

RESPONSE

SINGAPORE DOMAIN NAME DISPUTE RESOLUTION SERVICE

Case Number

[Indicate assigned case number]

(Complainant)

[FULL NAME AND ADDRESS OF COMPLAINANT]

-v-

(Respondent)

[FULL NAME AND ADDRESS OF RESPONDENT]

Disputed Domain Name(s):

[List name(s) specified in Complaint in full]

I. Introduction

[1.] By an email dated *[date]*, the Respondent was notified by the Secretariat for the Singapore Domain Name Dispute Resolution Service (the Secretariat) that an administrative proceeding had been commenced by the Complainant in accordance with the Singapore Domain Name Dispute Resolution Policy (the Policy), the Rules for the Singapore Domain Name Dispute Resolution Policy (the Rules) and the Supplemental Rules for the Singapore Domain Name Dispute Resolution Policy (the Supplemental Rules). The Secretariat set *[date]* as the date for the submission of a Response by the Respondent.

[2.] The Respondent hereby responds to the statements and allegations in the Complaint and requests that the Administrative Panel deny the remedies requested by Complainant. The Respondent [does not request/further requests] that the Panel make a finding of reverse domain name hijacking.

II. Respondent's Contact Details

(Rules, para. 5(b)(ii) and (iii))

[3.] For the purposes of the administrative proceeding, the Respondent's contact details are as follows:

Name: <i>[Specify full name]</i>	
Address: <i>[Specify postal address]</i>	
Telephone: <i>[Specify telephone number]</i>	
Fax: <i>[Specify fax number]</i>	
Email: <i>[Specify email address]</i>	

[If there is more than one Respondent, provide this information for each Respondent below.]

--

[4.] The Respondent's authorised representative in this administrative proceeding is:

--

[If relevant, identify the authorised representative and provide all contact details, including postal address, telephone number, fax number and email address. If there is more than one authorised representative, provide contact details for each.]

[5.] The Respondent's preferred method for communications directed to the Respondent in the administrative proceeding is as follows:

Electronic-only material

Method:	Email
Email Address: <i>[Specify one email address]</i>	
Contact: <i>[Identify name of one contact person]</i>	

Material including hard copy

Method:	Post/courier or fax [documents exceeding 10 pages will not be sent by fax]
Address: <i>[Specify one address, if applicable]</i>	
Fax: <i>[Specify one fax number]</i>	

Contact: [Identify name of one contact person]	
---	--

III. Response to Statements and Allegations Made in Complaint

(Policy, paras. 4(a), (b), (c); Rules, para. 5(b)(i))

[6.] The Respondent's response to the statements and allegations made in the Complaint is as follows:

--

- *Para. 5(b)(i) of the Rules requires the Respondent in its Response to 'Respond specifically to the statements and allegations contained in the Complaint and include any and all bases for the Respondent to retain registration and use of the disputed domain name'. In this section, the Respondent may wish to discuss some or all of the following, to the extent relevant and supported by evidence:*
 - *Under para. 4(a) of the Policy, for a Complainant to succeed, it must establish that the following three conditions are satisfied: (1) that the domain name is identical or confusingly similar to a name, trademark or service mark in which the Complainant has rights; (2) that the Respondent has no rights or legitimate interests in respect of the domain name; and (3) that the domain name has been registered or is being used in bad faith. As the Complainant must prove each of these elements, the Respondent may wish to discuss the extent to which the Complainant has met its burden of proof. In this connection, the Respondent may wish to do the following:*
 - *Discuss any challenges to the trademark or service mark rights asserted by Complainant.*
 - *Rebut the arguments made by Complainant concerning the manner in which the domain name(s) is/are allegedly identical or confusingly similar to a trademark or service mark in which the Complainant claims it has rights.*

- *Rebut the arguments made by the Complainant as to why the Respondent 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. Evidence should be submitted in support of any claims made by the Respondent concerning its alleged rights or legitimate interests in the domain name(s).*
- *Rebut the arguments made by the Complainant as to why the domain name(s) should be considered as registered or used in bad faith.*
- *In rebutting the Complainant's arguments, the Respondent may wish to refer to and discuss such of the matters set out in paras. 4(b) and 4(c) of the Policy as are relevant. Para. 4(b) of the Policy gives examples of circumstances that an Administrative Panel could consider as constituting bad faith. Para. 4(c) of the Policy gives examples of circumstances demonstrating the Respondent's rights to or legitimate interests in the domain name for purposes of para. 4(a)(ii) of the Policy.*
- *This section of the Response should not exceed the 5000 word limit, not including annexes, provided for at para. 9(b) of the Supplemental Rules.*
- *Relevant documentation and other evidence in support of the Respondent's position should be submitted as annexes to the Response, with a schedule indexing such documents. Copies of case precedents or commentaries that are referred to for support should be submitted with complete citations.*

