



**SUPPLEMENTAL RULES FOR UNIFORM RAPID SUSPENSION SYSTEM
(URS) PROCEEDINGS
(Valid from 6th January 2017)**

1. DEFINITIONS

Abusive Complaint means a Complaint determined as abusive by the Examiner in accordance with paragraph 11 of URS Procedure and paragraph 18 of URS Rules.

Appeal means an appeal Submitted by a Complainant or Respondent concerning a domain name registration.

Business Day means all working days as defined at the place of business of MFSD (Milan - Italy), i.e. all days different from Saturday, Sunday and Italian national and local holidays. MFSD shall publish on its website (<https://urs.mfsd.it>) the Italian national and local holidays for each calendar year.

Calendar Day means all days including Saturday, Sunday, international, Italian national and local holidays.

Complainant means the party initiating a Complaint concerning a domain name registration.

Complaint means a complaint Submitted by a Complainant concerning a domain name registration.

Determination means a written outcome of the URS proceeding.

Examiner means an individual appointed by MFSD to make a Determination.

ICANN means the Internet Corporation for Assigned Names and Numbers.

MFSD means MFSD s.r.l., with registered office in Viale Beatrice D'Este, 20 - 20122 Milan, Italy, T: +390245506624, F: +390291471087, E: urs@mfsd.it, W: <https://urs.mfsd.it>, approved by ICANN as dispute resolution service provider for handling URS proceedings.

New gTLD means generic top-level domains introduced in the root after January 1, 2013.

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URS Domain Dispute Resolution Service Provider approved by ICANN
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Registrant means the holder of a domain name.

Registrar means the entity with which the Respondent has registered a domain name that is the subject of a complaint.

Registry Operator means the entity responsible for operating the top level domain in which a disputed domain name is registered.

Respondent means the holder of a domain name registration against which a complaint is initiated.

Response means a response submitted by a Respondent concerning a disputed domain name registration.

Submission or **Submit** or **Submitted** means filing of a Complaint, a Response, an Appeal, a Response to an Appeal, a request of extension to file Response, a request of challenge of the Examiner, a request of termination, a request of suspension or withdrawal or any other communications to MFSD through MFSD's online dispute management platform (<https://urs.mfsd.it>) or by sending the same (except for Complaint) by e-mail to urs@mfsd.it. The documents are deemed Submitted when received by MFSD.

Supplemental Rules means these Supplemental Rules for URS of MFSD.

URS Procedure means the Uniform Rapid Suspension System Procedure approved by ICANN on March 1, 2013.

URS Rules means the Uniform Rapid Suspension System Rules approved by ICANN on June 28, 2013.

2. These Supplemental Rules are valid together with the URS Procedure and URS Rules. If any provision of these Supplemental Rules is inconsistent or contrary to the URS Procedure or URS Rules, these latter may apply to the dispute.

3. SUBMISSIONS

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Complaint, Response, Appeal, Response to an Appeal, request of extension to file Response, request of challenge of the Examiner, request of termination, request of suspension or withdrawal or any other communications shall be submitted to MFSD (and not to the Examiner) through MFSD's online dispute management platform <https://urs.mfsd.it> by using the relevant online model form(s) or by sending the same (except for Complaint) by e-mail to urs@mfsd.it.

Submissions shall be accompanied by the payment of the relevant filing fee as set out in paragraph 17 of these Supplemental Rules.

Complaint, Response, Appeal, Response to an Appeal, request of extension to file Response, request of challenge of the Examiner, request of termination, request of suspension or withdrawal or any other communications shall contain all elements, attestations and statements specified in URS Procedure, URS Rules and these Supplemental Rules.

Submitted Complaint shall not be amended at any time.

Complaint shall respect the 500-word limit specified in paragraph 1.2.7 of the URS Procedure.

Response shall respect the 2500-word limit set forth in paragraph 5.4 of URS Procedure.

Parties shall annex adequate evidence to support their assertions and claims.

The file formats of the annexes may be the following: .pdf; .doc; .smd (for Trademark Clearing House proof of use); .jpg; .tiff; .rtf; .xls; .htm/.html.

