



WIPO | ADR

Arbitration
and Mediation
Center

■ WIPO Domain Name Dispute Resolution Services for the .CN and .中国 ccTLD

**Geneva
May 30, 2024**

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In this webinar:

- A brief overview of WIPO .CN and .中国 proceedings
- The main characteristics of .CN and .中国 proceedings as compared to the UDRP
- 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
- Receive a recording of the webinar

Introduction of CNNIC

CNNIC was established on June 3, 1997. CNNIC is now affiliated with the Ministry of Industry and Information Technology. As a national Internet network information center, it is responsible for the operation and management of .CN (China's ccTLD) and the Chinese domain name system.



A Forerunner in the Development of Internet Basic Resource Industry

Building the basic resource ecology; Setting the standards for industrial services; Supporting the industrial normalized management



A Protector of National Internet Information Infrastructure

Ensuring the secure operation of national domains; Consolidating the system for cybersecurity management; Strengthening the capability for practical network defense; Protecting the secure application of national domains



An Explorer of Key Technologies for Internet Basic Resources

Leading the development of Internet basic resource standards; Building a platform for scientific and technological innovation; Building a self-reliant and controllable system for domain name technologies; Building a big data platform for Internet basic resources



A Recorder of China's Internet Development

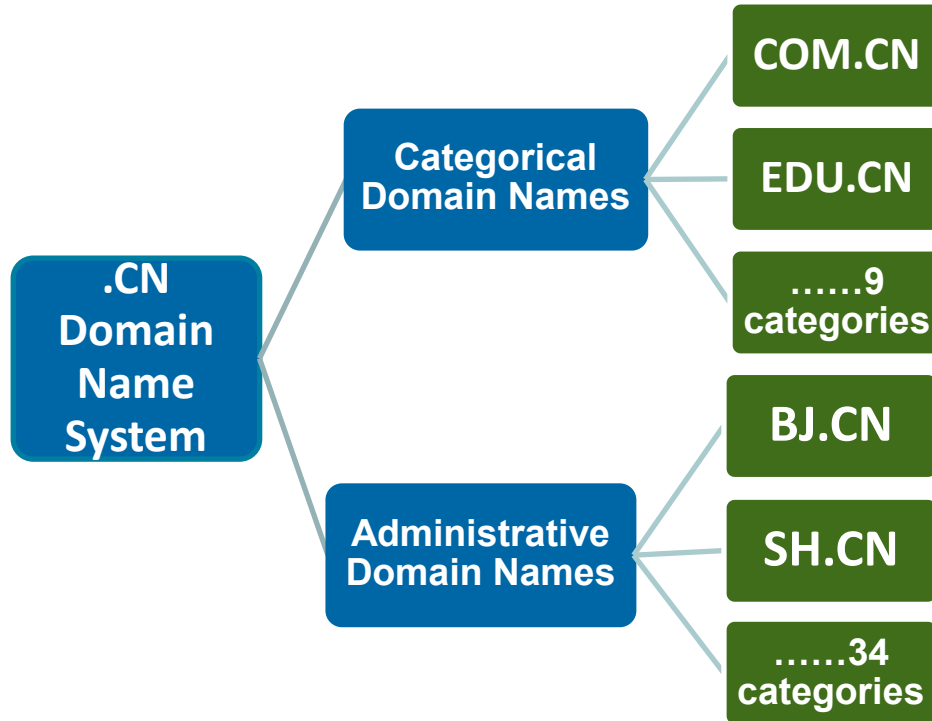
Comprehensively recording the development of China's Internet; Continuously improving industrial influence



A Contributor of Global Internet Development, Cooperation and Governance

Assuming important international positions, and actively contributing Chinese wisdom; Receiving broad recognition from international experts

Introduction of .CN Domain Name System



In China's Internet domain name system, .CN (China's ccTLD) has two types of second-level domain names, namely, categorical domain names and administrative domain names.

I. According to the nature of applicant organizations, there are 9 types of categorical domain names, namely, AC, COM, EDU, GOV, MIL, NET, ORG, 政务, and 公益.

