



Quick Guide to WIPO Domain Name Dispute Resolution Services for the .MX ccTLD

WIPO Arbitration and Mediation Center

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In this webinar:

- Registry. MX and recent updates on the .MX Reglamento
- The main characteristics of .MX proceedings as compared to the UDRP
- Basics points on how to file a .MX domain name complaint against a “cybersquatter”
- The main benefits of filing a case with WIPO in comparison to court litigation

After this webinar, you can:

- Send us your follow-up questions
- Download this presentation
- Download handouts
- Receive a recording of the webinar

WIPO's ccTLD Program

■ Advice to ccTLD operators:

- Registration Agreement;
- Dispute resolution policies;
- IP protection mechanisms

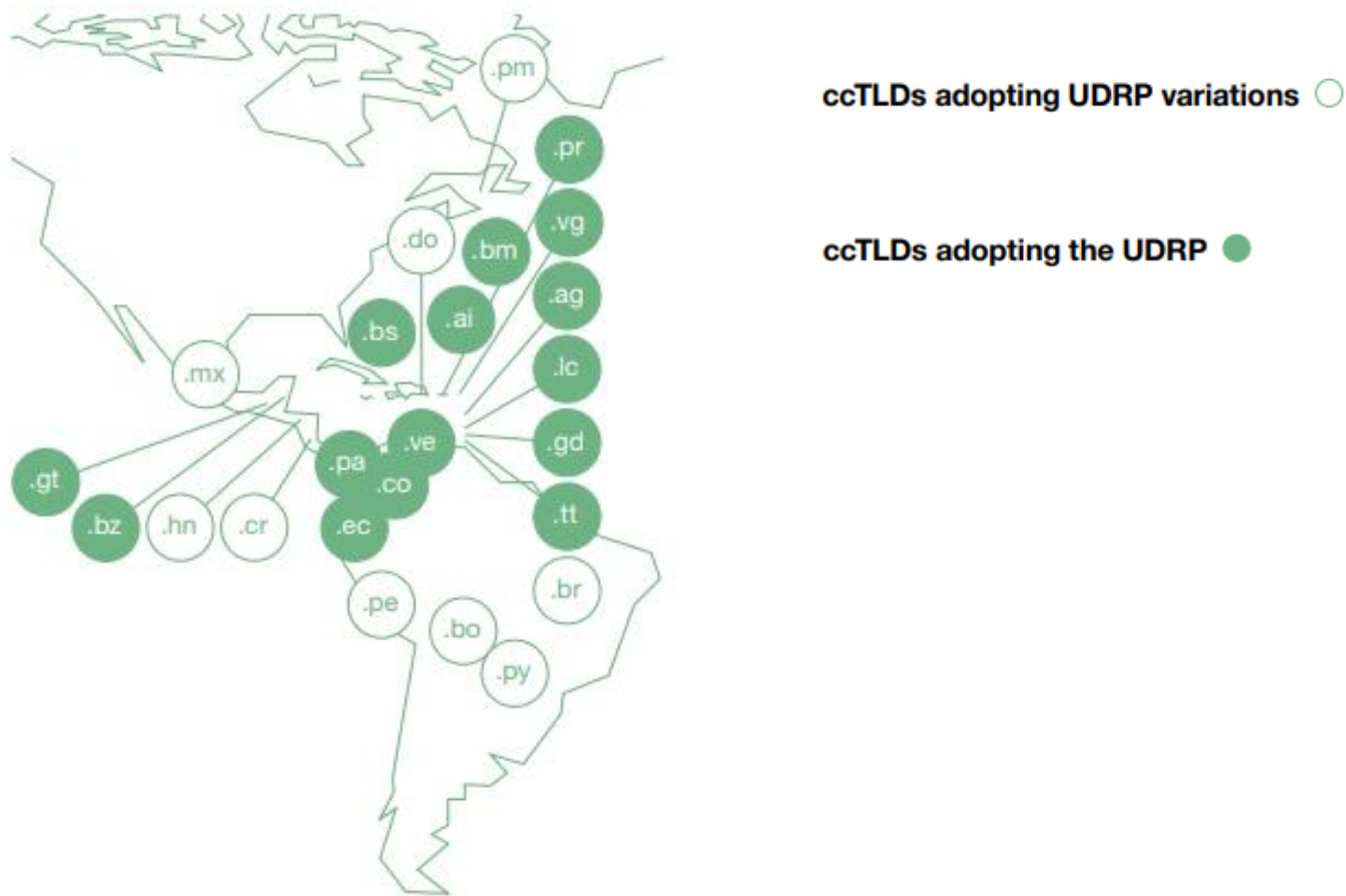
■ WIPO Center's Role:

