**COMPLAINT TRANSMITTAL COVERSHEET**

Attached is a Complaint that has been filed against you with the World Intellectual Property Organization (**WIPO**) Arbitration and Mediation Center (the **Center**) pursuant to the Kingdom of Bahrain Regulation for Settling Disputes Related to the Registration of (.BH and البحرين.) Domain Names, Trademarks and Trade Names (the **Dispute Resolution Regulation**), the Appendix Concerning Standard Proceedings for Settlement of Disputes Related to Domain Name Registration (the **Appendix to the Dispute Resolution Regulation**), and the WIPO Supplemental Rules for Kingdom of Bahrain Domain Name Dispute Resolution Rules (the **Supplemental Rules**).

You will find the name and contact details of the Complainant, as well as the domain name(s) that is/are the subject of the Complaint in the document that accompanies this Coversheet.

Once the Center has checked the Complaint to determine that it satisfies the formal requirements of the Dispute Resolution Regulation, the Appendix to the Dispute Resolution Regulation and the Supplemental Rules, it will forward an official copy of the Complaint, including annexes, to you by email. You will then have 20 calendar days from the date of Commencement within which to submit a Response to the Complaint in accordance with the Regulation and the Supplemental Rules to the Center and the Complainant. You may represent yourself or seek the assistance of legal counsel to represent you in the administrative proceeding.

* The **Dispute Resolution Regulation,** and the **Appendix to the Dispute Resolution Regulation** can be found at (<https://lloc.gov.bh/PDF/RTRTL0621.pdf>)
* The **Supplemental Rules**, as well as other information concerning the resolution of domain name disputes can be found at (<https://www.wipo.int/amc/en/domains/cctld/bh/index.html>)
* A **model Response** can be found at (<https://www.wipo.int/amc/en/docs/response-bh.docx>)

Alternatively, you may contact the Center to obtain any of the above documents. The Center can be contacted in Geneva, Switzerland by telephone at +41 22 338 8247, by fax at +41 22 740 3700 or by email at domain.disputes@wipo.int.

You are kindly requested to contact the Center to provide an alternate email address to which you would like (a) the Complaint, including Annexes and (b) other communications in the administrative proceeding to be sent.

By submitting this Complaint to the Center the Complainant hereby agrees to abide and be bound by the provisions of the Dispute Resolution Regulation, the Appendix to the Dispute Resolution Regulation and the Supplemental Rules.***Before the:***

**WORLD INTELLECTUAL PROPERTY ORGANIZATION**

**ARBITRATION AND MEDIATION CENTER**

|  |  |
| --- | --- |
| [NAME AND ADDRESS OF COMPLAINANT]  (**Complainant**) |  |
| -v- | **Disputed Domain Name(s):** |
| [NAME AND ADDRESS OF DEFENDANT]  (**Defendant**) | *[<the disputed domain name(s)>]* |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

#### COMPLAINT

(Appendix to the Dispute Resolution Regulation, Clause 3.b; Supplemental Rules, Paragraphs 4(a), 12(a), Annex D)

**I. Introduction**

[1.] This Complaint is hereby submitted for decision in accordance with the Kingdom of Bahrain Regulation for Settling Disputes Related to the Registration of Domain Names, Trademarks and Trade Names (the **“Dispute Resolution Regulation”**), the Appendix Concerning Standard Proceedings for Settlement of Disputes Related to Domain Name Registration (the “**Appendix to the Dispute Resolution Regulation”**), and the WIPO Supplemental Rules for Kingdom of Bahrain Domain Name Dispute Resolution Rules (the “**Supplemental Rules”**).

