

.trust Sunrise Policy

NCC Group Domain Services, Inc. (“the Registry”) offers this .trust Sunrise Policy for the .trust TLD. This Sunrise Policy was designed to facilitate a fair, orderly and equitable introduction for the .trust TLD, while granting priority to certain rights holders. Additionally, it will act as a deterrent to abusive and bad faith registrations.

The Sunrise Policy describes, amongst other things:

- The terms by which eligible parties may submit an Application during the Sunrise; and
- The manner in which Applications will be processed, validated and Allocated.

This policy applies to:

- Persons or entities submitting an Application; and
- Registrars.

1. Definitions

Allocation means the method by which a domain name is created and assigned to an Applicant.

Allocated shall have a corresponding meaning.

Applicant means a natural person, company or organization in whose name an Application is submitted.

Application means the complete and technically-correct request for a domain name, which complies with this policy and any other applicable policy issued by us or ICANN.

Claims Notice means a notice provided to an Applicant indicating that the applied-for Label is a Trademark Match to a Trademark Record in the Trademark Clearinghouse.

Claims Services means the services that collectively provide Applicants with a Claims Notice; and Trademark Holders, with a corresponding Trademark Record, with notice that a Label that is a Trademark Match to the Trademark Record is Allocated.

Claims Period means any period during which the Claims Services are provided.

Eligible for Allocation means a domain name that we assign, designate or otherwise earmark to an Applicant following technical substantiation.

General Availability means the point in time following which requests to register a domain name may be received from any eligible party on a first-come, first-served basis.

ICANN means the Internet Corporation for Assigned Names and Numbers, its successors and assigns.

ICANN Registry Agreement Date refers to the date on which the Registry Agreement for the TLD was assigned to us and shall mean October 31st July 2014.

Label means a string of characters used to form part of a domain name. The elements of a domain name and their composition are more fully described in our .trust Acceptable Use Policy which can be found in the policy section at the following link <https://whodoyou.trust/resources/policies/>.

Launch Program means the Sunrise Period described in this document, but does not include General Availability.

Registrar means an entity that is authorized to offer domain name registration services in relation to the TLD.

Service means a service that we provide in relation to the TLD.

SMD File means the Signed Mark Data file provided by the TMCH Sunrise and Claims Operator to a holder of a Validated Mark which is encoded with information such as the Labels that may be Allocated during a Sunrise Period.

Sunrise Eligibility Requirements means the requirements outlined in this policy that an Applicant must meet to participate in the Sunrise Period.

Sunrise Period means the period during which Sunrise-Eligible Rights Holders have the opportunity to submit an Application for a domain name in the TLD prior to General Availability.

Sunrise Registration means a domain name Allocated to a Sunrise-Eligible Rights Holder and for which the Holder has applied during the Sunrise Period.

Sunrise-Eligible Rights Holders means Trademark Holders who have been issued with an SMD File from the TMCH Sunrise and Claims Operator and meet the Sunrise Eligibility Requirements specified in this policy.

TLD means Top Level Domain and for the purpose of this policy the TLD shall be **.trust**.

Reveal Date refers to the date that ICANN announced the Application for the TLD and shall mean June 13, 2012.

TMCH Sunrise and Claims Operator means the providers appointed by ICANN to serve as the Trademark Clearinghouse by accepting, authenticating, validating and facilitating the transmission of information related to certain trademarks.

Trademark Clearinghouse Guidelines means the guidelines which can be found at the following link <http://www.trademark-clearinghouse.com> (as may be updated from time to time) which provide an overview of the requirements for the inclusion of trademarks in the Trademark Clearinghouse and the issuance of a SMD File.

Trademark Clearinghouse means the central repository for information to be authenticated, stored, and disseminated, pertaining to the rights of Trademark Holders.

Trademark Holder means holders of marks that have been verified by the TMCH Sunrise and Claims Operator as meeting the requirements specified in the Trademark Clearinghouse Guidelines.

Trademark Match means that a Label is a match to a trademark, as described in the Trademark Clearinghouse Guidelines.

Trademark Record means a complete and correct set of information concerning a trademark or other mark submitted to the Trademark Clearinghouse.

Validated Mark means a mark that has been verified by the TMCH Sunrise and Claims Operation as meeting the requirements specified in the Trademark Clearinghouse Guidelines, including those relating to proof of use.

We, us and our means Artemis Internet Inc. doing business as NCC Group Domain Services, or our designated representatives.

2. Introduction

The Launch Program was designed to:

- Provide certain protections to the various entities described in this policy;
- Comply with ICANN's requirements for the TLD; and
- Prioritize certain Applications for domain names.

