In Dispute:
[list names]

**COMPLAINT IN ACCORDANCE WITH
THE UNIFORM DOMAIN NAME DISPUTE RESOLUTION POLICY**

[1.] This Complaint is hereby submitted for decision in accordance with the Uniform Domain Name Dispute Resolution Policy (UDRP), adopted by the Internet Corporation for Assigned Names and Numbers (ICANN) on August 26, 1999 and approved by ICANN on October 24, 1999, and the Rules for Uniform Domain Name Dispute Resolution Policy (UDRP Rules), with an effective date of March 1, 2010, and the National Arbitration Forum (FORUM) Supplemental Rules (Supp. Rules). UDRP Rule 3(b)(i).

[2.] COMPLAINANT INFORMATION

- [a.] Name: *[enter full name of Complainant]*
- [b.] Address: *[enter mailing address]*
- [c.] Telephone: *[enter telephone number]*
- [d.] Fax: *[enter facsimile number]*
- [e.] E-Mail: *[enter e-mail address(es)]*

[3.] COMPLAINANT AUTHORIZED REPRESENTATIVE, IF ANY

- [a.] Name: *[enter full name of Representative(s)]*
- [b.] Address: *[enter mailing address]*
- [c.] Telephone: *[enter telephone number(s)]*
- [d.] Fax: *[enter facsimile number]*
- [e.] E-Mail: *[enter e-mail address(es)]*

UDRP Rule 3(b)(ii).

Complainant's preferred contact person for correspondence relating to this case:

- [a.] Contact Name(s): *[enter name(s) of contact persons]*
- [b.] Contact Emails(s): *[enter email address(es) to receive all case emails]*

The Complainant chooses to have this dispute heard before a (check one):

single-member administrative panel; *three-member administrative panel*.

ICANN Rule 3(b)(iv).

[If Complainant elects to have this dispute heard before a three-member panel, provide the names and contact details of three candidates from any ICANN-approved Provider's list of panelists to serve as one of the panelists.] UDRP Rule 3(b)(iv).

[4.] RESPONDENT INFORMATION

- [a.] Name: *[enter full name of Respondent – should be same as “Registrant”]*
- [b.] Address: *[enter mailing address]*
- [c.] Telephone: *[enter telephone number]*
- [d.] Fax: *[enter facsimile number]*
- [e.] E-Mail: *[enter e-mail address]*

[5.] RESPONDENT AUTHORIZED REPRESENTATIVE, IF KNOWN

- [a.] Name: *[enter full name of Representative(s)]*
- [b.] Address: *[enter mailing address]*
- [c.] Telephone: *[enter telephone number(s)]*
- [d.] Fax: *[enter facsimile number]*
- [e.] E-Mail: *[enter e-mail address(es)]*

ICANN Rule 3(b)(v).

[In this section, please include any arguments you are making with respect to Forum Supplemental Rule 1(d)].

[6.] DISPUTED DOMAIN NAME(S)

- [a.] The following domain name(s) is/are the subject of this Complaint: ICANN Rule 3(b)(vi).

[enter the disputed domain name(s) here without the “www.”]

- [b.] Registrar Information: UDRP Rule 3(b)(vii).

- [i.] Registrar's Name: *[enter the Registrar Company(ies) with whom the domain name(s) is/are registered.]*
- [ii.] Registrar Address: *[enter Registrar's address]*
- [iii.] Telephone Number: *[enter Registrar's phone number]*
- [iv.] E-Mail Address: *[enter Registrar's e-mail address]*

[c.] Trademark/Service Mark Information: ICANN Rule 3(b)(viii).

[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, with which the mark is used (Complainant may also separately describe other goods and services with which it intends, at the time the complaint is submitted, to use the mark in the future.) Please refer to the definition of Complainant in the Rules and Supplemental Rules if you intend to list more than one Complainant, regarding whose trademark information to include.]

[7.] **FACTUAL AND LEGAL GROUNDS**

This Complaint is based on the following factual and legal grounds: UDRP Rule 3(b)(ix). ***[All three elements of the Policy must be alleged and proved by the Complainant. UDRP Para. 4(a).]*** *[The analysis in this section may require more space than provided, but the entire Complaint shall not exceed fifteen (15) pages. FORUM Supp. Rule 4(a).]*

[a.] *[Specify in the space below the manner in which the domain name(s) is/are identical or confusingly similar to a trademark or service mark in which the Complainant has rights.]* UDRP Rule 3(b)(ix)(1); UDRP Policy ¶ 4(a)(i).

[b.] *[Specify in the space below why the Respondent (domain-name holder) should be considered as having no rights or legitimate interests in respect of the domain name(s) that is/are the subject of the complaint.]* UDRP Rule 3(b)(ix)(2); UDRP Policy ¶ 4(a)(ii).