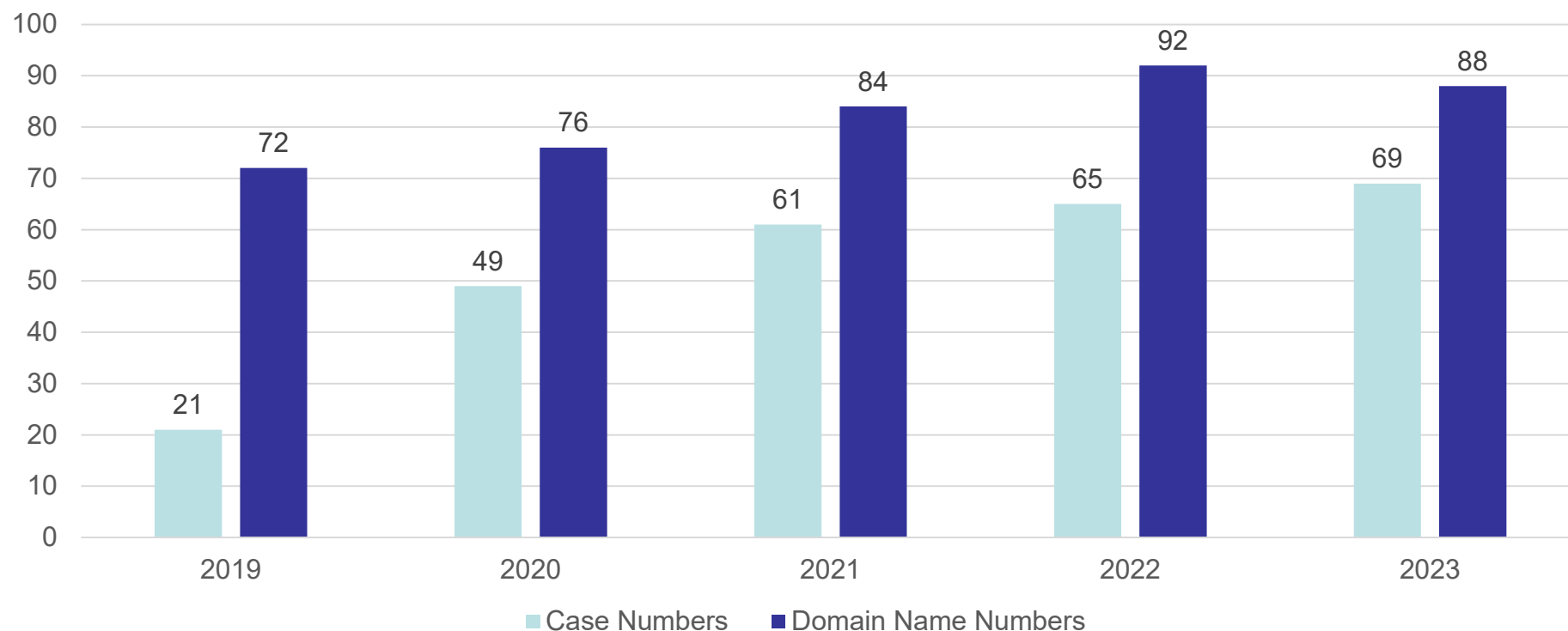
II. According to the abbreviation of the name of each administrative region in China, there are 34 types of administrative domain names, which are applicable to China's 34 provinces, autonomous regions and municipalities, namely, BJ, SH, TJ, CQ, HE, SX, NM, LN, JL, HL, JS, ZJ, AH, FJ, JX, SD, HA, HB, HN, GD, GX, HI, SC, GZ, YN, XZ, SN, GS, QH, NX, XJ, TW, and HK.

