

**Supplemental Rules of the
Singapore Domain Name Dispute Resolution Policy
(the Supplementary Rules)**

**Issued jointly by the Singapore Mediation Centre
and the Singapore International Arbitration Centre**

1 General Provisions

(a) **Relationship to Rules.**

These Supplemental Rules are to be read and used in connection with the Singapore Domain Name Dispute Resolution Policy (the Policy) and the Rules for the Singapore Domain Name Dispute Resolution Policy (the Rules).

(b) **Relevant Version of Supplemental Rules.**

These Supplemental Rules may be amended from time to time by the Singapore Mediation Centre and the Singapore International Arbitration Centre. The version of these Supplemental Rules in force at the time of the submission of the complaint to the Provider shall apply to the administrative proceeding commenced thereby.

2 Definitions

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

3 Communications

(a) **Mode of Communication.**

Subject to Paragraphs 3(b) and 5(b) of the Rules (which require the complaint and the response to be submitted in hard copy as well as in electronic form), any submission that may or is required to be made to the Provider or to a Panel pursuant to these Rules may be made:

- (i) by facsimile transmission, with a confirmation of transmission; or
- (ii) by e-mail using the address specified by the Provider.

(b) **E-Mail Address.**

For the purposes of any communications by e-mail to the Provider, including those required under Paragraphs 3(b) and 5(b) of the Rules, the following address should be used: sgdisputes@disputemanager.com.sg

(c) **Copies.**

When a paper submission is to be made to the Provider by a Party, it shall be submitted in three (3) sets, including the original of such submission.

(d) **Archive.**

The Provider shall maintain an archive of all communications received or required to be made under the Rules.

4 Submission of Complaint

(a) **Complaint Transmittal Coversheet.**

In accordance with Paragraphs 3(a) and 3(b)(xii) of the Rules, the Complainant shall send or transmit to the Respondent his complaint under the cover of the Complaint Transmittal Coversheet set out in Annex A of these Supplemental Rules.

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- (b) **Notification to SGNIC and Registrar(s) or Registration Agent(s).**
The Complainant shall send or transmit a copy of the complaint to SGNIC and any Registrar or Registration Agent through whom the disputed domain name(s) was/were registered at the same time that it submits the complaint to the Provider.
- (c) **Complaint Notification Instructions.**
In accordance with Paragraph 4(a) of the Rules, the Provider shall forward the complaint to the Respondent together with the instructions set out in Annex B of these Supplemental Rules.

5 Formalities Compliance Review

- (a) **Deficiency Notification.**
The Provider shall, within three (3) working days after the date of receipt of the complaint, review the complaint for compliance with the formal requirements of the Policy, Rules and Supplemental Rules and notify the Complainant and the Respondent of any deficiencies therein.
- (b) **Withdrawal.**
If the Complainant fails to remedy any deficiencies identified by the Provider within the time period provided for in Paragraph 4 of the Rules (ie within five (5) working days after the date of notification of the nature of the deficiencies by the Provider), the Provider shall notify the Complainant, the Respondent, the Registrar(s) or Registration Agent(s), if any, through whom the domain name(s) was/were registered and SGNIC of the deemed withdrawal of the complaint.
- (c) **Fee Refunds.**
Upon the deemed withdrawal of the complaint in accordance with Paragraph 5(b) of these Supplemental Rules, the Provider shall be entitled to retain an administrative fee of \$1,070 (inclusive of GST) and shall refund the balance of the fees paid by the Complainant pursuant to Paragraph 19 of the Rules.

6 Panellist Appointment Procedures

- (a) **Party Candidates.**
Where a Party is required to submit the names of three (3) candidates for consideration for appointment by the Provider as a Panellist (ie in accordance with paragraphs 3(b)(iv), 5(b)(v) and 6(d) of the Rules), that Party shall provide the names and contact details of its three (3) candidates in the order of its preference. In appointing a Panellist, the Provider shall, subject to availability, respect the order of preference indicated by a Party.
- (b) **Presiding Panellist.**
 - (i) The third Panellist appointed in accordance with Paragraph 6(e) of the Rules shall be the Presiding Panellist.
 - (ii) Where, under Paragraph 6(e) of the Rules, a Party fails to indicate his order of preference for the Presiding Panellist to the Provider, the Provider shall nevertheless proceed to appoint the Presiding Panellist.
 - (iii) Notwithstanding the procedure provided for in Paragraph 6(e) of the Rules, the Parties may jointly agree on the identity of the Presiding Panellist, in which case they shall notify the Provider in writing of such agreement not later than five (5) working days after receiving the list of candidates provided for in Paragraph 6(e) of the Rules.
- (c) **Respondent's Default.**
Where the Respondent does not submit a response or does not submit the payment provided for in Paragraph 5(d) of the Rules by the deadline specified by the Provider, the Provider shall proceed to appoint the Panel, as follows:

