



# .scot Launch Policy

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### 1. Acceptance of this Registration Policy

This Registration Policy sets forth the terms and conditions which govern .scot domain name registrations during the launch period.

- 1.1 By applying to register .scot domain name during the launch period, You agree to be legally bound by:
  - a. This Launch Policy, as well as the .scot general Registration Policy available [here](#) and hereby incorporated by reference;
  - b. The Registration Agreement provided by the sponsoring Accredited Registrar through which You applied for Your .scot domain name; and
  - c. Any other policies mandated by ICANN from time to time.
- 1.2 You hereby represent and warrant to Us that the statements that You made in Your Registration Agreement with the Accredited Registrar sponsoring Your .scot domain name are complete and accurate.
- 1.3 It is Your sole responsibility to determine whether Your .scot domain name registration and use complies with this Registration Policy.

### 2. Definitions

- 2.1 In this Registration Policy:
  - a. **“Accredited Registrar”** means an ICANN accredited registrar that has entered into an agreement (“the **Registry-Registrar Agreement**”) with the Registry Operator and is authorized to register names in the .scot TLD.
  - b. **“General Availability”** means the general registration period commencing after the launch phases during which available .scot domain names will be generally made available to all registrants that are qualified to register domain names on a first-come, first-served basis, under the process described in the .scot general Registration Policy.
  - c. **“.scot general Registration Policy”** and/or **“Registration Policy”** means the policy available at the Registry Operator’s website [here](#) and hereby incorporated by reference, which governs the registration of .scot domain names.
  - d. **“ICANN”** means the Internet Corporation for Assigned Names and Numbers.



- e. **“Premium Name”** means a .scot domain name listed in the Premium Name List that may be made available for registration at a premium fee or initially reserved by the Registry Operator to be auctioned or sold at a later date.
- f. **“Public Authorities”** means International, national, regional, local and municipal authorities and other governmental departments; as well as other public institutions or appropriate entities under Scottish and/or British law (like agencies, consortiums, commissions, and other administrative divisions) with competence in Scotland.
- g. **“Registrant”, “You” and “Your”** refers to the individual or entity, which applies or wishes to register a .scot domain name with an Accredited Registrar.
- h. **“Registry Operator”, “We”, “Us” and “Our”** refers to the DotScot Registry, as entity responsible for operating the .scot TLD, regardless of whether acting directly or through an authorized agent (e.g.:CORE Association).
- i. **“Reserved Name”** means a .scot domain name listed in the Reserved Name List that is withheld from registration.
- j. **“TLD”** means Top-Level Domain.

### 3. General conditions and Launch overview

3.1 To register a .scot domain name during Launch, the application must comply with:

- The specific eligibility requirements set forth in this Launch Policy for each launch category, as well as with
- The general eligibility requirements and terms of use set forth in the .scot Registration Policy, hereby incorporated by reference. Specifically, to register and renew a .scot domain name the Registration Policies require that You must be an individual or legal entity with with a nexus to the .scot community at the time of registration and thereafter.

Registrations under the .scot TLD are restricted to those fulfilling these two requirements:

- a) Nexus with the .scot community. To register and renew a .scot domain name you must be an individual or a legal entity with a nexus to the .scot community. This nexus means that you must be linked to the community at the time of registration and thereafter on a linguistic, cultural, tourism, business basis, or any other activity conducive to the welfare of the worldwide Scottish community
- b) subject to the further requirement that the registrant’s actions in the .scot community, as well as the registrant’s use of the registered domain name, must be:
  - (i) generally accepted as legitimate; and
  - (ii) beneficial to the cause and values of the worldwide Scottish community; and
  - (iii) commensurate with the role and importance of the registered domain name; and
  - (iv) in good faith at the time of registration and thereafter.

Registrants are required to state their intended use of the registered domain name. A false statement of intended use is an indication of bad faith and can be the basis for the suspension of the domain name.



Upon registration and during all the life of the .scot domain name You must be able to demonstrate either of the aforementioned fields is applicable to You. Community nexus is subject to post-validation by way of an extensive compliance program based on the same criteria that form the basis of the TLD.

The strength of the validation will be kept in line with the importance of the underlying domain name base on the assumption that an average user would reasonably make in the context of that domain name.

The .scot General Registration Policy will apply to all aspects of Your registration not specifically contemplated in this Launch Policy.