- International standards of IP protection
- Case administration of IP-related domain name disputes at no cost to the ccTLD operator ("cybersquatting")

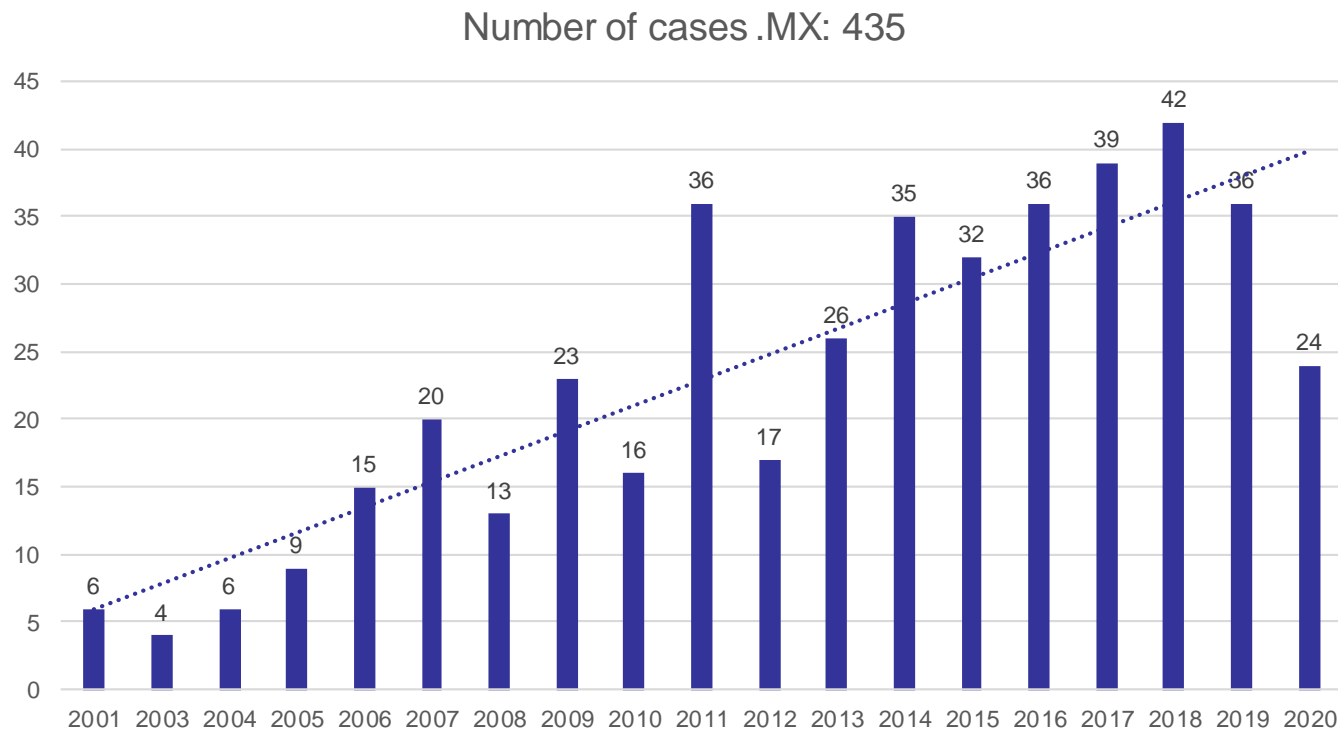


https://www.wipo.int/edocs/pubdocs/en/wipo_pub_1069.pdf

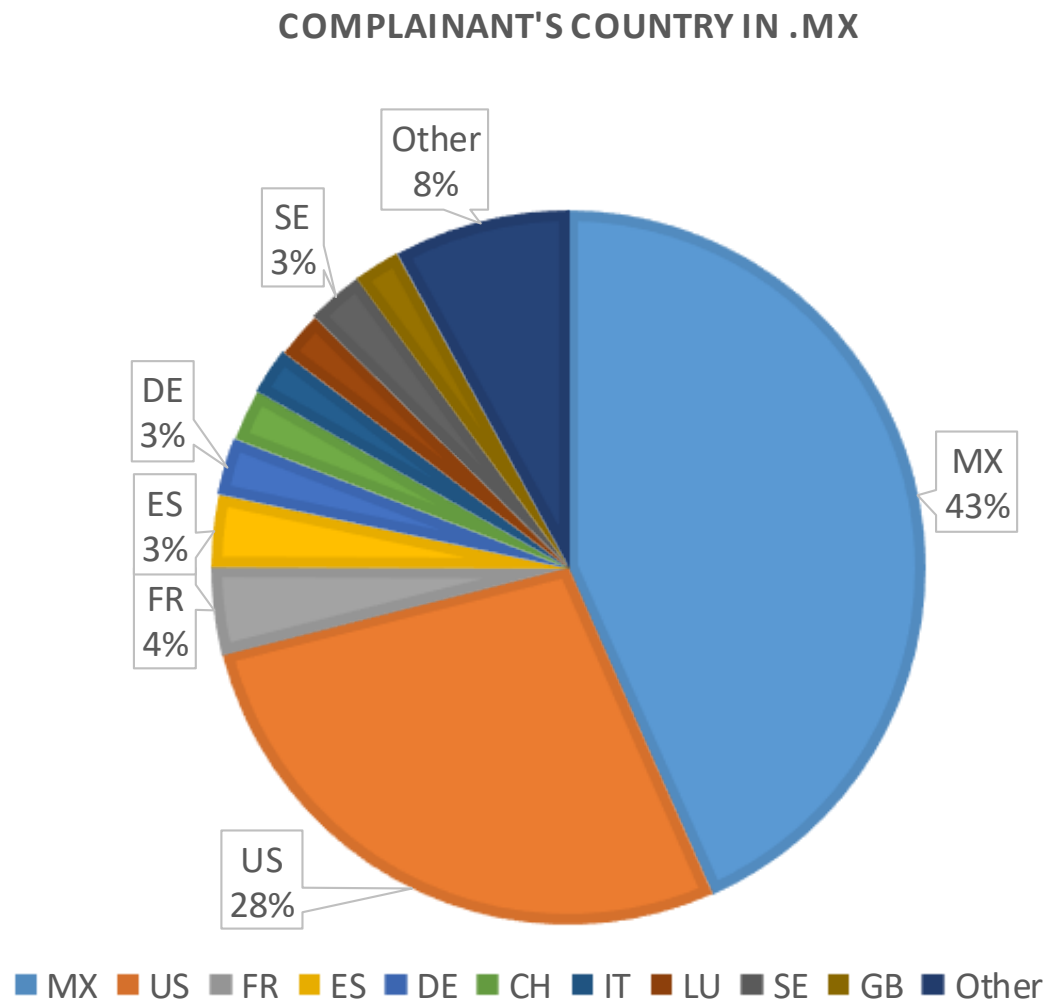
WIPO and ccTLDs of the region



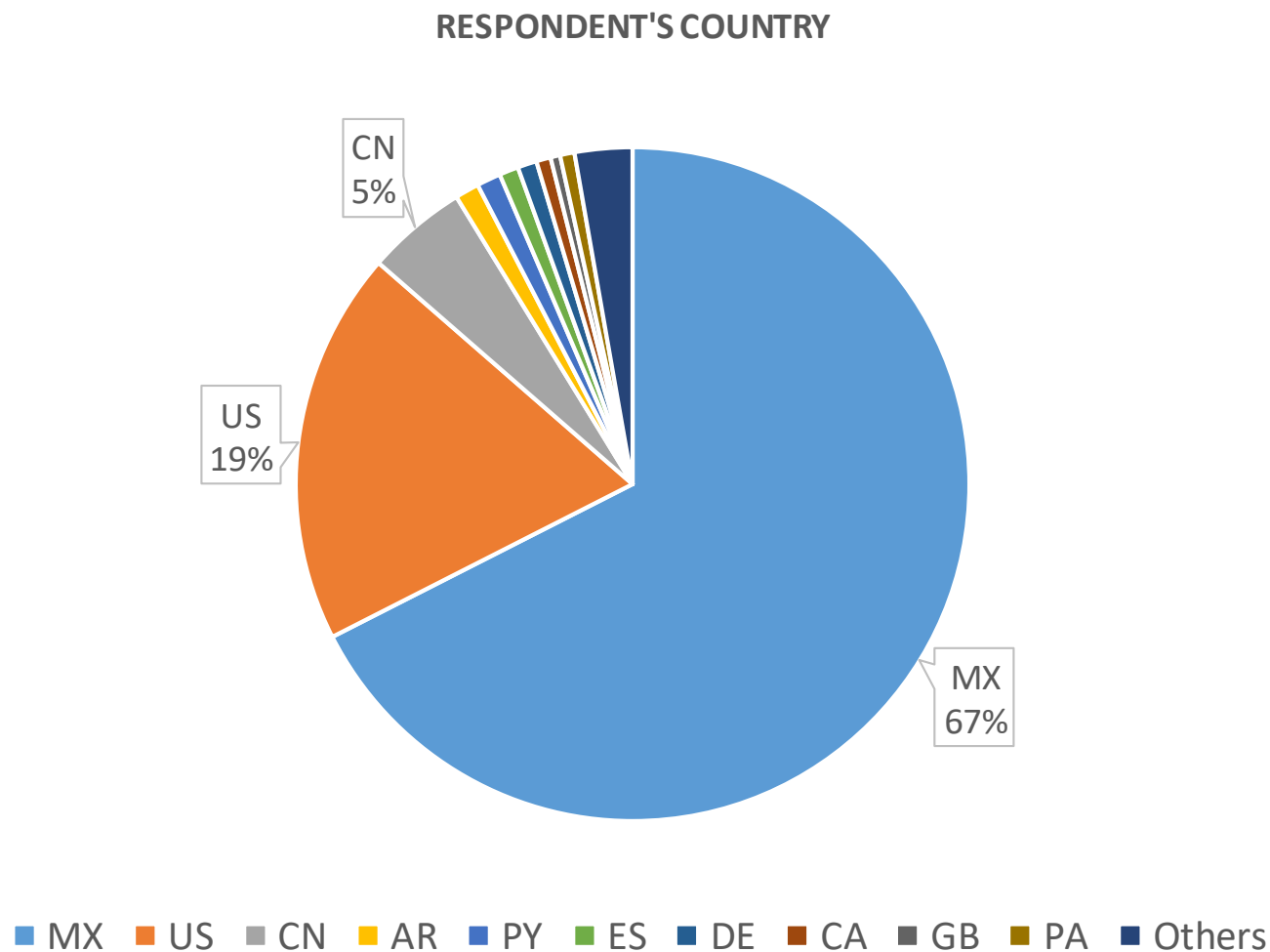
Distribution of cases per year in .MX



Distribution of complainants in .MX proceedings



Distribution of respondents in .MX proceedings