3. Background To The Launch Program

ICANN requires that we, in our management of the TLD, implement certain Rights Protection Mechanisms (often referred to as RPMs) to discourage or prevent registration of domain names that violate or abuse another party's legal rights. Rights Protection Mechanisms may exist in different forms dependent on the stage or period of operation of the TLD. Some Rights Protection Mechanisms exist for a defined period of time, while others may subsist or become active as a result of certain conditions.

Details about ICANN's requirements for Rights Protection Mechanisms can be found on the ICANN website at the following link <http://newgtlds.icann.org/en/about/trademark-clearinghouse>.

4. About Us, Rights Protection Mechanisms And The Trademark Clearinghouse

ICANN has established the Trademark Clearinghouse and associated processes and procedures so that we can comply with our obligation to implement Rights Protection Mechanisms ("the Service"). ICANN has appointed providers, the TMCH Sunrise and Claims Operator(s), to operate the Trademark Clearinghouse.

Our implementation of the Service has been integrated and tested with the TMCH Sunrise and Claims Operator. Information about the Trademark Clearinghouse and the TMCH Sunrise and Claims Operator can be found at the following link <http://trademark-clearinghouse.com/>.

Where applicable, our role is to verify that the information provided to us by a Registrar, is consistent with that information that is contained in the Trademark Clearinghouse. We do not make any decisions about the validity or use of a mark or its inclusion in the Trademark Clearinghouse.

Sunrise Period Overview

5. What Is A Sunrise Period?

A Sunrise Period operates to allow entities that meet defined criteria the ability to submit an Application for a domain name in the TLD before the General Availability.

In order to meet ICANN's requirements, the Sunrise Period for the TLD will be restricted to Sunrise-Eligible Rights Holders.

6. How Does A Sunrise Period Operate?

In order to participate in a Sunrise Period the Sunrise-Eligible Rights Holder must:

- Have met all the requirements to obtain a SMD File as described in the Trademark Clearinghouse Guidelines;
- Meet any of the additional requirements that we have described in this document or any other policy issued by us;
- At the time of submitting an Application provide the SMD File received from the TMCH Sunrise and Claims Operator; and
- Only submit an Application for a Label contained in the SMD File. We will perform verification of the SMD File and confirm that the applied for Label is contained in the SMD File. Where verification of the SMD File fails or the applied for Label is not contained in the SMD File, that Application will be rejected.

7. When Will A Sunrise Period Operate For The TLD?

The Sunrise Period will be in effect for ninety (90) days beginning on December 16, 2014.

Claims Period Overview

8. What Is The Claims Period?

In order to meet ICANN's requirements, there be a 90-day Claims Periods at the start of the General Availability of the TLD. Throughout the Claims Period, during the process of making an Application for a domain name, the Applicant will be notified (via a Claims Notice) if the applied-for Label is a Trademark Match to a Trademark Record in the Trademark Clearinghouse. Where that Label is Allocated, the Trademark Holder with the corresponding Trademark Record will be notified of such by the TMCH Sunrise and Claims Operator.

9. How Does The Claims Period Operate?

The Claims Notice forms part of the process of submitting an Application for a domain name, and the Applicant for the domain name will be required to acknowledge the information contained within the Claims Notice before processing the Application.

10. When Will A Claims Period Operate For The TLD?

The Claims Period will be in effect during the first 90 calendar days after the commencement of General Availability.

11. Notice And Duration

Once commenced, we may extend the duration of the Claims Period. Where the Claims Period is extended we will provide such notice to you on our website.

12. Basic Requirements Of An Application

An Application for a domain name must be made through an accredited Registrar.

Applications for domain names are subject to the eligibility requirements of the TLD. Our Acceptable Use Policy can be found in the policy section of our website at the following link <https://whodoyou.trust/resources/policies/>.

In submitting an Application you acknowledge that the Application, and if successful the subsequent Allocation of the domain name, are subject to this and other policy issued by us.

In addition to the information required by ICANN, the TMCH Sunrise and Claims Operator, and the Registrar, Applicants must supply any information regarding a domain name that may be required by us, as described in this document or any other policy issued by us.

All Applications must specify that the Application is being submitted as a Sunrise registration and contain any such information that is required of the Sunrise Period as described in this document.

Applications may only be submitted once the period to which the Application relates has commenced. Successful Applicants must enter into an agreement for the domain name with their Registrar.

13. Availability Of Domain Names

All Applications for domain names are subject to the requested domain name's availability. A domain name may:

- Be reserved or restricted; or
- Have been previously Allocated; or
- Be eligible for Allocation to another entity; or

Our Acceptable Use Policy describes the types of Labels that will be reserved and restricted in the TLD.

14. Premium Names

We may, at our discretion, reserve certain domain names that will be made available for registration, at some point during the life of the TLD.