WIPO .CN and .中国 Proceedings

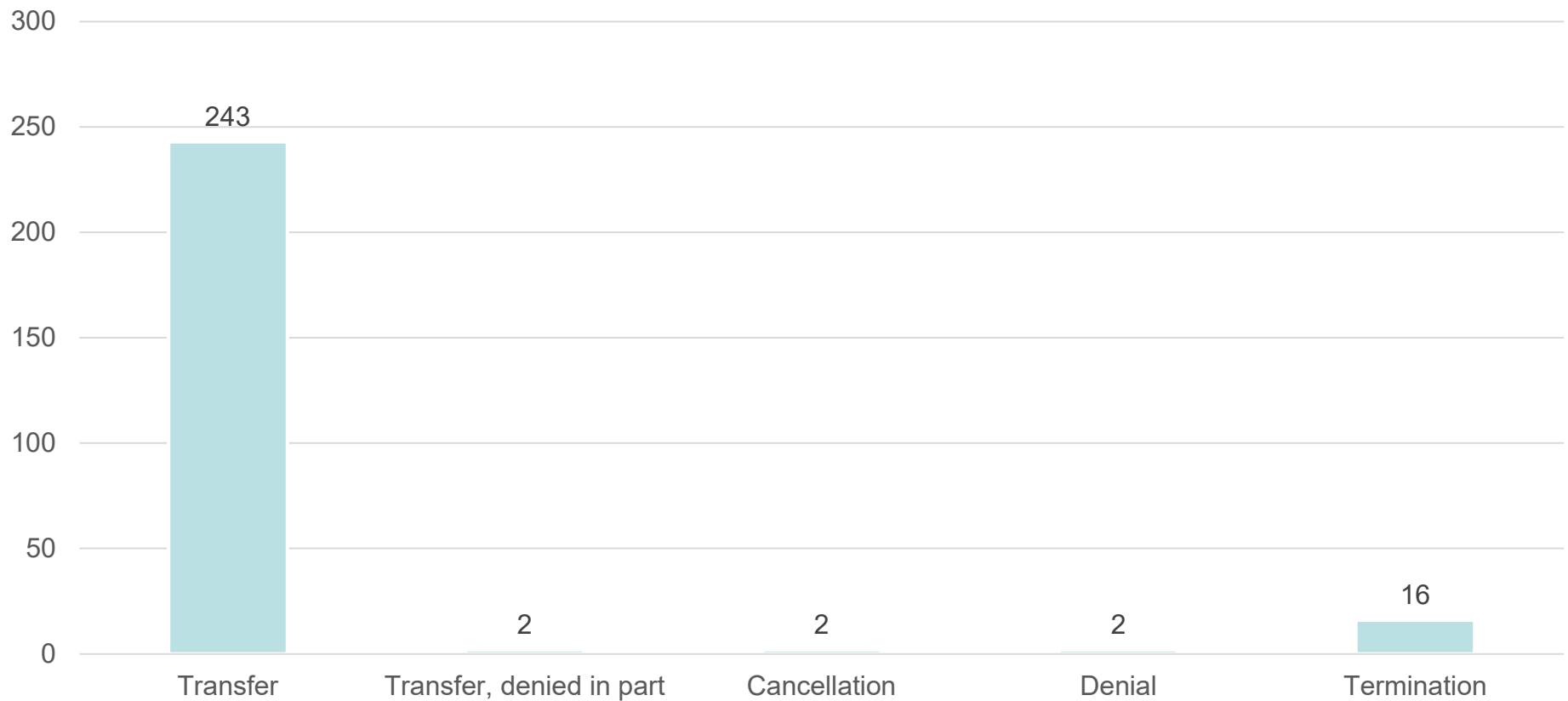
- Since August 1, 2019, as of December 31, 2023, WIPO has administered 265 .CN and .中国 cases covering 412 domain names
- Top 5 Complainant's countries: 1) France, 2) United States of America, 3) Germany, 4) Italy, 5) China
- Top 5 Complainant's industries: 1) Internet/IT, 2) Biotechnology and Pharmaceuticals, 3) Fashion, 4) Heavy Industry and Machinery, 5) Food, Beverages and Restaurants

WIPO .CN and .中国 Case Filing

WIPO .CN and .中国 Cases by Year
from August 1, 2019 through December 31, 2023



Outcome of WIPO .CN and .中国 Proceedings (from August 1, 2019 through December 31, 2023)



Relevant Policy Documents

- China ccTLD Dispute Resolution Policy (the “Policy”)
- China ccTLD Dispute Resolution Policy Rules (the “Rules”)
- WIPO Supplemental Rules for China ccTLD Dispute Resolution Policy and China ccTLD Dispute Resolution Policy Rules (the “Supplemental Rules”)

WIPO Domain Name Dispute Resolution Service for .CN and .中国

Country / Territory Code	.CN and .中国
Country / Territory Name	China
Whois Search	Whois Search
Dispute Resolution Policy	<p><i>Variation of UDRP</i></p> <p>China ccTLD Dispute Resolution Policy</p> <p><i>Relevant differences between the UDRP and the .CN Policy</i></p> <ul style="list-style-type: none"> ▶ Applicability ▶ Rights Covered ▶ Bad Faith ▶ Examples of Bad Faith ▶ Mutual Jurisdiction ▶ Language of Proceedings ▶ Communications

WIPO Toolkit

[Panel Decisions](#)

[WIPO Model Complaint in English](#)

[WIPO Model Complaint in Chinese](#)

[WIPO Model Response in English](#)

[WIPO Model Response in Chinese](#)

[Schedule of Fees](#)