- 3.2 The Launch Phase for .scot will start on July 15th 2014 and will end on September 13th for Sunrise, September 19th for the Public Interest LRP, and September 16th for all other LRPs. During this 66 calendar day period, followed by a 7 day cooling off period before the start of the GA period, five types or “categories” of applications will be accepted: one 60 day period end-date Sunrise for TMCH validated trademarks, one 66 day period Category for entities with a specific role in the promotion of the worldwide Scottish interest, and two 63 day period Categories for registrants with prior rights, and an additional 63 day period Category for applications without prior rights (Landrush). Applications for **all these 5 categories will be accepted and allocated at the end of their respective launch period Phase** window according to the hierarchy of **priority status** of each category.

The categories are the following, according to priority status (from top-priority to lesser priority):

Category / Priority	Length	Summary
1. Sunrise	July 15th 2014 13:00 UTC - September 13th 2014 13:00 UTC	End-date Sunrise for TMCH-validated trademarks.
2. Public Interest Limited Registration Period (LRP)	July 15th 2014 13:00 UTC - September 19th 2014 13:00 UTC	Limited Registration Period to allow legal entities which have a specific vocation in promoting the worldwide Scottish public interest, including Public Administrations with competences in Scotland, to register:  (i) their own <b>names</b> (including clear variations and/or abbreviations thereof),  (ii) their <b>online services</b> ,  (iii) the same <b>domain names</b> registered by them in other TLDs and effectively used, and  (iv) their <b>registered trademarks</b> .
3. Local Trademarks LRP	July 15th 2014 13:00 UTC - September 16th 2014 13:00 UTC	Limited Registration Period to allow legal entities to register:



		<p>- Non TMCH-validated trademarks with effect in Scotland:</p> <p>(i.e. UK trademarks, EU Community trademarks, and WIPO International trademarks with effect in UK) and</p> <p>- Geographical Indications:</p> <p>recognized by International or UK legislation.</p>
4. Other prior rights LRP	July 15th 2014 13:00 UTC - September 16th 2014 13:00 UTC	<p>Limited registration period intended to allow entities with legal seat in Scotland to register:</p> <p>(i) their registered name and/or trading names (including clear variations and/or abbreviations thereof); and/or</p> <p>(ii) the same domain names registered by them in other TLDs and effectively used.</p>
5. Landrush LRP	July 15th 2014 13:00 UTC - September 16th 2014 13:00 UTC	<p>Period during which any interested party shall have the opportunity to submit one or more applications for .scot domain names that were not previously allocated under Categories 1 to 2 above, or otherwise reserved by the Registry Operator. If more than one applicant has submitted an application for the same name within this category, the successful applicant will be determined by auction.</p>
General Availability	September 23rd 2014 13:00 UTC	<p>Ongoing General registration period commencing after the launch phases during which available domain names ending with .scot can be registered by any natural person or entity that fulfills the eligibility requirements of the .scot Registration Policy on a first-come, first-served basis, under the process also described in the .scot Registration Policy.</p>
Trademark Claims Notice Service	This applies to phases 2 to 5 and at least for the first 90 days of General Availability.	<p>Period during which the Accredited Registrar is required to provide notice to all potential domain name registrants who attempt to register a domain name that matches a Trademark Record verified by the Trademark Clearinghouse ("Claims Notice") and the Trademark Clearinghouse will provide Notice of Registered Names ("NORNs") to the trademark holders</p>



\* IMPORTANT: The Registry Operator reserves the right to revise or extend the schedule of any of the above launch categories at its sole discretion. However, Sunrise will last for a minimum of 60 days and the Trademark Claims Notice Service will be in effect for at least the duration of Phases 2 to 5 and the first 90 days of General Availability.

## 4. Priority 1 Category: End-Date Sunrise

### 4.1 Sunrise Eligibility and Name Selection Requirements

This category is for TMCH-registered trademarks:

In addition to this requirement, the nexus to the .scot community as defined in 3.1 above as well as any other general requirement applicable to all .scot registrations, as set forth in the .scot Registration Policy must be met by the applicant in order to be considered eligible. No other requirements (e.g. trademark class) will apply.

### 4.2 Validation

TMCH-registered trademarks: The Registry Operator will only register the domain name applied for insofar and to the extent that:

- a. The domain name meets the general eligibility criteria set out in the .scot Registration Policy;
- b. The domain name corresponds exactly with a trademark validated, upon request of the applicant, by the Trademark Clearinghouse for Sunrise Services;
- c. a valid SMD file is submitted at the time of application;
- d. the application matches a label contained within the SMD file;
- e. and the domain name is available.

No other requirements (e.g. trademark jurisdiction, trademark class or local presence) will apply.

### 4.3 Duration

This Sunrise Period will last sixty (60) calendar days and it will run in parallel with the rest of the Launch Phases.

### 4.4 Contention Resolution

Should there be more than one eligible application for the same domain in this category, the contention will be solved through an auction process. No other contention resolution criteria will apply.