15. Processing Of Applications and Allocation of Domain Names

Applications for domain names received during the Sunrise Period will be processed by us at the conclusion of the Sunrise Period.

For the purpose of processing Applications for domain names, the time every Application has been received at during the Sunrise Period will be noted. We will determine if there is more than one Application for the same domain name, and if there are identical names, the dispute will be resolved through an auction process. We will notify the Registrar(s) who sponsored such Sunrise Applications and advise them of the impending auction for the Domain Name. Registrars receiving notice of a pending auction must pass on such notice to their Sunrise applicants. At the conclusion of an auction for a Domain Name, the sponsoring Registrar(s) for Sunrise Applications will receive notice informing which Sunrise Applicant prevailed in the auction and was allocated the Domain Name or lost in the auction.

We will perform technical substantiation of information received in relation to an Application with the TMCH Sunrise and Claims Operator.

A domain name will not function in the Service until such time as it has been Allocated. An Application for a domain name will be Eligible for Allocation passing of the technical substantiation process

Where the Application is not Allocated within 120 calendar days of being Eligible for Allocation, that Application shall be considered abandoned and the applied for domain name may:

- Become available during General Availability; or
- Be reserved or restricted by us, subject to this and any other applicable policy issued by us or ICANN.

16. Our Policy And Your Representations And Warranties

All domain names or Applications for domain names, as the case may be, are subject to our policies, and policies, procedures and requirements as issued by ICANN.

Our policy documents can be found in the policy section of our website at the following link <https://whodoyou.trust/resources/policies/>.

Without limiting any other agreement or policy, by submitting an Application for a domain name an Applicant will be deemed to have warranted that:

- It has the authority to make an Application;
- The information provided is current, complete, and accurate, and the Applicant agrees to correct and update the information to ensure it remains current, complete, and accurate;
- Any information the Applicant may have provided to the TMCH Sunrise and Claims Operator is true and correct; and
- Where the Application relates to a Sunrise Period, to the best of the Applicant's knowledge the requested Label is a Trademark Match to the Validated Mark.

The Applicant and the Registrar each understands and acknowledges:

- That the act of submitting an Application for a domain name in no way guarantees the domain name will be Allocated to the Applicant;
- We may prevent an Applicant from making an Application and registering or renewing a domain name where that Applicant has been found to be in breach of our policy.
- By submitting an Application for a domain name the Applicant and the Registrar agree:
 - To be subject to this and any other policy issued by us, and acknowledge that any domain name may be subject to a dispute resolution process, and that the outcome of such process may result in the domain name registration being transferred to another entity, being suspended or cancelled;
 - That we reserve the right to deny any Application, or cancel, lock, place on hold, transfer or delete any domain name that we deem necessary, in our sole discretion in order to, among others:
 - protect the integrity and stability of the Service;

- comply with our obligations;
 - comply with any applicable laws, government rules or requirements, requests of law enforcement, or in compliance with any dispute resolution policies or process;
 - avoid any liability, civil or criminal, on our part, as well as our affiliates, subsidiaries, officers, directors, employees and subcontractors;
 - ensure compliance with our policies;
 - correct mistakes made by us or any Registrar, or any of its service providers in connection with an Application or a domain name; or
 - For the non-payment to us of any fee.
- To indemnify and keep us (including our employees, agents and subcontractors) fully indemnified from and against all suits, actions, claims, demands, losses, liabilities, damages, costs and expenses, that may be made or brought against or suffered or incurred by us, arising out of or in connection in any way, with your breach of any policy or agreement that you may have with us.

Operation Of The Sunrise Period

17. Eligibility

Participation in the Sunrise Period is restricted to Applicants who meet the following Sunrise Eligibility Requirements.

The Applicant must:

- Have been issued with an SMD File from the TMCH Sunrise and Claims Operator; and
- Comply with the eligibility requirements of the TLD as described in our Acceptable Use Policy which can be found in the policy section at the following link <https://whodoyou.trust/resources/policies/>.

As described in the Trademark Clearinghouse Guidelines that may be found at the following link <http://www.trademark-clearinghouse.com> and reproduced in part below, a SMD File will be issued by the TMCH Sunrise and Claims Operator to the holder of a word mark that:

- Is nationally or regionally registered and for which proof of use (which can be a declaration and a single specimen of current use) was submitted to, and validated by, the TMCH Sunrise and Claims Operator; or
- Has been court-validated; or
- Has been specifically protected by a statute or treaty currently in effect and that was in effect on or before June 26, 2008.

For further information on how to obtain an SMD File please see the Trademark Clearinghouse Guidelines that may be found at the following link www.trademark-clearinghouse.com.

18. Registration Term

A domain name Allocated as a result of the Sunrise Period may be created for a term of one to ten years.