

FAQs for Complainants and Respondents Regarding Uniform Rapid Suspension (URS) Proceedings

I. What is the Uniform Rapid Suspension (URS) system?

The URS is a quick and low-cost administrative proceeding that a trademark holder may initiate against a registrant, which is an individual or entity who registers a domain name under a generic top-level domain (gTLD), when seeking to have an allegedly cyber-squatted domain name suspended. The URS provides a successful complainant (the party filing a complaint against the registrant of a domain name) with a single remedy of suspension for the remainder of the registration period (which may be extended by a prevailing complainant for one year at commercial rates).

The URS is designed to be used for cases of clear-cut trademark infringement. The URS applies to domain names registered under an ICANN gTLD Registry Agreement (RA). This includes all new gTLDs approved or delegated by ICANN after 2012.

Some country code top-level domains (ccTLDs) may use a procedure similar to the URS, such as .cn to China, .in to India, etc. If the domain name being disputed is a ccTLD, contact the ccTLD [manager](#) for applicable information.

Note that Uniform Domain-Name Dispute Resolution Policy (UDRP) is also used for the resolution of disputes regarding the registration of domain names that infringe trademark rights. If you have received a UDRP complaint, click [here](#).

II. Someone has registered a domain name in violation of my trademark. What should I do?

If you discover that someone is using your trademark in a domain name, you may wish to consider filing a URS complaint with a dispute-resolution service provider. ICANN maintains a list of approved URS providers on its website. For more information, see: <https://www.icann.org/urs-en>

III. How do I file a URS complaint?

Here are the steps to file a URS complaint:

1. **Understand Eligibility:** Ensure that you meet the eligibility requirements for filing a URS complaint. URS complaints should only be filed by trademark holders who believe their rights are being violated through a domain name registration.
2. **Gather Evidence:** Collect all necessary evidence to support your claim. This may include proof of your trademark rights, evidence of the infringing domain, and any other relevant documentation.
3. **Choose a URS Provider:** Select an accredited URS provider. Factors to consider when choosing a URS provider include the provider's geographic coverage, fees, process for selecting URS panelists, experience, and expertise, as well as language capabilities. For more information on the ICANN-approved dispute resolution providers, see: <https://www.icann.org/urs-en>
4. **Review URS Rules:** Familiarize yourself with the URS Rules and Procedure, as well as the supplemental [rules](#) provided by your chosen provider. Each provider may have

slightly different supplemental rules, so make sure you understand the specific requirements.

5. **Prepare Complaint:** Draft your URS complaint according to the rules and guidelines of your chosen provider. Be concise and clear in outlining your case and the reasons for your complaint. Include all relevant evidence and documents.
6. **Pay Fees:** Pay the required fees associated with filing a URS complaint. The fees can vary depending on the provider and the circumstances of your case.
7. **Submit Complaint:** Submit your URS complaint to your chosen provider. They may have an online submission system or require you to send it via email or another specified method.
8. **Respond to Provider Inquiries:** Be prepared to respond to any inquiries or requests for additional information from the URS provider promptly. Failure to do so may result in your complaint being dismissed.
9. **Await Decision:** The URS provider will review your complaint, and the domain registrant (the alleged infringing party) will have an opportunity to respond.
10. **Receive Decision:** The URS provider will issue a decision based on the evidence and arguments presented by both parties. If the decision is in your favor, the domain in question will be suspended for the duration of the domain name registration, with the option to extend the registration period for one additional year. Once the suspension period expires, the disputed domain becomes available for registration again on a first-come, first-served basis.

IV. Someone has filed a URS complaint against my domain name or names. How can I respond?

As a registrant of a domain name you have certain rights, including the right to defend yourself if your domain name registration is being disputed or challenged under the URS. This procedure was adopted to combat cybersquatting.

A registrant will have 14 calendar days from the date the URS provider sent its Notice of Complaint to the registrant to electronically file a response with the URS.

V. How do I file a URS response?

Here are the steps to file a URS response:

1. **Seek an Extension of Time if Needed:** Under URS Rules, The Response, 5(c) you can request an extension of time from the provider (in exceptional circumstances) or for other reasons allowed by your provider's "supplemental rules."
2. **Review the URS Rules and Procedure:** Become familiar with the URS Rules, Section 5, and the URS Procedure. In addition, each URS Provider will have slightly different supplemental [rules](#), so make sure you understand the specific requirements of the provider handling your case.
3. **Seek Legal Counsel (if you choose):** The URS allows you to file a response without an attorney. However, your URS proceeding may involve complex trademark, free expression, and other legal and technical matters. You have every right to seek an attorney to help you prepare and file your response. You will need to do so quickly as you only have two weeks to respond.
4. **Gather Evidence:** Collect all necessary evidence to support your defense. This may include proof that you have a legitimate interest in the domain name, evidence that you are not using it in bad faith, and any other relevant documentation.