[The Panel may consider any relevant aspects included in, but not limited to UDRP Policy ¶ 4(c):

(i.) *Whether, before any notice to the Respondent of the dispute, Respondent's use of, or demonstrable preparations to use, the domain name or a name corresponding to the domain name is in connection with a bona fide offering of goods or services; or*

(ii.) *Whether Respondent (as an individual, business, or other organization) has been commonly known by the domain name, even if Respondent has not acquired trademark or service mark rights; or*

(iii.) *Whether Respondent is making a legitimate noncommercial or fair use of the domain name, without intent for commercial gain to misleadingly divert consumers or to tarnish the trademark or service mark at issue.]*

[c.] *[Specify in the space below why the domain name(s) should be considered as having been registered and being used in bad faith.] UDRP Rule 3(b)(ix)(3); UDRP Policy ¶ 4(a)(iii).*

[The Panel may consider any relevant aspects included in, but not limited to UDRP Policy ¶ 4(b):

(i.) *Whether there are circumstances indicating that Respondent has registered or has acquired the domain name primarily for the purpose of selling, renting, or otherwise transferring the domain name registration to the Complainant who is the owner of the trademark or service mark or to a competitor of that Complainant, for valuable consideration in excess of Respondent's documented out-of-pocket costs directly related to the domain name; or*

(ii.) *Whether Respondent has registered the domain name in order to prevent the owner of the trademark or service mark from reflecting the mark in a corresponding domain name, provided that Respondent has engaged in a pattern of such conduct; or*

(iii.) *Whether Respondent has registered the domain name primarily for the purpose of disrupting the business of a competitor; or*

(iv.) *Whether by using the domain name, Respondent has intentionally attempted to attract, for commercial gain, Internet users to Respondent's web site or other on-line location, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation, or endorsement of Respondent's web site or location or of a product or service on Respondent's web site or location.]*

[8.] **REMEDY SOUGHT**

The Complainant requests that the Panel issue a decision that the domain-name registration be [*“transferred” or “cancelled” – Note: if Complainant prevails, transferring gives Complainant control of the domain name. Cancellation simply takes it from Respondent. Anyone can re-register a cancelled domain name.*] UDRP Rule 3(b)(x); UDRP Policy ¶ 4(i).

[9.] **OTHER LEGAL PROCEEDINGS**

[*Identify any other legal proceedings that have been commenced or terminated in connection with or relating to any of the domain name(s) that are the subject of the complaint, including previous UDRP cases involving one or more of the domain names at issue here.*] UDRP Rule 3(b)(xi).

[10.] **COMPLAINT TRANSMISSION**

The Complainant asserts that a copy of this Complaint, together with the cover sheet as prescribed by FORUM’s Supplemental Rules, has been sent or transmitted to the Respondent (domain-name holder), in accordance with UDRP Rule 2(b) and to the Registrar(s) of the domain name(s), in accordance with FORUM Supp. Rule 4(d)(i). UDRP Rule 3(b)(xii).

[11.] **MUTUAL JURISDICTION**

The Complainant will submit, with respect to any challenges to a decision in the administrative proceeding canceling or transferring the domain name, to [*choose one jurisdiction*]:

_____ a) *the location of the principal office of the concerned registrar or*

_____ b) *where the Respondent is located, as shown by the address(es) given for the domain name holder in the Whois Database at the time of the submission of the Complaint to FORUM.*

UDRP Rule 3(b)(xiii).

[12.] **CERTIFICATION**

Complainant agrees that its claims and remedies concerning the registration of the domain name, the dispute, or the dispute’s resolution shall be solely against the domain-name holder and

waives all such claims and remedies against (a) the National Arbitration Forum and panelists, except in the case of deliberate wrongdoing, (b) the registrar, (c) the registry administrator, and (d) the Internet Corporation for Assigned Names and Numbers, as well as their directors, officers, employees, and agents.

Complainant certifies that the information contained in this Complaint is to the best of 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 these Rules and under applicable law, as it now exists or as it may be extended by a good-faith and reasonable argument.

Respectfully Submitted,

[Signature]

[Name]

[Date]

[Annex any documentary or other evidence, including a copy of the Policy applicable to the domain name(s) in dispute and any trademark or service mark registration upon which the complaint relies, together with a schedule indexing such evidence.] UDRP Rule 3(b)(xv).

[The Complaint, not including annexed material, shall not exceed ten (15) pages.] FORUM Supp. Rule 4(a).

[The Complaint and Annexes shall be submitted electronically, in accordance with the electronic submission requirements listed in the Annex to the Supplemental Rules, to domaindispute@adrforum.com.] FORUM Supp. Rule 4(b).