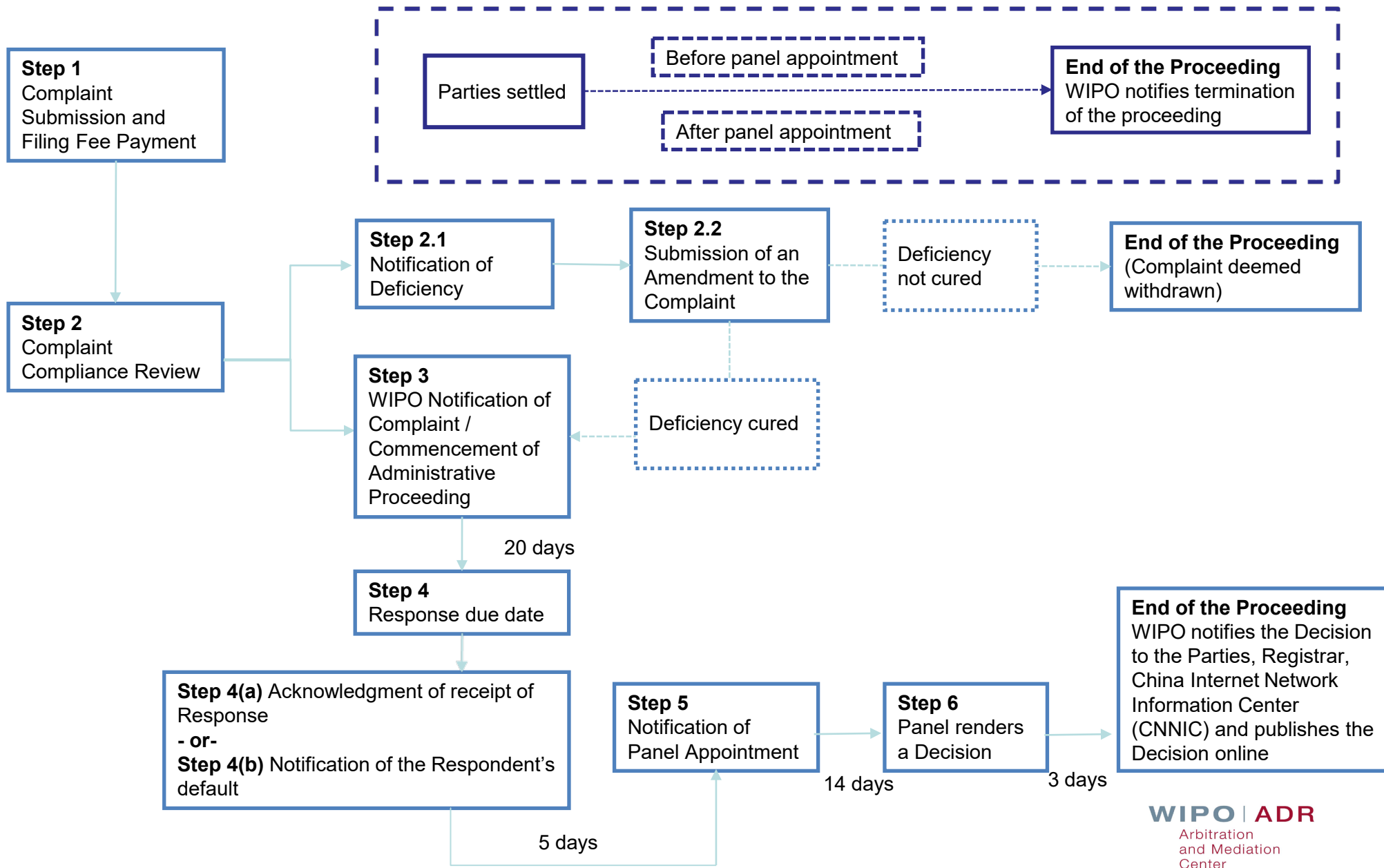
<https://www.wipo.int/amc/en/domains/ccTld/cn/index.html>

WIPO Model Complaint and WIPO Model Response

■ Available in Chinese and English

WIPO Model Pleadings	WIPO Model Complaint in English
	WIPO Model Complaint in Chinese
	WIPO Model Response in English
	WIPO Model Response in Chinese

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



Applicability of a .CN/.中国 Proceeding – Article 2, Policy

- “The Policy is applicable to disputes result from registration or usage of domain names. However, the Dispute Resolution Service Providers do not accept the Complaint regarding domain names with registration term of over three years.”

- **<templespa.cn>**
(WIPO Case No. DCN2019-0009)



- **<jeanrousseau.cn>**
(WIPO Case No. DCN2020-0005)



Determination of Language of a .CN/.中国 Proceeding – Article 6, Policy

- “The language of the domain name dispute resolution proceedings shall be Chinese, unless otherwise agreed by the parties or determined by the Panel.”