No individual file may exceed 16MB and the overall files annexed by a party per dispute may not exceed 64MB.

4. CONTACT DETAILS OF THE PARTIES

The parties shall promptly notify MFSD if there is any change in their contact details.

5. PRIVACY/PROXY SERVICE

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If the domain name is registered with a privacy or proxy service, the Complainant shall name the Respondent as listed in the Whois record at the time of Submission of the Complaint.

If Registry Operator with the Notice of Lock to MFSD provides additional contact information for the Registrant, that information will be included in MFSD's Notice of Complaint referenced in paragraph 4.2 of URS Procedure and paragraph 2(a)(i) URS Rules.

The first entity to Submit a Response or other communications to MFSD through MFSD's online dispute management platform (<https://urs.mfsd.it>) shall be the Respondent of the URS proceeding.

The Respondent may make contentions within the word limit allowed for the Response for the Examiner to rename the URS proceeding. The Examiner's Determination regarding the name of the URS proceeding shall be final.

6. MULTIPLE RESPONDENTS

If an URS proceeding has multiple Respondents, the first Respondent to Submit a Response or other communications to MFSD through MFSD's online dispute management platform (<https://urs.mfsd.it>) shall be the Respondent of the URS proceeding. No other Submission of Response shall be permitted.

If any entity is name is a case that contains domain names not registered or controlled by the entity, such entity may request the Examiner to dismiss the URS proceeding as to any domain names not owned by such entity. The Examiner shall decide at its sole discretion whether or not the entity Submitted adequate evidence to support assertions and claims.

7. EXTENSION

At the request of the Respondent, MFSD may, in exceptional cases, extend the period of time for the filing of the Response. The period may also be extended by written stipulation between the parties, provided the stipulation is approved by MFSD. The

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request of extension shall be Submitted to MFSD during the Response period, after default, or not more than 30 Calendar Days after the Determination. In no event shall the extension be for more than 7 Calendar Days.

At the request of the Respondent, MFSD may, in exceptional cases, extend the period of time for the filing of the Response for re-examination. The request of extension shall be Submitted to MFSD during the 6 months period after the date of receipt of the default notice by the Respondent. In no event shall the extension be for more than additional 6 months.

8. LANGUAGE OF THE PROCEEDING

The language of the proceeding will be the language prescribed in the paragraph 9 of the URS Rules.

9. EXAMINER

MFSD makes available to the public and keeps updated a list of names of accredited Examiners and their qualifications on its web site.

The appointed Examiner shall be impartial and independent and shall ensure that the Parties are treated with equality.

Any Party may challenge the appointment of the Examiner, provided that the Determination has not been already published, by Submitting a request of challenge in writing to MFSD, specifying the reasons, within 1 Business Day from the receipt of communication of appointment.

Upon submission MFSD shall immediately review the request of challenge and, at its sole discretion, shall decide whether to substitute the Examiner. In case of substitution of the Examiner, MFSD shall immediately appoint an other Examiner to decide the dispute.

No party or representative may correspond directly and/or unilaterally with the Examiner appointed to make the Determination.

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All communications between the parties, the Examiner or MFSD will be through the case manager assigned to the dispute by MFSD.

Determination shall meet the requirements set forth in paragraphs 8 and 9 of URS Procedure and paragraphs 13 and 15 of URS Rules and will be the length that the Examiner deems appropriate.

10. NOTICE OF THE DETERMINATION TO THE PARTIES, THE REGISTRY OPERATOR AND REGISTRAR, PUBLICATION OF THE DECISION; ABUSIVE COMPLAINTS

Once the Determination has been received by the MFSD from the Examiner, MFSD promptly notifies the parties, the Registry Operator and the Registrar with the remedy and the required actions of the Registry Operator to comply with the Determination. In communicating the Determination to the parties, MFSD informs them about their right to appeal according to the paragraph 12 of URS Procedure, paragraph 19 of URS Rules and paragraph 16 of Supplemental Rules.

MFSD publishes the Determination on its web site according to the paragraph 15 of the URS Rules.