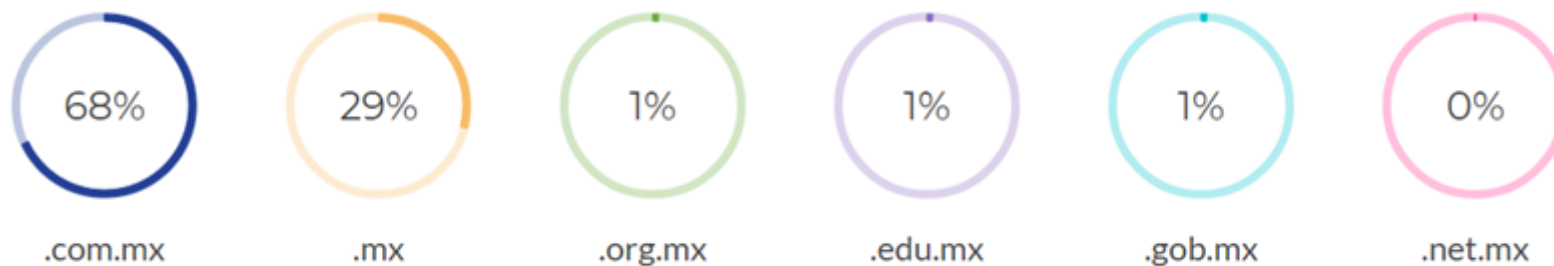
Registry .MX

<https://www.dominios.mx/somos-mexico-en-internet/>

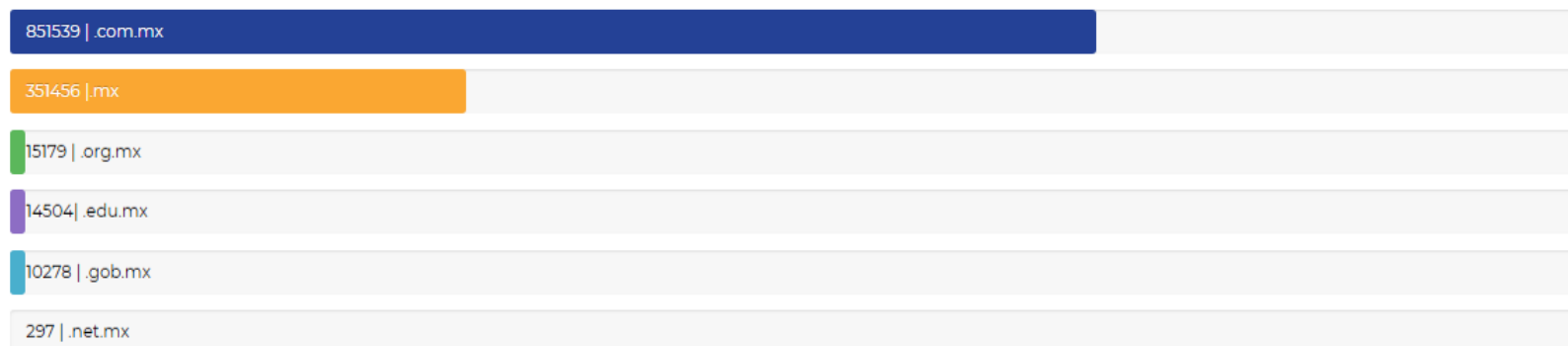
- A division of NIC Mexico in charge of managing the .MX Domain Name Registry
- Responsible for generating and enforcing .MX domain name policies
- During a .MX proceeding:
 - Provides relevant information about the disputed domain name and the Respondent/Holder, by replying to the RVR
 - Locks the disputed domain name during the pendency of a dispute
 - Implements a Panel's decision

Registry .MX: Statistics

www.dominios.mx/estadisticas-mx/



Total: 1,243,253



WIPO and Registry .MX update the .MX Rules

- **Update of the .MX Rules**

- **New WIPO Supplemental Rules for .MX**

- **Effective as of March 2019**

- **100% electronic proceeding**

- **The parties do not have to send their pleadings in hard copies**

- **Greater efficiency**

- **Reduced costs**

<https://www.wipo.int/amc/en/domains/cctld/mx/index.html>

WIPO Domain Name Dispute Resolution Service for .MX

Country / Territory Code	.MX
Country / Territory Name	Mexico
Whois Search	Whois Search
Dispute Resolution Policy	<p><i>Variation of UDRP</i></p> <p>Política de solución de controversias en materia de nombres de dominio para .MX (LDRP) available at the tab "Solución de controversias"</p> <p><i>Relevant differences between the UDRP and the LDRP</i></p> <ul style="list-style-type: none"> ▶ Rights covered ▶ Bad Faith ▶ Language ▶ Filing Modality