**II. The Parties**

**A. The Complainant**

(Appendix to the Dispute Resolution Regulation, Clause 3.b.2)

[2.] The Complainant in this administrative proceeding is *[provide full name and, if relevant, corporate or legal status.]*

[3.] The Complainant’s contact details are:

|  |  |
| --- | --- |
| Address: | *[Specify mailing address]* |
| Telephone: | *[Specify telephone number]* |
| Fax: | *[Specify fax number]* |
| Email: | *[Specify email address]* |

[If there is more than one Complainant, provide the above information for each and arguments and evidence to support the consolidation of multiple Complainants in a single complaint in such cases, for example, where the multiple Complainants truly have a common grievance against the Defendant. Multiple Complainants may demonstrate a common grievance against the Defendant, for example, (1) where Complainants have a common legal interest in a relevant right or rights that are allegedly affected by the Defendant’s conduct, or (2) where the multiple Complainants are the target of common conduct by the Defendant which has clearly affected their individual legal interests. ]

[4.] The Complainant’s authorized representative in this administrative proceeding is:

*[If relevant, identify authorized representative and provide all contact details, including postal address, telephone number, fax number, email address; if there is more than one authorized representative, provide contact details for each.]*

[5.] The Complainant’s preferred method of communications directed to the Complainant in this administrative proceeding is:

|  |  |
| --- | --- |
| Electronic-only material | |
| Method: | email |
| Address: | *[Specify one email address]* |
| Contact: | *[Identify name of one contact person]* |

|  |  |
| --- | --- |
| Material including hardcopy (where applicable) | |
| Method: | *[Specify one: fax, post/courier]* |
| Address: | *[Specify one address, if applicable]* |
| Fax: | *[Specify one fax number]* |
| Contact: | *[Identify name of one contact person]* |

**B. The Defendant**

(Appendix to the Dispute Resolution Regulation, Clause 3.b.4)

[6.] According to *[indicate why the person/entity identified in the Complaint has been identified as the Defendant, e.g., the concerned WhoIs database.]*, the Defendant in this administrative proceeding is *[identify Defendant (the domain name holder), (including full name, and if relevant, corporate or legal status, place of incorporation and principal place of business, or residence)].* Copies of the printout of the database search(es) conducted on *[date]* are provided as Annex *[Annex number]*.

[7.] All information known to the Complainant regarding how to contact the Defendnat is as follows:

*[Provide all contact details (postal address, telephone number, fax number, email addresses) for the Defendant, including those that may have been used successfully in the course of pre-complaint dealings and those available from any WhoIs look-up service.]*

[If there is more than one Defendant, provide the contact details for each Defendant and describe the relationship between them, which justifies them being named in a common complaint.]

## III. The Domain Name(s) and Registrar(s)

## (Appendix to the Dispute Resolution Regulation, Clause 3.b.5 and 3.b.6)

[8.] This dispute concerns the domain name(s) identified below:

*[Identify precisely the disputed domain name(s). You are also invited to indicate the date(s) of domain name registration.]*

[9.] The registrar(s) with which the domain name(s) is/are registered is/are:

*[Provide the name and full contact details of the registrar(s) with which the domain name(s) is/are registered, if available. Information about the accredited-registrars can be found on https://register.bh/where-to-buy-a-bh/]*

## IV. Language of Proceedings

## (Appendix to the Dispute Resolution Regulation, Clause 11)

[10.] *[[Clause 11 of the Appendix to the Dispute Resolution Regulation provides that English language shall be the language of dispute settlement proceedings. The arbitration panel may select another language, considering the circumstances of the dispute settlement proceedings.]]*

## V. Jurisdictional Basis for the Administrative Proceeding

## (Dispute Resolution Regulation, Article 6)

[11.] This dispute is properly within the scope of the Dispute Resolution Regulation and the Administrative Panel is competent to study and settle the dispute.

**VI. Factual and Legal Grounds**

(Dispute Resolution Regulation, Articles 7.A, 7.B, and 7.C; Appendix to the Dispute Resolution Regulation, Clause 3)

*[In completing this Section VI., do not exceed the 5000 word limit: Supplemental Rules, Paragraph 11(a). Relevant documentation in support of the Complaint should be submitted as Annexes, with a schedule indexing such Annexes. Such Annexes should be submitted in conformity with the Supplemental Rules, Paragraph 12(a), Annex D]*

[12.] This Complaint is based on the following grounds:

**A. The domain name(s) is(are) identical or confusingly similar to a trademark, or service mark in which the Complainant has rights;**

(Dispute Resolution Regulation, Article 7.A; Appendix to the Dispute Resolution Regulation, Clauses 3.b.7 and 3.b.8)