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- (i) If the Complainant has designated a single member Panel, the Provider shall appoint the Panellist from its published list; and
- (ii) If the Complainant has designated a three member Panel, the Provider shall, subject to availability, appoint one Panellist from the names submitted by the Complainant and shall appoint the second Panellist and the Presiding Panellist from its published list.

7 Declaration of Impartiality and Independence

Prior to appointment as a Panellist, a candidate shall submit to the Provider a declaration as to:

- (a) whether he is independent of each of the parties; and
- (b) whether there are any facts or circumstances which would or may give rise to justifiable doubt as to his impartiality or independence, and if so, what these facts or circumstances are.

8 Fees

The fees for administrative proceedings under the Policy and the Rules are as specified in Annex C to these Supplemental Rules.

9 Word Limits

- (a) The word limit under Paragraph 3(b)(ix) of the Rules shall be 5,000 words.
- (b) The word limit under Paragraph 5(b)(i) of the Rules shall be 5,000 words.
- (c) For the purposes of Paragraph 15(e) of the Rules, there shall be no word limit.

10 Exclusion of Liability

- (a) The Singapore Mediation Centre, the Singapore International Arbitration Centre and the Provider shall not be liable to any Party 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 Provider shall not be liable to any Party for any act or omission of their staff in connection with any administrative proceeding.
- (c) Except in the case of deliberate wrongdoing, a Panellist shall not be liable to any Party for any act or omission by him in connection with any administrative proceeding.

COMPLAINT TRANSMITTAL COVERSHEET

The attached complaint has been filed against you pursuant to the Singapore Domain Name Dispute Resolution Policy (the Policy) adopted by the Singapore Network Information Centre (SGNIC) Private Limited as the registration authority for the Singapore country code top level domain.

The Policy is incorporated by reference into your Registration Agreement with SGNIC, in accordance with which you are required to submit to and participate in a mandatory administrative proceeding in the event that a third party (a Complainant) submits a complaint to the Secretariat for the Singapore Domain Name Dispute Resolution Service (the Secretariat) concerning a domain name that you have registered. You will find the name and contact details of the Complainant, as well as the domain name that is (or the domain names that are) the subject of the complaint in the document that accompanies this Coversheet.

You have no duty to act at this time. Once the Secretariat has checked the complaint to determine that it satisfies the formal requirements of the Policy, the Rules for the Singapore Domain Name Dispute Resolution Policy (the Rules) and the Secretariat's Supplemental Rules for the Singapore Domain Name Dispute Resolution Policy (the Supplemental Rules), and it has received the required payment from the Complainant, it will forward an official copy of the Complaint to you. You will then have 15 working days within which to submit a Response to the Complaint in accordance with the Rules and Supplemental Rules to the Secretariat and the Complainant. (A 'working day' means any day other than a Saturday, Sunday or public holiday.) Should you so desire, you may wish to seek the assistance of legal counsel to represent you in the administrative proceeding.

The Policy, the Rules and the Supplemental Rules can be found at:

- (1) SGNIC's website at www.sgnic.sg; and
- (2) the Secretariat's website at www.mediation.com.sg

Other information concerning the resolution of domain name disputes can also be found at the Secretariat's website at www.mediation.com.sg.

Alternatively, you may contact the Secretariat to obtain any of the above documents. The Secretariat can be contacted by telephone at +65 6252 4226, or by fax at +65 6333 5085 or by e-mail at sgdisputes@disputemanager.com.sg.

You are kindly requested to provide the Secretariat with the contact details to which you would like (a) the official version of the complaint and (b) other communications in the administrative proceeding to be sent.

A copy of this Complaint has also been sent to SGNIC.

By submitting this complaint to the Secretariat, the Complainant hereby agrees to abide and be bound by the provisions of the Policy, Rules and Supplemental Rules.

COMPLAINT NOTIFICATION INSTRUCTIONS

1 Notification

You are hereby notified that an administrative proceeding has been commenced against you pursuant to the Singapore Domain Name Dispute Resolution Policy (the Policy), adopted by the Singapore Network Information Centre (SGNIC) Private Limited as the registration authority for the Singapore country code top level domain.

