

# Eligibility Dispute Resolution Policy

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## Contact

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## Classification

Public

## Contents

<b>1</b>	<b>Definitions .....</b>	<b>1</b>
<b>2</b>	<b>About this document.....</b>	<b>2</b>
<b>3</b>	<b>Purpose .....</b>	<b>3</b>
<b>4</b>	<b>Policy statement .....</b>	<b>4</b>
4.1	Application of this policy .....	4
4.2	Grounds for Challenge .....	4
4.3	Multiple Challenges.....	4
4.4	Language.....	4
4.5	Remedies.....	4
4.6	Maintaining the status quo .....	5
4.7	Decisions made by the Eligibility Dispute Evaluation Panel .....	5
4.8	Challenges .....	5
<b>5</b>	<b>Definition and review .....</b>	<b>7</b>

# 1 Definitions

In this policy:

**Business Day** means Sunday to Thursday excluding public holidays in as observed in Erbil, Kurdistan Region of Iraq.

**Challenge** means a dispute related to a domain name registered in the TLD, brought about on the grounds for dispute described in this policy, **Challenged** shall have a corresponding meaning.

**Complainant** means a third party seeking to challenge the registration of a domain name on the grounds described in this policy.

**Eligibility Dispute Evaluation Panel** means a group of individuals appointed by us to examine a Challenge.

**Registrant** means a natural person, company or organisation in whose name a domain name is Allocated in the TLD.

**Registrar** means an entity that is authorised to offer domain name registrar services in relation to the TLD.

**Registry** means the systems used to record, store and maintain details of domain names in the TLD.

**Respondent** means the Registrant of a domain name against which a Challenge is initiated.

**Service** means the services that we provide in relation to the TLD.

**TLD** means Top Level Domain and for the purpose of this policy the **TLD** shall mean .krd

**We, us** and **our** means the Department of Information Technology of the Kurdistan Regional Government, or our designated representatives.

## 2 About this document

This document describes our Eligibility Dispute Resolution Policy.

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### 3 Purpose

The purpose of this policy is to provide a method by which Challenges relating to a Registrant's eligibility may be resolved.

Our Registration Policy details the eligibility requirements for registering a domain name in the TLD and can be found at the following link: <http://nic.krd>.

This policy and others issued by us are incorporated by reference into the agreement entered into by a Registrant at the time of registration of a domain name.

## 4 Policy statement

### 4.1 Application of this policy

This policy applies to all domain name registrations, and comes into effect upon the domain name being registered.

### 4.2 Grounds for Challenge

This policy covers Challenge regarding relating to a Registrant's eligibility the following grounds:

- Ground 1** The Registrant of the domain name is not an educational institution or service provider which:
- operates in the Kurdistan Region; and/or
  - teaches, promotes, researches, or records the people, language, culture or history of the Kurdistan Region;
- Ground 3** The Registrant of the domain name is not using the domain name to support the mission and purpose of the TLD.

A challenge brought on these grounds will be subject to this policy, each of which are described further in this document.

### 4.3 Multiple Challenges

Where more than one challenge is received in relation to the same domain name, each Challenge will be addressed in the order in which it was received.

A Challenge may not relate to more than one domain name.

### 4.4 Language

The language of all submissions and proceedings under this policy will be English.

Supporting evidence may be provided in its original language, provided such information is accompanied by a certified English translation of all relevant text.

### 4.5 Remedies

The sole remedy available to a Complainant shall be limited to requiring the cancellation of the domain name registration in the circumstances described in this policy.



## 4.6 Maintaining the status quo

Except as may be required by other policies or legal requirements, we will not cancel, create, transfer, activate, deactivate, or otherwise change the status of any domain name subject to this policy, except as provided herein.

## 4.7 Decisions made by the Eligibility Dispute Evaluation Panel

The Challenge will be assessed by the Eligibility Dispute Evaluation Panel on the facts provided by the Complainant and the Respondent. The Eligibility Dispute Evaluation Panel assessment is of an administrative nature and the Eligibility Dispute Evaluation Panel shall not be required to provide reasons for its assessment.

The Registrar of the domain name, Respondent and the Complainant agree that the decision of the Eligibility Dispute Evaluation Panel is final and agree to abide by its decision.

The Registrar of the domain name, Respondent and the Complainant will indemnify, defend and hold harmless us against any claim brought or filed by a third party against us in relation to the decision of the Eligibility Dispute Evaluation Panel.

## 4.8 Challenges

### 4.8.1 General

Challenges may be introduced by a Complainant asserting that the Registrant of the domain name does not meet the eligibility requirements on the grounds described in this policy.

### 4.8.2 Procedure

Challenges must be lodged by completing the form attached as Appendix A to this document.

Forms must be submitted electronically, to the email address specified on the form.

The Eligibility Dispute Evaluation Panel will perform a preliminary investigation to examine the information provided to ensure that all information required has been received.

Where the information received is incomplete or found to be deficient the Eligibility Dispute Evaluation Panel will notify the Complainant. The Complainant shall have ten (10) Business Days to provide any additional information that the Eligibility Dispute Evaluation Panel may request. Should the Complainant fail to provide such information within this timeframe the Challenge will be considered abandoned.

### 4.8.3 Fee for filing a Challenge

The fee for filing a Challenge shall be USD 500.00.

Fees shall be paid by depositing the fees into the following bank account and must be inclusive of any and all bank charges:

Bank : Kurdistan International Bank for Investment and Development  
Beneficiary : Council of Ministers, Department of Information Technology  
Swift code : KIBIIQBA  
IBAN : IQ01KIB1009856

### 4.8.4 Examination of the Challenge

Upon receipt of full and complete information from the Complainant, including the payment of any fees, the Eligibility Dispute Evaluation Panel will:

- notify the Respondent of the Challenge; and
- allow the Respondent fifteen (15) Business Days in which to respond to the Challenge.

After the period of time to respond for the Respondent expires the Eligibility Dispute Evaluation Panel will examine the Challenge and make an assessment within fifteen (15) Business Days.

In making its assessment the Eligibility Dispute Evaluation Panel will use the information received:

- During the registration process for the domain name
- Any relevant information that is available to us and the Eligibility Dispute Evaluation Panel;
- Information that has been provided by the Complainant in lodging the Challenge; and/or
- Information that has been provided by the Respondent in responding to the Challenge.

### 4.8.5 Outcomes of the Challenge

A summary of the steps taken and the assessment made by the Eligibility Dispute Evaluation Panel will be communicated to the Complainant and the Respondent by e-mail.

Where the Eligibility Dispute Evaluation Panel assesses in favour of the Respondent; then no further action will be taken in relation to the Challenge.

Where the Eligibility Dispute Evaluation Panel makes the asses in favour of the Complainant the Eligibility Dispute Evaluation Panel will:

- 1 Notify the Respondent of the assessment and the consequences of that assessment;
- 2 After fifteen (15) Business Days of providing such notification to the Respondent cause the domain name to be deleted.

## 5 Definition and review

This document has been prepared and published to represent our policy regarding the administrative and technical management of the TLD.

We may discontinue or amend any part or the whole of this policy from time to time at our absolute discretion.