* *[In accordance with Appendix to the Dispute Resolution Regulation, Clause 3.b.7, specify the trademark(s) on which the Complaint is based and, for each mark, describe the goods, services or products, if any, in connection with which the mark is used. A separate description may also be given of the goods or services with which the Complainant intends, at the time the Complaint is submitted, to use the mark in the future. If applicable, attach copies of the registration certificates for the relevant marks.]*
* *[In accordance with Dispute Resolution Regulation, Article 7.A, Appendix to the Dispute Resolution Regulation, Clause 3.b.8, describe the manner in which the domain name(s) is/are identical or confusingly similar to a trademark or service mark in which the Complainant has rights.]*

**B. The Defendant has no rights or legitimate interests in respect of the domain name(s);**

(Dispute Resolution Regulation, Article 7.B; Appendix to the Dispute Resolution Regulation, Clause 3.b.8)

* *[In accordance with* Dispute ResolutionRegulation, Article 7.B, and Appendix to the Dispute Resolution Regulation, Clause 3.b.8*, describe why the Defendant should be considered as having no rights or legitimate interests in respect of the domain name(s) that is/are the subject of the Complaint. Attention should be paid to any relevant aspects of the Dispute Resolution Regulation, Article 11, including:*

*A- That the Defendant has been using or making preparations to use the Domain Name or a name similar to it in providing goods or services before receiving any Written Notice.*

*B- That the Defendant has been known (in the individual or commercial capacity or as an organization) by the name used in the Domain Name, subject of the complaint, even if the Defendant has not had trademark or service mark rights.*

*C- That the Defendant is using the Domain Name in a legal, noncommercial, or fair manner, without intending to achieve commercial gains by misleading consumers or distorting the trademark or service mark, subject of the complaint.]*

**C. The domain name(s)was/were registered, is/are being used in bad faith.**

(Dispute Resolution Regulation, Article 7.C; Appendix to the Dispute Resolution Regulation, Clause 3.b.8)

* *[In accordance with* Dispute ResolutionRegulation, Article 7.C, and Appendix to the Dispute Resolution Regulation, Clause 3.b.8*, describe why the domain name(s) should be considered as having been registered and used in bad faith by the Defendant. Attention should be paid to any relevant aspects of the Dispute Resolution Regulation, Article 7.C, including:*

- Circumstances indicating that the domain name(s) was/were registered or acquired primarily for the purpose of selling, leasing, or transferring it to the Complainant, who is considered the owner of the trademark or service mark, or to the competitors of the Complainant, in return for a financial compensation that greatly exceeds the costs of obtaining the domain name(s); or

- Whether the domain name(s) was/were registered in order to prevent the owner of the trademark or service mark from using the domain name that reflects the trademark thereof, provided this act is done repeatedly.; or

- Whether the domain name(s) was/were registered or the sole purpose of disrupting the business of competitors; or

- Whether the domain name owner is using the domain name with the intention of achieving commercial gains by causing potential confusion between the domain name and the trademark of the Complainant regarding the source, sponsorship, affiliation, or certification of the domain name owner's website or in relation to a product or service that is offered on the domain name owner's website.

#### VII. Remedies Requested

#### (Dispute Resolution Regulation, Article 9; Appendix to the Dispute Resolution Regulation, Clause 3.b.9)

[13.] In accordance with Article 9 of the Dispute Resolution Regulation, and Clause 3.b.9 of the Appendix to the Dispute Resolution Regulation, for the reasons described in Section VI. above, the Complainant requests the Administrative Panel appointed in this administrative proceeding that *[“<the disputed domain name(s)> be transferred to the Complainant” / “<the disputed domain name(s)> be cancelled”.]*

**VIII. Administrative Panel**

(Appendix to the Dispute Resolution Regulation, Clause 3.b.10; Supplemental Rules, Paragraphs 8(a) and 8(b))

[14.] The Complainant elects to have a *[choose one:* “single‑member Administrative Panel*” / or “*three-member Administrative Panel*”*]*.*

[15.] [If a three-member Administrative Panel is designated, the names of three persons must be provided, one of whom the Center shall attempt to appoint to the Administrative Panel in accordance with Clause 3.b.10 of the Appendix to the Dispute Resolution Regulation, and Paragraphs 8(a) and 8(b) of the Supplemental Rules. The names of the nominees may be taken from the Center’s published list of panelists].