Determination of Language of a .CN/.中国 Proceeding – Article 8, Rules

- “Unless otherwise agreed by the Parties or determined in exceptional cases by the Panel, the language of the domain name dispute resolution proceedings shall be Chinese. The Panel may order that any documents submitted in languages other than Chinese be wholly or partially translated into Chinese.”

Determination of Language of a .CN/.中国 Proceeding – Paragraph 18, WIPO Supplemental Rules

- “[u]nless otherwise agreed by the parties, or determined by the Panel under exceptional circumstances, the language of the administrative proceeding shall be Chinese. The Panel may order that any documents submitted in languages other than Chinese be accompanied by a translation in whole or in part into Chinese.”

Determination of Language of .CN/.中国 Proceeding

■ **<carrefours.com.cn>**
(WIPO Case No. DCN2023-0005)



■ **<grandmercureshanghai.cn>**
(WIPO Case No. DCN2024-0002)

GRAND MERCURE

Mutual Jurisdiction – Article 15, Policy

- “Before a Complaint is filed pursuant to this Policy, or during the dispute resolution proceedings, or after the expert Panel has rendered its decision, either party may institute an action concerning the same dispute with the Chinese court at the place where CNNIC's office is located or subject to the agreement between the parties, submit the dispute to a Chinese arbitration institution for arbitration.”

Parties' Settlement – Article 42(a), Rules

- “Before the Panel’s decision, the domain name dispute resolution proceedings may be terminated, if (a) The parties agree on a settlement.”
- No standard settlement form as in UDRP proceedings
- Partial refund if settled and terminated before panel appointment; however, no refund after a panel is appointed
- Parties shall directly contact the Registrar to implement the settlement

.CN/. 中国 – The Three Substantive Elements (Article 8, Policy)

Complainant must show:

- **identical or confusingly similar** to a name or mark in which the Complainant has civil rights or interests;
- Absence of **registrant rights or legitimate interests**;
and
- Domain name **registered or used** in bad faith.

First element: Rights covered – Article 8(a), Policy

- Under the .CN Policy, a complainant may establish that a domain name is identical or confusingly similar, not only to a mark, but to **any “name”** in which the complainant has civil rights or interests.

(whereas the UDRP is limited to the protection of trademark rights)

First Element: Rights covered – Policy, Article 8(a)

■ **<basf-plastic.cn> (WIPO Case No. DCN2023-0062)**



■ **<hkiaac.org.cn> (WIPO Case No. DCN2020-0019)**



Second Element: Rights or Legitimate Interests – Article 10, Policy

- *bona fide* offering of goods or services; or
- commonly known by the domain name; or
- legitimate noncommercial or fair use.

Second Element: Rights or Legitimate Interests –Article 10, Policy

- **<bulgariparfums.cn>**
(WIPO Case No. DCN2023-0025)

B V L G A R I

- **<saint-gobain-autover.cn>**
(WIPO Case No. DCN2023-0026)

The logo for Saint-Gobain features a stylized, multi-colored line graphic above the text "SAINT-GOBAIN". The graphic consists of several peaks and valleys in shades of blue, red, and orange. The text "SAINT-GOBAIN" is in a bold, blue, sans-serif font.

SAINT-GOBAIN

Third Element: Bad Faith Registration or Use – Article 9, Policy

- 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
- to damage the Complainant's reputation, disrupt the Complainant's normal business or create confusion with the Complainant's name or mark so as to mislead the public; or
- other circumstances.

Third Element: Bad Faith Registration or Use – Article 9, Policy

- **<hubeicummins.cn>**
(WIPO Case No. DCN2023-0010)



(competing goods)

- **<whatsapppay.com.cn>**
(WIPO Case No. DCN2023-0015)



(Offering domain name for sale)

Main benefits of the .CN/.中国 Proceedings

- Time-effective proceedings (**about 65 days**)
- Cost-effective proceedings
 - For a [typical] single member panel Complaint involving 1 to 5 domain names, the filing fee is **USD 1,200**
- Online proceedings (WIPO model pleadings available for parties)
- “Appeals” to court still possible if desired (but rarely used)
 - Arbitration option

WIPO Pay

- WIPO Pay platform: <https://www3.wipo.int/amc-payment/>

- Four payment methods:
 - Current Account at WIPO
 - Credit Card
 - PayPal
 - Bank Transfer

Contact us

- Queries: cctld@wipo.int
- Further information: <https://www.wipo.int/amc/en/domains>

- **WIPO Center Domain Name Newsletter**
 - https://www3.wipo.int/newsletters/en/#adr_highlights
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