### 4.5 Sunrise Dispute Resolution Policy

Allocations and rejections of domain names under this TMCH Sunrise Period category will be able to be challenged through the **Sunrise Dispute Resolution Policy** (“SDRP”) available on the Registry Operator’s website, and administered by the National Arbitration Forum.

## 5. Priority 2 Category: Public Interest LRP

This Category is for legal entities which have a specific vocation in promoting the worldwide Scottish public interest, including Public Administrations with competences in Scotland.

Only those applicants with a specific remit in promoting the Public Interest of Scotland (including the relevant



Public Authorities with competence in Scotland) will be allowed to register names subject to the Eligibility and Name Selection requirements set forth below.

The authoritative publicly available resources where all those entities considered as having a specific remit in promoting Scotland's Public Interest is attached as Annex 1 to this Launch Policy. Any potential applicant to be considered under the rules of this category must be included within these Public and private Registries, which are maintained by their respective Authorities. Any entity included in any of these Registries is, therefore, considered as a trustworthy steward of the promotion of Scotland's Public Interest.

## 5.1 Eligibility and Name Selection Requirements

Entities eligible for this category may register:

- (i) their own **names** (including clear variations and/or abbreviations thereof),
- (ii) their **online services**,
- (iii) the same **domain names** registered by them in other TLDs and effectively used, and
- (iv) their **registered trademarks**.

Public Authorities as defined in 2.f. above may also register the following names:

- Names of public services for which Public Authorities have specific responsibilities. These would include at least, and among others, the following services:

- public order and public security
- public affairs and institutional relations
- public health
- taxation, economic development and promotion
- public utilities
- transportation
- urban planning and environmental protection
- culture and education
- citizen participation
- tourism; or

- Geographical names for any administrative level of Scotland (e.g. provinces, cities, districts, neighborhoods, streets...), local landmarks, and other locally-relevant and iconic names over which the Public Authorities referred to in 1.2 above are the relevant authority according to local law, including clear variations and abbreviations thereof.

The Registry Operator will only register the domain name applied for insofar and to the extent that the domain name

- (i) meets the general eligibility criteria set out in the .scot general Registration Policy,
- (ii) complies with the specific eligibility and name selection requirements set forth in Clause 3.1 above; and
- (iii) it is available.



## 5.2 Validation

The validation process will be handled by the Registry. Any applicant declaring eligibility for consideration in this Category will be checked against the List of publicly available resources provided by the Registry Operator as Annex 1, and its application will be considered approvable by the Registry if it meets the criteria established in sections 3.1 and 5.1 above and does not match any valid sunrise application as established in section 4.

## 5.3 Duration

The Public Interest LRP will last sixty six (66) calendar days and it will run in parallel with the rest of the Launch Phases.

## 5.4 Contention Resolution

Should there be more than one eligible application for the same domain in this category, the contention will be solved on a first-come first-served basis

## 5.5 Priority

Applications eligible under this category will be allocated with priority over eligible Priority 3, Priority 4, and landrush applications.

## 5.6 Challenges to domain names allocated or rejected under this category

Allocations and rejections of domain names under this category may be challenged through the Eligibility and Reconsideration Dispute Resolution Policy established by the Registry Policy, available at the Registry Operator's webpage.

## 6. Priority 3 Category: Local Trademarks LRP

### 6.1 Eligibility and Name Selection Requirements

This category is for non TMCH validated trademarks with effect in Scotland applied on or before June 13th 2012 and granted on or before January 23rd, 2014, and in force at the time of registration of the domain name. In this Launch Policy "**Local Trademarks**" refers to:

- i) **British trademarks** registered at the United Kingdom Intellectual Property Office:
- ii) **EU Community Trademarks** registered at the Office for Harmonization of the Internal Market, "**OHIM**"
- iii) **WIPO International trademarks in force in the UK** according to the Madrid system





- iv) **Geographical Indications**, Protected Geographical Indications and Protected Denominations of Origin recognised by EU, UK or Scottish legislation.

The community nexus and any other general requirements applicable to all .scot registrations, as set in 3.1 above apply. No other requirements (e.g. trademark class) will apply.

## 6.2 Validation

Applications under this category will be individually and thoroughly validated by either the Registry Operator or CORE Association as an agent of the Registry Operator.

### 6.2.1 Validation of Trademarks

- (i) Verification of registration data and status in the UK Intellectual Property Office Online Database:

Local Trademarks will be individually verified with the aid of the IPO search tool available online:

**IPO database**, available at: <http://www.ipso.gov.uk/types/tm/t-os/t-find.htm>

This search tool gives access to IPO's official trademark database, which contains all three types of Local Trademarks eligible under this program (that is. British trademarks, EU Community Trademarks and WIPO International Trademarks in force in the UK);

### 6.2.2 Validation of Geographical Indications

The applicant supporting its application on a geographical indication must indicate and prove that such geographical indication is recognized by an International treaty, Scottish or British legislation.