In case of Abusive Complaint, within 1 Business Day, MFSD will submit information of the abuse to the abuse case database accessible to all URS Service Providers.

11. CORRECTION OF CLERICAL MISTAKES

Typographical and clerical errors in the Examiner's Determination arising from oversight or omission by the Examiner may be corrected by MFSD.

12. SUSPENSION OF THE ADMINISTRATIVE PROCEEDING

If the Examiner has not been appointed by MFSD, the parties may jointly Submit a request of suspension for a one-time period of 45 Calendar Days.

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Prior to expiration of the suspension, at least one party must request that the URS proceeding continues or the Complaint will be automatically dismissed. If the Examiner has been appointed by MFSD, a request that the administrative proceeding be suspended shall be granted at the discretion of the appointed Examiner.

13. WITHDRAWAL

Prior to the Examiner's Determination, the Complainant may withdraw the Complaint without prejudice. Upon Submission of the withdrawal request, the Complaint will be withdrawn without prejudice and the URS proceeding will be terminated.

Prior to the Examiner's Determination, the Complaint may be withdrawn pursuant to a joint request Submitted by both parties.

The Complaint cannot be withdrawn after any Examiner's Determination is published.

14. SETTLEMENT AND TERMINATION

If, before the Examiner's Determination, the parties agree on a settlement, the Examiner shall terminate the URS proceeding.

If, before the Examiner's Determination is made, it becomes unnecessary or impossible to continue the URS proceeding for any reason, the Examiner shall terminate the URS proceeding, unless a party raises justifiable grounds for objection within a period of time to be determined by the Examiner.

MFSD promptly notifies the parties, the Registry Operator and the Registrar about the termination.

15. COURT AND OTHER LEGAL PROCEEDINGS

If a party is aware of any proceedings that have been commenced or terminated in connection with or relating to the domain name subject of URS administrative proceeding, the party shall promptly notify MFSD, showing official documentation (such as a copy of a complaint, file-stamped by the clerk of the court) of such proceedings.

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The Examiner might decide, at its sole discretion, whether to suspend or terminate the URS proceeding or to proceed to the Determination.

If a party initiates any legal proceedings during the pendency of an URS administrative proceeding or after the issuance of the determination in connection with or relating to the domain name subject of URS administrative proceeding, the party shall promptly notify MFSD, showing official documentation (such as a copy of a complaint, file-stamped by the clerk of the court) of the legal proceedings.

16. APPEAL

Either party may Submit an appeal within 14 Calendar Days of the issuance of the default and final Determination.

Within 2 Business Days of the Submission MFSD reviews the appeal and checks:

- if the appeal has been Submitted timely according to paragraph 12.4 of URS Procedure;
- if the appellant has elected to have the appeal heard by a single-member panel or a three-member panel;
- if new admissible evidence has been introduced;
- if the appeal or additional fees has been paid together with the Submission;
- if the disputed domain name is part of an open and active URS or UDRP case.

Upon completion of the administrative review MFSD notifies via e-mail the Registry Operator that it has received the appeal. This communication must contain:

- a) a copy of the appeal;
- b) the disputed domain name;
- c) a request to confirm that the disputed domain is not expired at the time of filing of the appeal;
- d) if the appealed Determination decided the suspension of the domain name, a request that the disputed domain name continues to resolve to the informational page provided by MFSD; if the appealed Determination decided in favor of the Respondent, a request to confirm that the domain name will be re-locked within 24 hours of receipt of the

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communication from MFSD and remains locked during the URS appeal proceeding, meaning that all changes to the registration data, including transfer and deletion of the domain name will be restricted, but the domain name will continue to resolve.

If the Registry Operator does not lock the domain name, MFSD immediately submits a domain lock report to ICANN (<https://forms.icann.org/en/resources/compliance/registries/urs/form>).

If the disputed domain is expired at the time of filing of the appeal, MFSD rejects the appeal for want of a remedy, unless the appeal is only filed under paragraph 11.8 of URS Procedure.

Within 24 hours of receipt of communication from the Registry Operator, MFSD notifies the appellee of the appeal, sending an electronic copy of the notice of appeal and of the appeal and its annexures by e-mail.