WIPO Toolkit

[Panel Decisions](#)

[WIPO Model Complaint](#)

[WIPO Model Response](#)

[Schedule of Fees](#)

.MX Dispute Policy and Procedural Rules

- .MX Policy / Política de solución de controversias en materia de nombres de dominio para .MX (LDRP)
- .MX Rules / Reglamento de la política de solución de controversias en materia de nombres de dominio para .MX (Reglamento)
- WIPO Supplemental Rules for .MX / Reglamento Adicional del Centro de Arbitraje y Mediación de la OMPI relativo a la Política de solución de controversias en materia de nombres de dominio para .MX (Reglamento Adicional)

Model Complaint and Response

■ Available in Spanish

<https://www.wipo.int/amc/en/domains/cctld/mx/index.html>

WIPO Model
Pleadings

WIPO Model Complaint

WIPO Model Response

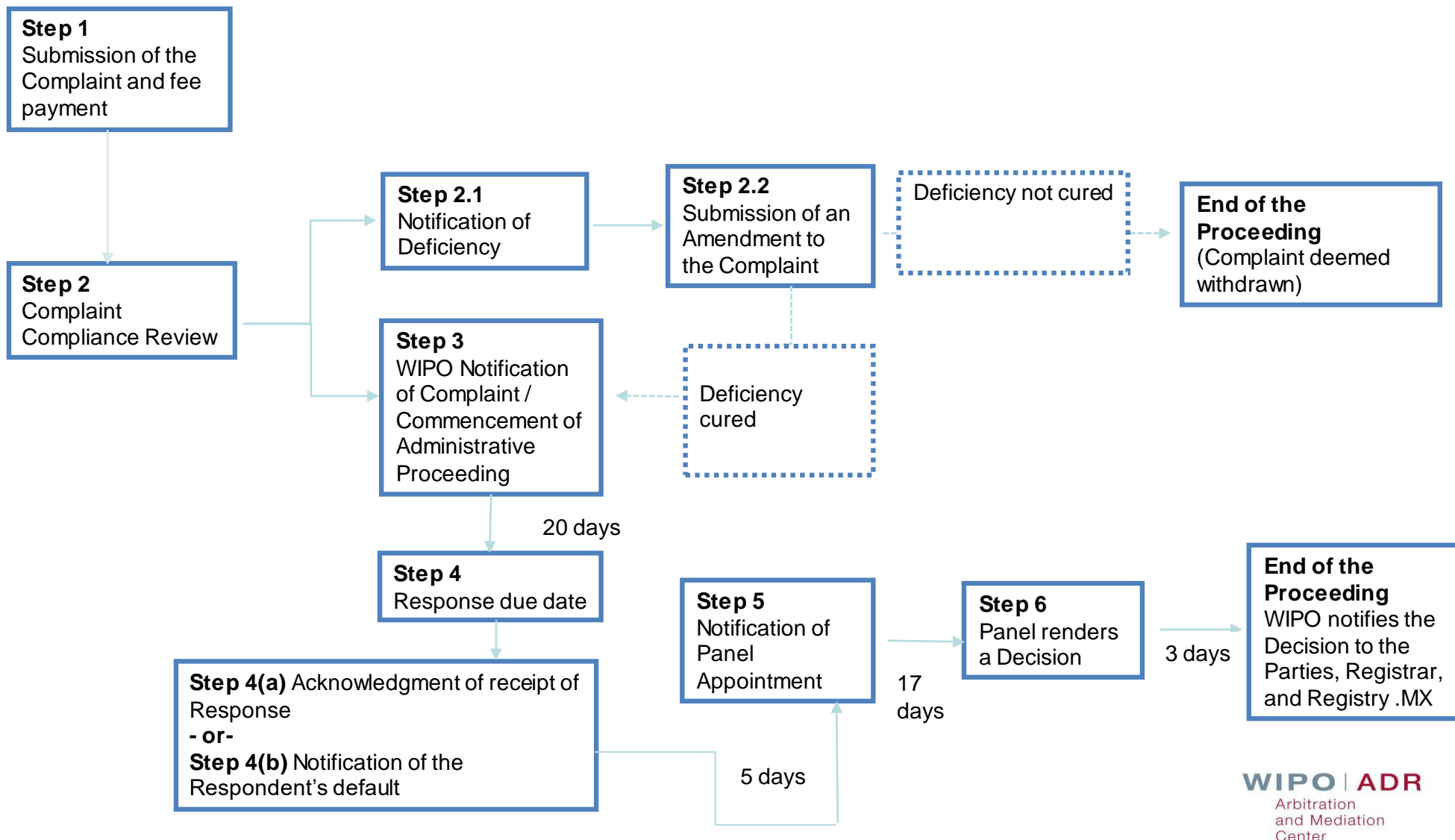
Language of the Proceedings

■ Spanish (article 13 of the Reglamento)

Respondent's identity

■ Registry .MX allows the use of “privacy shields” or “proxy registrations” for the registration of .MX domain names

WIPO Flowchart for .MX Proceedings (simplified version for single-member panel)



First element – Rights covered

- A complaint under the .MX Rules may be based on (Paragraph 1. a. of the LDRP):
 - Registered trademarks or service marks
 - Registered slogans (“aviso comercial registrado”)
 - Appellation of origin
 - Reservation of rights