Geographical Indications will be individually verified with the aid of the *DOOR Database*, available here:

<http://ec.europa.eu/agriculture/quality/door/list.html>

at the official database maintained by the European Commission and containing all EU PDOs, PGIs and TSGs, searchable by country (and hence, containing all those relevant for Scotland) for those created under EU Regulations, or by the relevant UK or Scottish sources of verification.

## 6.3 Duration

The local trademarks LRP will last sixty-three (63) calendar days and it will run in parallel with the rest of the Launch Phases.

## 6.4 Contention resolution via Auction

Should there be more than one eligible application for the same domain in this category, the contention will be solved through an auction process. No other contention resolution criteria (like allocation based on a first-come



first served basis, or taking into account the nature of business or enterprise, the class of goods and services or jurisdiction of the trademark on which the application is based) will apply.

## 6.5 Priority

Applications eligible under this category will be allocated with priority over eligible Priority 4 and landrush applications.

## 6.6 Challenges to domain names allocated or rejected under this category

Allocations and rejections of domain names under this category may be challenged through the Eligibility and Reconsideration Dispute Resolution Policy established by the Registry Policy, available at the Registry Operator's webpage.

## 7. Priority 4 Category: Other Rights LRP

### 7.1 Eligibility and Name Selection Requirements

This category allows entities with legal seat in Scotland to register

- (i) their registered name and/or trading names (including clear variations and/or abbreviations thereof) trade names and other verifiable established trading names; and
- (ii) the same **domain names** registered by them in other TLDs and effectively used.

The Registry Operator will only register the domain name applied for insofar and to the extent that the domain name

- (i) meets the general eligibility criteria set out in the .scot general Registration Policy,
- (ii) complies with the specific eligibility and name selection requirements set forth in Clause 3.1 above; and
- (iii) it is available.

### 7.2 Validation

The validation process will be handled by either the Registry Operator or CORE Association as an agent of the Registry Operator. Any applicant declaring eligibility for consideration in this Category will be checked against the online resources provided by the Companies House Register, the official UK government register of UK companies. available here:

<http://wck2.companieshouse.gov.uk//wframe?name=accessCompanyInfo>

and its application will be considered approvable by the Registry if it meets the criteria established in sections 3.1 and 7.1 above.

### 7.3 Duration

The Other Rights LRP will last sixty-three (63) calendar days and it will run in parallel with the rest of the Launch Phases.

### 7.4 Contention resolution via Auction



Should there be more than one eligible application for the same domain in this category, the contention will be solved through an auction process. No other contention resolution criteria (like allocation based on a first-come first served basis, or taking into account the nature of business or enterprise, the class of goods and services or jurisdiction of the trademark on which the application is based) will apply.

#### **7.5 Priority**

Applications eligible under this category will be allocated with priority over eligible landrush applications.

#### **7.6 Challenges to domain names allocated or rejected under this category**

Allocations and rejections of domain names under this category may be challenged through the Eligibility and Reconsideration Dispute Resolution Policy established by the Registry Policy, available at the Registry Operator's webpage.

### **8. Priority 5 Category: Landrush LRP (names without priority rights)**

#### **8.1 Eligibility and Name Selection**

During the Landrush LRP any interested party may submit one or more applications for any domain name that:

- (i) meets the general eligibility criteria set out in 3.1 above, and that
- (ii) has not been reserved, registered or awarded by the Registry Operator in the context of any other Launch categories.

#### **8.2 Duration**

The Landrush LRP will last sixty-three (63) calendar days and it will run in parallel with the rest of the Launch Phases.

#### **8.3 Contention resolution within this category**

Should there be more than one eligible application for the same domain in this category, the contention will be solved through an auction process.

No other contention resolution criteria (like allocation based on a first-come first served basis) will apply.

#### **8.4 Priority**

Applications eligible under this category will be allocated with priority over eligible applications received during General Availability.

#### **8.5 Challenges to domain names allocated or rejected under this category**

Allocations and rejections of domain names under this category may be challenged through the Eligibility and Reconsideration Dispute Resolution Policy established by the Registry Policy, available at the Registry Operator's webpage.

### **9. Compliance with Eligibility and Name Selection requirements**

The Registry Operator may reject, revoke suspend or delete at any time any application or resulting registration of a domain name if it appears that the applicant did not fulfill any of the eligibility and/or name selection requirements



required for each of the above categories, without the applicant or registrant being entitled to any reimbursement or compensation as a result of such rejection, revocation or deletion.