The complaint concerns the following domain name(s):

The Policy is incorporated by reference into your Domain Name Registration Agreement with SGNIC, pursuant to which you are required to submit to and participate in a mandatory administrative proceeding in the event that a third party (the Complainant) submits a complaint to the Secretariat for the Singapore Domain Name Dispute Resolution Service (the Secretariat) concerning a domain name that you have registered.

(Please note that the administrative proceeding has been commenced against the Registrant of the domain name(s) that is/are the subject of the complaint and not the technical contact, zone contact, administrative contact or billing contact, if different from the domain name registrant. The technical contact, zone contact, administrative contact or billing contact, if different from the domain name registrant, are requested to forward this notification and any amendments to the Registrant of the domain name(s) in question.)

2 Date Complaint Received

The complaint submitted by [name of Complainant(s)] was received by e-mail on [date] and in hardcopy on [date] by the Secretariat. A copy of the complaint [and related submission] accompanies this notification.

3 Formal Requirements Compliance Review

In accordance with Paragraph 4(a) of the Rules for the Singapore Domain Name Dispute Resolution Policy (the Rules) and Paragraph 5 of the Supplemental Rules for the Singapore Domain Name Dispute Resolution Policy (the Supplemental Rules), the Secretariat has verified that the complaint satisfies the formal requirements of the Policy, Rules and Supplemental Rules. The Complainant has made payment in the required amount to the Secretariat.

4 Commencement of Administrative Proceeding

In accordance with Paragraph 4(c) of the Rules, the formal date of commencement of the administrative proceeding is [date].

5 Deadlines

Within 15 working days from the day you receive this notification, you must submit to the Complainant and to the Secretariat a response according to the requirements that are described in Paragraph 5 of the Rules and in the Supplemental Rules. (A 'working day' means any day other than a Saturday, Sunday or public holiday.) The last day for sending your response to the Complainant and to us is [date + 15 working days].

This is also the last date by which you should make any required payments to the Secretariat if you choose to designate a three-member Administrative Panel when the Complainant has not done so (see Paragraphs 7 and 9 below).

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6 Default

If your response is not sent by the above date, you will be considered to be in default. The Secretariat will still appoint an Administrative Panel to review the facts of the dispute to decide the case. The Administrative Panel is not required to consider a Response that is filed late, but will have the discretion to decide whether to do so and as provided for by Paragraph 14 of the Rules, may draw such inferences from your default as it considers appropriate. There are other consequences of a default, including no obligation on the part of the Secretariat to consider any designations that you have made concerning the appointment of the Administrative Panel or to observe any guidelines you have provided concerning case-related communications.

7 Administrative Panel

Where the Complainant has elected for a single panellist:

The dispute between you and the Complainant will be decided by an Administrative Panel consisting of either one or three impartial and independent decision-makers. The Complainant in this administrative proceeding has elected for an Administrative Panel consisting of a single panellist.

If you would also like the case to be decided by a single panellist, the appointment of that panellist will be made by the Secretariat from its published list of panellists. The Secretariat will appoint the single panellist within five working days after the date your response is due. In that event, the fees for the administrative proceeding will be paid in their entirety by the Complainant.

Despite the Complainant's designation of a single panellist, you can choose to have the case decided by an Administrative Panel consisting of three persons. If you choose this option, you will be required to pay half of the applicable fees for the administrative proceeding (see Paragraph 9 below). The payment must be made at the time you submit your response. Failure to submit the required payment at that time may, along with other considerations, be taken as grounds for proceeding with a single panellist.

If you choose a three person Administrative Panel, you should make the required payment and submit your response on time. You should indicate the names and contact details of three persons in order of preference in your response. These three persons must be selected from the Secretariat's published list of panellist. The Secretariat will try to appoint one of the three persons you have nominated to the Administrative Panel. If the Secretariat is unsuccessful, it will make an appropriate appointment from its published list. If you choose a three-member Administrative Panel, but do not provide the Secretariat with the names and contact details of any candidates, the Secretariat will make the appointment from its published list.

Please note that if you choose a three-member Panel, the Complainant will be requested also to provide the names of three candidates, who must be selected from the Secretariat's published list of panellist. The Secretariat will try to appoint one of these three persons to the Administrative Panel. If the Secretariat is unsuccessful, the Secretariat will make an appropriate appointment from its published list of panellists. If the Complainant does not provide the Secretariat with the names of his candidates, the Secretariat will make the appointment from its published list of panellists.