5. **Review URS Complaint:** Carefully review the URS complaint. Understand the specific allegations and arguments being made against your domain registration by the trademark holder.
6. **Prepare Your Response:** Draft your URS response according to the URS Rules and Procedure of ICANN and the guidelines of your URS dispute resolution provider. Be concise and clear in addressing each allegation made in the Complaint. Include all relevant evidence and documents to support your defense. You will find guidance on your URS Provider's [website](#).
7. **Pay Fees (if applicable):** In ordinary circumstances (one or two domain names), there is no cost to you to file a response. If there are 15 or more domain names involved in this URS proceeding, then there may be a cost to you to file a response. Please check the [website](#) of your URS provider for information on additional fees.
8. **Submit Response within Two Weeks:** Respondents/registrants will have 14 days (two weeks) to submit a URS response to the URS dispute resolution Provider. Follow the Instructions for Filing a Response that were given from the URS provider in the Notice of Complaint.
 - a. Some URS Providers allow responses by email.
 - b. Other URS Providers require responses to be submitted using an online submission system.
9. **Word Limit for Responses:** There is a word limit of 2,500 words for responses. However, additional information can be uploaded as an appendix or exhibit.
 - a. Check the URS provider's notice and the URS provider [website](#) for information regarding "supplemental rules" and the type of file types needed.
10. **Default:** A lack of response within 14 days to a URS provider will be considered a default. Should this happen, the URS provider will send the complaint to the examiner as a "default".
 - a. Should this happen, the examiner will review the matter based on the trademark holder's complaint alone.
 - b. Note, however, that this is not an automatic loss.
11. **Special Appeal in Case of Default:** If you "defaulted" and did not file a response and lost, you have six months to seek a special review:
 - a. See the URS Rules and Procedure for information on filing an appeal after suspension of a domain name in a default proceeding.
 - b. You may also be granted an additional six months for further preparations.
12. **Await Decision:** After submitting your response, the URS provider will assign an examiner to review both the complaint and your response. The process is designed to be swift and typically takes a few weeks.
13. **Receive Decision:** The URS provider will issue a decision made by the examiner, based on the evidence and arguments presented by both parties. They will determine whether the domain should be suspended or remain with you.
14. **After the Decision:** If the decision is in your favor, you will retain ownership of the domain. If the decision is against you, then your domain name will be suspended for the duration of the domain name registration.
15. **Appeal the Decision):** If you believe the URS decision related to your domain name was unfair or unjust, you may appeal the decision.
 - a. If you filed a response, and lost, then you will have two weeks to prepare a request for review.
 - b. If you did not file a response and your case is considered a "default", you may have six months to file your request for review.

- c. As with your initial response, you may hire Legal Counsel to help you decide whether to file an appeal and to help you prepare the filing. For more information, see Section 12 of the URS Rules.

VI. How much does it cost to file a URS complaint?

The cost to a complainant for a URS proceeding ranges from USD\$300 - \$500.

VII. How much does it cost to file a response to a URS complaint?

If there are 14 or fewer domain names involved in the URS Complaint, there is no cost to the registrant to file a response. If there are more than 14 domain names, there will be a cost to the respondent, which is refundable if they win.

VIII. How long does it take to reach a URS decision?

The URS process typically takes less than three weeks to reach a decision.

IX. What happens if the complainant wins?

If the complainant wins, the panel will order the domain name to be suspended for the remainder of its registration period. The complainant has the option to extend the registration period of the domain name by one year. At the end of the registration period, the domain name is available for registration again.

X. What happens if the respondent/registrant wins?

If the registrant wins, then the registrant retains ownership of the domain name and regains full control of it.

XI. Can I request an appeal or review of a URS decision?

In most cases, the complainant or the respondent may request a review of the decision. Two types of reviews are available.

- The complainant or respondent may seek a “fresh look,” or de novo appeal, within 14 days of a URS decision. The filer will pay the fees for this appeal.
- If the respondent loses and never filed a response in the URS proceeding (“default”), then the respondent may file a response within six months after the date of the URS decision (with a possible six-month additional extension). According to URS Procedure 6.4, proper filing of such a response shall result in the domain name resolving to the original IP address as soon as practical, although the control is not fully regained pending the outcome of this response and review. For more information, see Sections 6.4 and 6.5 of the URS Procedure.

In a default case, the complainant may not seek a review if they lose. For more information, see Section 12 of the URS Rules.

Abusive Complaints: The URS has penalties for abuse of the process by trademark holders, under Section 11.1 of URS Procedure. Under URS Rule 18(b), a respondent, in their response, may allege that the complaint contains “deliberate material falsehoods” or was “brought in an abuse of the URS process”.

Additionally, as determined by the URS Procedure 11.2.1 and 11.3, the examiner, on their own authority, may find that the complaint “was presented solely for the improper purpose such as to harass, cause unnecessary delay, or needlessly increase the cost of domain business” or contain deliberately false information.

Looking for more information? See below to review the URS procedure, rules, and technical requirements, as well as helpful links to relevant materials published on the providers’ websites to assist in filing a complaint or a response.

- Review the URS [Procedure](#)
- Review the URS [Rules](#)
- Review the URS [High Level Requirements for Registries and Registrars](#)

URS Service Providers:

[National Arbitration Forum](#)

[ADNDRC](#)

[MFSD](#)