#### IX. Mutual Jurisdiction

#### (Appendix to the Dispute Resolution Regulation, Clause 3.b.12)

[16.] In accordance with Clause 3.b.12 of the Appendix to the Dispute Resolution Regulation, the Complainant will submit, with respect to any disagreement or objection that may be made by the Defendant to the Administrative Proceeding regarding the domain name(s) that is/are the subject of this Complaint, to the jurisdiction of the competent court in the Kingdom of Bahrain.

**X. Other Legal Proceedings**

(Appendix to the Dispute Resolution Regulation, Clause 3.b.11)

[17*.*] *[If any, identify other legal proceedings that have been commenced or terminated in connection with or relating to the domain name(s) that is/are the subject of the Complaint and summarize the issues that are the subject of that/those proceeding(s).]*

#### XI. Communications

#### (Appendix to the Dispute Resolution Regulation, Clause 3.b, Supplemental Rules, Paragraphs 3, 4, 12)

[18.] This Complaint has been submitted to the Center in electronic form, including annexes, in the appropriate format.

#### XII. Payment

(Appendix to the Dispute Resolution Regulation, Clause 19; Supplemental Rules, Paragraph 10, Annex B)

[19.] As required by the Appendix to the Dispute Resolution Regulation and Supplemental Rules, payment in the amount of USD *[amount]* has been made by *[method]*. *(*Payments should be made using the Center's [secure online payment facility](https://www3.wipo.int/amc-payment/). For any payment-related queries or difficulties, please contact the Center Secretariat on (+41 22) 338 8247, or email the Center at [arbiter.mail@wipo.int](mailto:arbiter.mail@wipo.int)).

#### XIII. Certification

#### (Appendix to the Dispute Resolution Regulation, Clause 3.b.13; Supplemental Rules, Paragraph 15)

[20.] The Complainant agrees that its Complaint, and requested remedy option concerning the registration of the domain name, dispute, or outcome of dispute resolution shall be solely against the Defendant, and that it waives any claims against (a) WIPO, or members of the administrative panel, except in the event of intentional errors, (b) the Registrar(s) or (c) the Telecommunications Regulatory Authority.

[21.] The Complainant certifiesthat the information provided in this Complaint is, to the best of his knowledge, complete and accurate, and that the Complaint has not been submitted in bad faith, and that the Complaint, in its current form or as it may be expanded upon in good faith, is justified and permitted as per the Dispute Resolution Regulation, the Appendix to the Dispute Resolution Regulation, and the applicable laws.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*[Name/Signature]*

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

#### List of Annexes

#### (Supplemental Rules, Paragraphs 4(a), 12(a), Annex D)

[22.] The Dispute Resolution Regulation provide that a Complaint or Response, including any annexes, shall be submitted electronically. Under the Supplemental Rules, there is a file size limit of 10MB (ten megabytes) for any one attachment, with an overall limit for all submitted materials of no more than 50MB (fifty megabytes).

[23] In particular, paragraph 12(a) and Annex D of the Supplemental Rules provide that, other than by prior arrangement with the Center, the size of any individual file (such as a document in Word, PDF or Excel format) transmitted to the Center in connection with any proceeding shall itself be no larger than 10MB. When larger amounts of data need to be transmitted, larger files can be “split” into a number of separate files or documents each no larger than 10MB. The total size of a Complaint or response (including any annexes) filed in relation to a dispute shall not exceed 50MB, other than in exceptional circumstances (including in the case of pleadings concerning a large number of disputed domain names) where previously arranged with the Center.

Annex 1:

Annex 2:

Annex 3:

Annex 4:

Annex 5:

*[Additionally, to avoid any uncertainty, it is requested that any Annexes (and their corresponding filenames) be clearly labeled and sequentially numbered (i.e. Annex 1, 2, 3 etc), and a complete list of Annexes supplied].*