If the case is to be decided by a three-member Administrative Panel, you and the Complainant will be contacted concerning the procedures for the appointment of the Presiding Panellist (ie the third panellist).

Where the Complainant has elected for three panellists:

The Complainant in this administrative proceeding has elected for an Administrative Panel consisting of three panellists. The dispute between you and the Complainant therefore will be decided by an Administrative Panel consisting of three members.

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The Complainant has provided us with the names and contact details of three candidates to serve on the Administrative Panel, and has indicated his order of preference. The Secretariat will try to appoint one of these three candidates. If the Secretariat is unsuccessful, the Secretariat will make the appointment from its published list of panellists.

You are required to provide the names and contact details of three persons in order of preference in your Response. These three persons must be selected from the Secretariat's published list of panellists. The Secretariat will try to appoint one of the three persons you have nominated to serve on the Administrative Panel. If the Secretariat is unsuccessful, the Secretariat will make an appropriate appointment from its published list of panellists. If you do not provide the Secretariat with the names and contact details of any candidates, the Secretariat will make the appointment from its published list of panellists.

Both you and the Complainant will be contacted concerning the procedures for the appointment of the Presiding Panellist (ie the third panellist).

8 Communications

Your response should be communicated to us according to the requirements of Paragraph 5(b) of the Rules and Paragraph 3 of the Supplemental Rules (ie three sets of the response in hard copy (including the original) and one set of the response in soft copy to be sent by e-mail). All case-related filings or submissions to the Secretariat after the submission of your response should be made according to paragraph 3(a) of the Supplemental Rules. The e-mail address to use for both purposes is sgdisputes@disputemanager.com.sg.

In your response, you should indicate where and how you would like the Secretariat to send case-related communications to you. Please provide only a single postal address, fax number and e-mail address for yourself or, if applicable, your authorized representative for the dispute. Otherwise, the Secretariat will use its discretion as to which contact details to use.

All communications that are to be made to the Complainant under the Rules and Supplemental Rules, including your Response, should be made according to the contact details and method(s) specified in the Complaint.

Questions about your case or other general queries may be e-mailed to sgdisputes@disputemanager.com.sg.

9 Fees

Where the Complainant has elected for a single panellist:

If you designate a single-member Administrative Panel, the fees for the administrative proceeding will be paid in their entirety by the Complainant.

In accordance with Paragraph 5(c) of the Rules, if you designate a three-member Administrative Panel, you must pay the following amount to the Secretariat at the time you submit your Response: [amount depending on the number of domain names included in the complaint].

Payment methods and other relevant details can be found in Annex C of the Supplemental Rules. If you designate a three-member Administrative Panel, please identify in your response the method by which payment is made. If you do not submit the required payment to the Secretariat, the Secretariat will proceed to appoint a single-member Administrative Panel.

Where the Complainant has elected for three panellists:

The fees for the administrative proceeding will be paid in their entirety by the Complainant.

10 The Administrative Proceeding

Where the Complainant has elected for a single panellist:

If this case is to be decided by a single-member Administrative Panel, the Secretariat will appoint the Administrative Panel within five working days of the date your Response is due. If the case is to be decided by a three-member Administrative Panel, after appointing two of the panellists (see Paragraph 7 above), the Secretariat will send to you and to the Complainant a list of five candidates for the Presiding Panellist. You will each be asked to indicate your order of preference from among the five candidates. Unless the Secretariat is notified of an agreement between you and the Complainant as to the identity of the Presiding Panellist, the Secretariat will make the appointment taking into consideration the preferences indicated by you and the Complainant.

Where the Complainant has elected for three panellists:

As this case is to be decided by a three-member Administrative Panel, after appointing two of the Panellists (see Paragraph 7 above), the Secretariat will send to you and to the Complainant a list of five candidates for the Presiding Panellist. You will each be asked to indicate your order of preference from among the five candidates. Unless the Secretariat is notified of an agreement between you and the Complainant as to the identity of the Presiding Panellist, the Secretariat will make the appointment taking into consideration the preferences indicated by you and the Complainant.

In both cases:

The Administrative Panel will have 10 working days after the date of its appointment (or, where the Parties have agreed to the mediation of the dispute by the Administrative Panel and to the Administrative Panel deciding the dispute should the Parties fail to reach a settlement through mediation, 10 working days after the date of termination of the mediation) to issue a decision in the case. Under normal circumstances, the Secretariat will forward the decision of the Administrative Panel to you, the Complainant, the concerned Registrar(s) or Registration Agent(s), if any, through whom the domain name(s) is/are registered and SGNIC within three working days after receiving it from the Administrative Panel. Should the decision require that the domain name(s) in question be either transferred or cancelled, SGNIC will implement the decision if SGNIC does not receive the notification and required documentation from you in accordance with Paragraph 4(k) of the Policy. The Secretariat will then post the decision on a publicly accessible web site, unless the Secretariat has been directed not to by the Administrative Panel.