Second element – Rights or Legitimate Interests

- The registrant has no rights or legitimate interests in the domain name (Paragraph 1. c. of the LDRP)
 - *bona fide* offering of goods or services; or
 - commonly known by the domain name; or
 - legitimate noncommercial or fair use

Third element – Bad Faith Registration or Use

- The domain name has been registered or used in bad faith (Paragraph 1. b. of the LDRP)
- Evidence of registration or use in bad faith of a domain name:
 - to sell, rent or otherwise transfer the domain name registration(s) to obtain unjustified benefits; or
 - to prevent the owners of the names or marks from reflecting the names or the marks in corresponding domain name(s); or
 - disrupt the Complainant's normal business; or
 - create confusion with the Complainant's name or mark so as to mislead the public and attract internet users for commercial gain
 - other circumstances

Remedies (Paragraph 1.g of the LDRP)

- Similar to the UDRP, remedies available are:
 - **transfer**
 - **cancelation**

Filing Fees

- The appropriate fee specified in the WIPO Center's Schedule of Fees must be submitted together with the Complaint

Single Panelist

Number of Domain Names Included in the Complaint	Fee (United States Dollars)
1 to 5	1500 [Panelist: 1000; WIPO Center: 500]
6 to 10	2000 [Panelist: 1300; WIPO Center: 700]
More than 10	To be decided in consultation with the WIPO Center

