

World Intellectual Property Organization Supplemental Rules for .UA Domain Name Dispute Resolution Policy

(the WIPO Supplemental Rules)

(In effect as of March 19, 2019)

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1. Scope

(a) Relationship to Rules. These Supplemental Rules are to be read and used in connection with the Rules for .UA Domain Name Dispute Resolution Policy (the .UA Rules), approved by Hostmaster Ltd. (the Administrator of the .UA public domain).

(b) Version of Supplemental Rules. The version of these Supplemental Rules as in effect on the date of the submission of the complaint shall apply to the administrative proceeding commenced thereby.

2. Definitions

Any term defined in the .UA Rules shall have the same meaning in these Supplemental Rules.

3. Communications

(a) Modalities. Subject to Paragraphs 3(b) and 5(c) of the .UA Rules, except where otherwise agreed with the WIPO Arbitration and Mediation Center (the WIPO Center), any submission that may or is required to be made to the WIPO Center or to an Administrative Panel pursuant to these Rules, shall be made either:

(i) by electronic mail (email) using the address specified by the WIPO Center; or

(ii) through the WIPO Center's Internet-based case filing and administration system.

(b) Archive. The WIPO Center shall maintain an archive of all communications received or required to be made under the .UA Rules.

4. Submission of Complaint and Annexes

(a) Complaint Including Annexes. The complaint including any annexes shall be submitted electronically in complete form (in accordance with Paragraph 12(a) below).

(b) Complaint Transmittal Coversheet. The Complainant shall be required to send or transmit its complaint under cover of the Complaint Transmittal Coversheet posted on the WIPO Center's website.

(c) Registry and registrar Notification. The Complainant shall provide a copy of the complaint to the Administrator of the .UA public domain and the concerned .UA Registrar at the same time as it submits its complaint to the WIPO Center.

(d) Complaint Notification Instructions. In accordance with Paragraph 4(c) of the .UA Rules, the WIPO Center shall forward the complaint electronically to the Respondent. In accordance with Paragraph 2(a)(i) of the .UA Rules, the WIPO Center shall also forward Written Notice of the complaint to the Respondent.

5. Formalities Compliance Review

(a) Deficiency Notification. The WIPO Center shall, within five (5) calendar days of receiving the complaint, review the complaint for compliance with the formal requirements of the .UA Domain Name Dispute Resolution Policy (the .UA Policy), the .UA Rules and these Supplemental Rules and notify the Complainant and Respondent of any deficiencies therein.

(b) Withdrawal. If the Complainant fails to remedy any deficiencies identified by the WIPO Center within the time period provided for in Paragraph 4(d) of the .UA Rules (i.e., five (5)

calendar days), the WIPO Center may notify the Complainant, the Respondent, the Administrator of the .UA public domain and the concerned .UA Registrar of the deemed withdrawal of the complaint.

(c) Fee Refunds. Unless the Complainant confirms its intention to re-submit a complaint to the WIPO Center following a deemed withdrawal, the WIPO Center shall refund the fee paid by the Complainant pursuant to Paragraph 19 of the .UA Rules, less a processing fee as set forth in Annex A.

6. Appointment of Case Administrator

(a) Notification. The WIPO Center shall advise the Parties of the name and contact details of a member of its staff who shall be the Case Administrator and who shall be responsible for all administrative matters relating to the dispute and communications to the Administrative Panel.

(b) Responsibilities. The Case Administrator may provide administrative assistance to the Administrative Panel or a Panelist, but shall have no authority to decide matters of a substantive nature concerning the dispute.

7. Submission of a Response

The response including any annexes shall be submitted electronically in complete form (in accordance with Paragraph 12(b) below).

8. Panelist Appointment Procedures

(a) Party Candidates. Where a Party is required to submit the names of three (3) candidates for consideration for appointment by the WIPO Center as a Panelist (i.e., in accordance with Paragraphs 3(b)(iv), 5(c)(v) and 6(d) of the .UA Rules), that Party shall provide the names and contact details of its three candidates in the order of its preference. In appointing a Panelist, the WIPO Center shall, subject to availability, respect the order of preference indicated by a Party.

(b) Presiding Panelist

(i) The third Panelist appointed in accordance with Paragraph 6(e) of the .UA Rules shall be the Presiding Panelist.

(ii) Where, under Paragraph 6(e) of the .UA Rules, a Party fails to indicate its order of preference for the Presiding Panelist to the WIPO Center, the WIPO Center shall nevertheless proceed to appoint the Presiding Panelist.

(iii) Notwithstanding the procedure provided for in Paragraph 6(e) of the .UA Rules, the Parties may jointly agree on the identity of the Presiding Panelist, in which case they shall notify the

WIPO Center in writing of such agreement no later than five (5) calendar days after receiving the list of candidates provided for in Paragraph 6(e) of the .UA Rules.

(c) Respondent Default

Where the Respondent does not submit a response or does not submit the payment provided for in Paragraph 5(d) of the .UA Rules by the deadline specified by the WIPO Center, the WIPO Center shall proceed to appoint the Administrative Panel, as follows:

(i) If the Complainant has designated a single member Administrative Panel, the WIPO Center shall appoint the Panelist from its published list;

(ii) If the Complainant has designated a three member Administrative Panel, the WIPO Center shall, subject to availability, appoint one Panelist from the names submitted by the Complainant and shall appoint the second Panelist and the Presiding Panelist from its published list.

9. Declaration

In accordance with Paragraph 7 of the .UA Rules, prior to appointment as a Panelist, a candidate shall be required to submit to the WIPO Center a Declaration of Independence and Impartiality.

10. Fees

The applicable fees for the administrative procedure are specified in Annex A hereto and posted on the WIPO Center's web site.

11. Word Limits

(a) The word limit under Paragraph 3(b)(ix) of the .UA Rules shall be 5,000 words.

(b) The word limit under Paragraph 5(c)(i) of the .UA Rules shall be 5,000 words.

(c) For the purposes of Paragraph 15(e) of the .UA Rules, there shall be no word limits.

12. File Size and Format Modalities

(a) The file size and format modalities under Paragraph 3(b) of the .UA Rules shall be as set forth in Annex B hereto and posted on the WIPO Center's website.

(b) The file size and format modalities under Paragraph 5(c) of the .UA Rules shall be set forth in Annex B hereto and posted on the WIPO Center's website.

13. Settlement

In accordance with Paragraph 17 of the .UA Rules, if before Panel appointment the Parties agree on a settlement, the Parties shall notify the WIPO Center.

14. Amendments

Subject to the .UA Policy and .UA Rules, the WIPO Center may amend these Supplemental Rules in its sole discretion.

15. Exclusion of Liability

Except in respect of deliberate wrongdoing, an Administrative Panel, the World Intellectual Property Organization and the WIPO Center shall not be liable to a party, the Administrator of the .UA public domain or the concerned .UA Registrar, or any act or omission in connection with the administrative proceeding.