11 Requests for Information

While the Secretariat will answer questions relating to such matters as filing requirements and to help you to understand the Policy, Rules and Supplemental Rules, the Secretariat cannot provide you with legal advice or make any representations on your behalf. The contact particulars of the Secretariat are as follows:

Address: The Secretariat
 Singapore Domain Name Dispute Resolution Service
 1 Supreme Court Lane, Level 4
 Singapore 178879

Telephone: +65 6252 4226
Fax: +65 6333 5085
E-mail: sgdisputes@disputemanager.com.sg

12 Additional Information

Additional information about the Singapore Domain Name Dispute Resolution Service is available on the SGNIC website at www.sgnic.sg and the Secretariat's website at www.mediation.com.sg.

SCHEDULE OF FEES

The following schedule of fees applies to all domain name administrative proceedings under the Singapore Domain Name Dispute Resolution Policy.

Single Panellist	
Number of domain names included in the Complaint	Fee (<i>inclusive of GST</i>)
1 to 5	S\$2,997.50
6 to 10	S\$3,815.00
11 to 15	S\$4,632.50
More than 15	To be decided in consultation with the Secretariat

Three Panellists	
Number of domain names included in the Complaint	Fee (<i>inclusive of GST</i>)
1 to 5	S\$5,995.00
6 to 10	S\$7,639.00
11 to 15	S\$9,265.00
More than 15	To be decided in consultation with the Secretariat

1. The fee covers the sum payable to the Secretariat and the Panellist(s) for their services.
2. In the event of a withdrawal of a complaint in accordance with Paragraph 4 of the Rules and Paragraph 5(b) of the Supplemental Rules, or the termination of an administrative proceeding prior to the appointment of an Administrative Panel, the Secretariat shall be entitled to retain an administrative fee of S\$1,080 (*inclusive of GST*).
3. In the event an administrative proceeding is terminated after the appointment of an Administrative Panel, the Secretariat shall be entitled to retain an administrative fee of S\$1,080 (*inclusive of GST*) and shall determine, in its sole discretion, whether (and if so, how much of) the balance of the fees paid should be refunded. Generally, no fees will be refunded once the file has been forwarded to the Panel in accordance with Paragraph 9 of the Rules.
4. The fees payable where an in-person hearing is conducted shall be decided in consultation with the Parties and the Panel.
5. Goods and services tax at the prevailing rate shall be payable on all fees listed in this fees schedule.
6. Payments shall be made by one of the following means:

(a) Bank transfer:

Payment must be in **Singapore dollars**. The payment should be made to the following bank account:

Name of Beneficiary: Singapore Mediation Centre
Address of Beneficiary: 1 Supreme Court Lane, Level 4, Singapore 1788879
Name of Beneficiary's Bank: UOB Bank (United Overseas Bank)
Branch at which Account is maintained: Marina Bay Sands
Beneficiary's Account Number: 631-3079748
Swift Code: UOVBSGSG
Branch Code: 0630
Bank Code: 7375

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The following particulars must be provided in the payment advice to be sent to the Beneficiary:

- (1) Name of Payer;
- (2) Identification Number (if any) of Payer (eg NRIC number or passport number for individuals, and registration number assigned by Registry of Companies and Businesses or Registry of Societies for organisations);
- (3) Name of Payer's Bank;
- (4) Payer's Account Number;
- (5) Amount Paid;
- (6) Disputed domain name(s);
- (7) Party on whose behalf payment is made; and
- (8) Case Number assigned by the Secretariat (if any).

(b) Cheque, bank draft or Singapore postal order:

Payment must be in **Singapore dollars**. If payment is by cheque or bank draft, the cheque or bank draft must be drawn on a Singapore bank. The cheque, bank draft or Singapore postal order must be crossed and made payable to '**Singapore Mediation Centre**'. The payment document must also be accompanied by a letter identifying: (1) the Party on whose behalf payment is made; (2) the Parties to the dispute; and (3) the disputed domain name(s).

7. Payments in cash will not be accepted.
8. All bank charges, transfer fees and other amounts that may be levied in connection with a payment made to the Secretariat shall be the responsibility of the party making the payment.