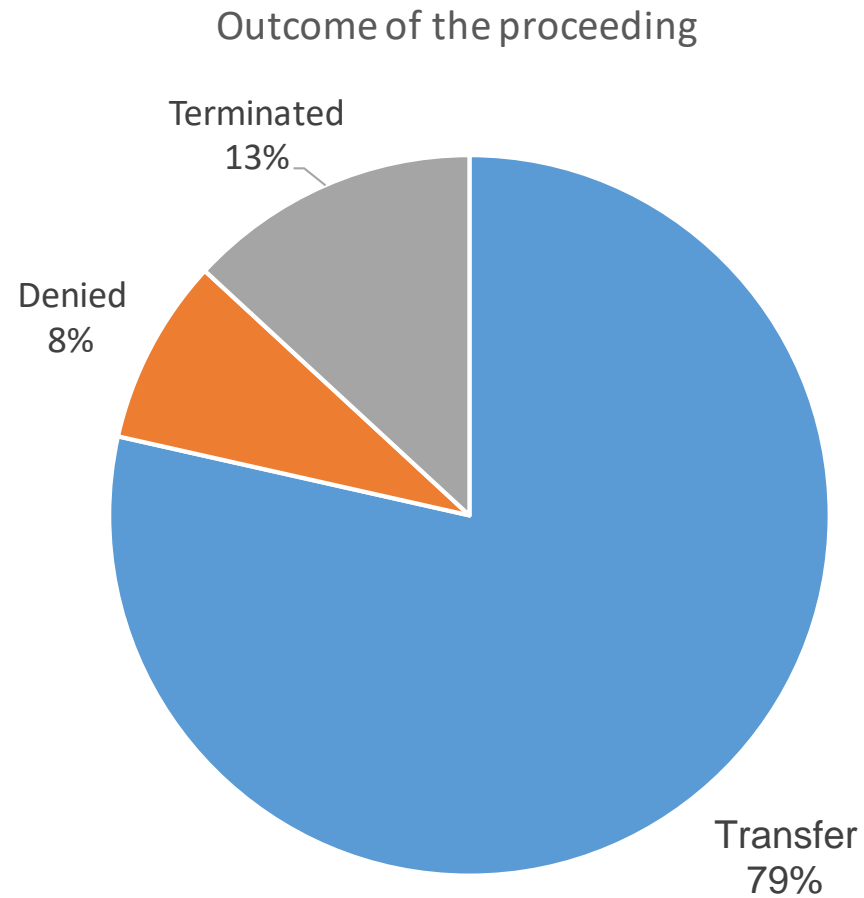
Three Panelists

Number of Domain Names Included in the Complaint	Fee (United States Dollars)
1 to 5	4000 [Presiding Panelist: 1500; Co-Panelist: 750; WIPO Center: 1000]
6 to 10	5000 [Presiding Panelist: 1750; Co-Panelist: 1000; WIPO Center: 1250]
More than 10	To be decided in consultation with the WIPO Center

Response

- WIPO Model Response available at <https://www.wipo.int/amc/en/domains/cctld/mx/index.html>
- **If Response received:** acknowledged (copy provided) to both parties
- **If no Response received:** Default

Outcome in .MX proceedings



Main benefits of the .MX procedure

- Time-effective procedure (2 months)
- 100% paper-less procedure (WIPO model pleadings available for parties)
- Decision implemented by Registry .MX directly

Some examples of .MX cases

YVES SAINT LAURENT

<yvessaintlaurent.com.mx>



<vidanta-group.com.mx>



Snapchat

<descargarsnapchat.com.mx>



<bolsamexicanadevalores.com.mx>

amazon

<amazon-logistics.com.mx>



<nikegolf.mx>

WIPO Cybersquatting Case Filing Surges During COVID-19 Crisis

- WIPO is providing its full domain name dispute resolution services
- Significant numbers of cases filed with WIPO:
pharma, Internet/IT, banking/finance, and events-related categories
- COVID-19 related domain names, such as:
<coronagileadsciences.com> ([WIPO Case No. D2020-0776](#)),
<dettolhandsanitizer.com>
<facebookcovid19.com>
<hmrc-refund-covid-19.com>
<tokyo2021.cn>, <tokyo2021.org>
<sanofivaccine.com>

<https://www.wipo.int/amc/en/center/wipocenterupdate.html>

Contact Us

- Queries: arbiter.mail@wipo.int
- Further information: <https://www.wipo.int/amc/en/domains>
- **WIPO Center Domain Name Newsletter**
 - https://www3.wipo.int/newsletters/en/#adr_highlights
- **WIPO Center Webinars**
 - <https://www.wipo.int/amc/en/events/webinar.html#upcoming>
- **WIPO Center Offices**
 - Geneva, Switzerland
 - Singapore, Singapore