MFSD informs the parties, the Registry Operator and the Registrar of the date when the Appellee is informed of the appeal and the due date of the Submission of the response to appeal.

Appellee may Submit a response to appeal within 14 Calendar Days of Submission of the appeal.

Upon Submission MFSD reviews the response to appeal and checks:

- if the response to appeal has been Submitted timely according to paragraph 12.4 of URS Procedure;
- if the appellee has elected to have the appeal heard by a three-member panel (if the appellant has not already done so);
- if new admissible evidence has been introduced;
- if the related fees (if applicable) has been paid together with Submission.

If the parties has elected to have the appeal heard by a single-member panel or they have not timely paid the related fees for the three-member panel, MFSD promptly appoints the Examiner to decide the URS appeal proceeding. The appointed Examiner shall be different from the Examiner who decided the Complaint.

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If either party has requested and paid the fees for the three-member panel, each party shall indicate three Examiners from MFSD's list of Examiners within the time period allotted respectively for the Submission of appeal and the response to the appeal. MFSD will appoint one Examiner per party, one chosen from the names indicated by the appellant, the other chosen from those indicated by the appellee. The third Examiner is appointed by MFSD choosing from the names shown in the list of candidates submitted by MFSD to the parties; selection from the parties' candidates is made by MFSD trying to reconcile within reason the each party's preferences. None of the Examiners of the three-member panel shall be the same that issued the appealed Determination.

Upon appointment and acceptance of the Examiner(s) MFSD will promptly send the appeal, the response to the appeal and supporting materials, as well as the entire prior record of the administrative proceeding, to the Examiner(s) appointed and inform the parties, the Registry Operator and the Registrar of the name of the Examiner(s) and the date within which, aside from exceptional circumstances, the Examiner(s) will render its(their) appeal Determination.

Appeal Determination will be rendered on an expedited basis within 5 business days from when examination began and, however, not later than 7 days after the response to appeal is filed.

Once the appeal Determination has been received by the MFSD from the Examiner(s), MFSD promptly notifies the parties, the Registry Operator and the Registrar with the remedy and the required actions of the Registry Operator to comply with the appeal Determination.

MFSD request via e-mail a confirmation of the Registry Operator to have complied with the appeal Determination.

MFSD verifies that Whois of disputed domain name reflects the implementation of the Determination.

MFSD publishes the Determination on its website according to the paragraph 15 of the URS Rules.

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17. FEES AND PAYMENT

Fees for Examination and Re-examination

Applicant	Number of Domain Names included in the Compliant	Fees (Euro) for the Compliant	Fees (Euro) for the Respondent	
		Filing Fees	Response Fees (Refundable to the Prevailing Party)	Re-examination Fees (If applicable, non-refundable)
natural person/sole proprietorship/public body/non-profit entity	1-15	350	-	175
	16-50	400	400	200
	more than 50	to be decided with MFSD	to be decided with MFSD	to be decided with MFSD
partnership/corporation/public company/private limited/limited liability company	1-15	375	-	190
	16-50	450	450	225
	more than 50	to be decided with MFSD	to be decided with MFSD	to be decided with MFSD

Fees for Appeal

Applicant	Number of Domain Names included in the Appeal	Single-member Panel		Three-member Panel	
		Fees (Euro) for Appeal	Additional Fees (Euro) for new admissible evidence	Fees for Appeal (Euro)	Additional Fees (Euro) for new admissible evidence
natural person/sole proprietorship/public body/non-profit entity	1-15	350	175	1050	350
	16-50	400	200	1200	400
	more than 50	to be decided with MFSD	to be decided with MFSD	to be decided with MFSD	to be decided with MFSD

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partnership/corporation/public company/private limited/limited liability company	1-15 16-50 more than 50	375 450 to be decided with MFSD	190 225 to be decided with MFSD	1125 1350 to be decided with MFSD	380 450 to be decided with MFSD
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All fees shall be paid by credit card via secure online payment facility GestPay of Banca Sella on MFSD's online dispute management platform (<https://urs.mfsd.it>).

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