

Sunrise Rules for .cm Second-level domains registrations

On 1st of August 2009, Netcom.cm Sarl (Netcom) will start accepting registrations under the .cm top level domain on a first-come- first-served basis. Prior to the open registration Netcom will have a “landrush period” from 15th July to 31th of July.

Prior to that there will be a short ‘sunrise period’ to allow holders of registered trademarks to apply for the corresponding ‘domain names’ <mytrademark.cm>.

During the sunrise period, the registration of the domain names is subject to the following:

Sunrise Rules .

Persons subject to these rules. The Sunrise Rules are applicable to the sunrise applicants, the registrars, any challenging party for the purpose of the challenge proceeding (see below), Netcom’s validation agent, and Netcom. The Sunrise Rules are incorporated by reference as an inseparable part of the (i) Registrar Agreement between Netcom and its accredited registrars; and (ii) Registration Agreement between each sunrise applicant and its registrar.

Sunrise period. Sunrise period will start on 09.00 hour (UTC) on 15th June 2009 and will last until 14th July 2009, 23.59:59.

Age of trademark.

If there is more than one valid sunrise application for the same domain name, names will be awarded to the registrant with the oldest registered trademark.

Domain names.

Holders or licensees of registered national trademarks (trademarks) may apply during the sunrise period for the corresponding domain name(s) under .cm top level domain. Trademark is a trademark and/or service mark registered by a national or international trademark authority, granting rights over the trademark for at least one whole country, such as Australian registered trademark, French registered trademark or Benelux or Community trademark.

Transcription rules.

The domain name applied for must directly correspond with the trademark. For the purposes of direct correspondence, the domain name applied for must be identical to all text elements contained in the corresponding trademark, with the following exceptions:- Special characters (such as %, \$, @, &, !) may be eliminated entirely from the domain name, or transcribed or replaced with a hyphen;

- Spaces between words may be removed entirely or replaced with a hyphen;
- Latin letters with additional non-latin elements (such as á, ù,) may be reproduced without such elements (a,u,.....) or replaced by standard spelling of such letters (.....);

Figurative trademarks .

A sunrise application may be based on a figurative trademark if the trademark exclusively contains a word, the word element of the trademark is predominant, all alphanumeric characters included in the word are contained in the domain name and the general impression of the domain name is apparent and corresponds with the word contained in the trademark.

Sunrise applications.

All applications must be submitted by an accredited registrar of Netcom . The receipt of every sunrise application will be confirmed by Netcom electronically. Sunrise applicants will be required to warrant that they have the applicable rights to the domain name applied for [and to supply an electronic copy of the trademark registration certificate corresponding to the name applied for.] [Another possible variant: and to submit the following information regarding the corresponding trademark: (i) trademark number; (ii) date of trademark application; (iii) date of trademark registration; (iv) wording of the trademark; and (v) country or countries for which the trademark was registered.]

Where the applicant is a licensee [a copy of the licensing agreement with the holder of the trademark must also be provided.] [Another possible variant:the name and residence address/corporate seat of the licensor must also be provided].

All sunrise applications must be in English. [A copy of the trademark registration certificate and/or the license agreement may be in their original language, with English translation provided only upon an express request of Netcom or its validation agent.]

The applicant must correspond to the holder or licensee of the trademark on which the sunrise application is based. The applicants have a right to correct any mistakes in their applications before the expiry of the sunrise period. Any submission of such corrections must be made electronically by the respective registrar which filed the sunrise application(s) to Netcom. Netcom or its validation agent has a right but not obligation

to allow correction of evident errors in sunrise application(s) even after the expiry of the sunrise period.

Validation.

At the end of the sunrise period, sunrises applications will be validated by Netcom or its validation agent. Netcom or its validation agent has a right to request submission of additional documentation from the applicants, evidencing their rights in the corresponding trademark(s).

The earliest or the only valid sunrise application for a name [supported by the correct documentation] will be provisionally registered to that applicant upon validation.

Limitation of liability. Except in the case of deliberate wrongdoing, neither Netcom nor its validation agent (including their directors, employees, agents and advisors) shall be liable for any act or omission in connection with any sunrise application, its validation and/or provisional or full registration of domain names during the <.cm> sunrise.

When general registrations commence on a first-come-first-served basis, those names applied for during the sunrise will be unavailable for general registration pending validation of the sunrise application. Names applied for during sunrise which are not supported by valid documentation will be released for registration on a date to be publicised.