IV. Administrative Panel

(Rules, paras. 5(b)(iv) and (v) and para. 6; Supplemental Rules, para. 7)

[7.] The Respondent elects to have the dispute decided by a [single member Administrative Panel/three member Administrative Panel].

[If the Complainant has asked for a single member Administrative Panel and the Respondent elects to have the dispute decided by a three member Administrative Panel, in accordance with para. 19(a) of the Rules, the Respondent must bear one-half of the fee for a three member Administrative Panel (as set out at Annex C of the Supplemental Rules).]

[If the Complainant has asked for a three member Administrative Panel, the Secretariat will appoint a three member Administrative Panel, and the Complainant shall bear the entire fee for the three member Administrative Panel that is appointed.]

[If either Party designates a three member Administrative Panel, the Respondent must provide below the names of three persons, one of whom the Secretariat will endeavour to appoint to the Administrative Panel in accordance with para 6 of the Rules. The names of these three nominees must be taken from the Secretariat's SDRP Panellist.]

--

V. Other Legal Proceedings

(Rules, para. 5(b)(vi))

[8.] [No legal proceedings/The following legal proceedings] have been commenced or terminated in connection with or relating to the domain name(s) that are the subject of this Complaint.

[Identify any other legal proceedings that have been commenced or terminated in connection with or relating to the domain name(s) that is/are the subject of the Complaint, and summarise the issues that are the subject of that/those proceeding(s).]

VI. Communications

(Rules, para. 5(b)(vii); Supplemental Rules, para. 4(b))

[9.] In accordance with para. 2(b) of the Rules, a copy of this Response will be sent or transmitted to the Complainant on *[date]* by *[method]*, using the following contact details *[indicate the Complainant's contact details provided in the Complaint that were used]*.

VII. Mediation and Settlement

(Rules, para. 5(b)(viii), (ix) and (x))

[10.] The Respondent *[agrees/does not agree]* to have the dispute mediated by the Administrative Panel before the Administrative Panel is called upon to decide the dispute.

[11.] The Respondent *[consents/does not consent]* to having the terms of any settlement that may be reached between the Parties, whether as a result of mediation by the Administrative Panel or otherwise, reflected in a decision of the Administrative Panel.

[12.] An Administrative Panel that mediates the dispute *[may/shall not]* proceed to decide the dispute if the Parties fail to reach an agreement after mediation.

VIII. Payment

(Rules, para. 5(d), Supplemental Rules, Annex C)

[This Section is applicable only when the Complainant designates a single member Administrative Panel and the Respondent designates a three member Administrative Panel.]

[13.] In view of the Complainant's designation of a single member Administrative Panel and the Respondent's designation of a three member Administrative Panel, the Respondent hereby submits payment in the amount of SGD [amount] by [bank transfer/cheque/bank draft/Singapore postal order].

Additional information, if any:

--

IX. Certification

(Rules, para. 5(b)(xi), Supplemental Rules, para. 10)

[14.] In accordance with para. 10 of the Supplemental Rules, the Respondent agrees that:

(a) the Singapore Mediation Centre, the Singapore International Arbitration Centre, and the Secretariat shall not be liable for any act or omission of a panellist in connection with any Administrative Proceeding;

(b) except in the case of deliberate wrongdoing, the Singapore Mediation Centre, the Singapore International Arbitration Centre and the Secretariat shall not be liable for any act or omission of their staff in connection with any Administrative Proceeding; and

(c) except in the case of deliberate wrongdoing, a panellist shall not be liable for any act or omission by him in connection with any Administrative Proceeding.

[15.] The Respondent certifies that the information contained in this Response is to the best of the Respondent's knowledge complete and accurate, that this Response is not being presented for any improper purpose, such as to harass, and that the assertions in this Response 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.

Submitted by:

Name:	
Email: (provided for purposes of receiving electronic confirmation of this form's submission)	
Date:	
Signature:	