Saudi Domain Names

Objection Rules and Procedures

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1   Definitions

The terms and expressions defined in the Telecommunication Act, its bylaws and the Regulations for Saudi Domain Name Registration shall have the same meaning in this document. In addition, the words and expressions set hereunder in this document shall have the meanings assigned below:

- **This Document**: this Saudi Domain Names Objection Rules and Procedures, including any future approved amendments or additions.

- **SaudiNIC**: Saudi Network Information Center at CITC is the registration authority for the Saudi ccTLDs. SaudiNIC is responsible for providing Registration Services for the Saudi ccTLDs, as well as formulating and implementing policies procedures with regard to the Saudi ccTLDs and managing and operating their registries.

- **Decision**: any decision issued by SaudiNIC related to the registration services.

- **Saudi domains names**: domain names registered under the Saudi ccTLDs, and managed by SaudiNIC

- **Objecting parties**: include both the objector and defendant (each of which is referred to as party).

2   The Scope of this Document

2/1 This document sets the rules and procedures governs the objections on Saudi domain names.

2/2 CITC jurisdiction to implement this Document is limited to the objections in connection with the followings:

1) A decision issued by SaudiNIC.
2) A domain name which is clearly violates the terms and conditions of the Saudi domain names regulations or any other rules or procedures may be issued by SaudiNIC.
3) A domain name that is similar to or mimics the objector's domain name or the objector's commercial name or trade mark; provided that the registration or the use of such domain name was done in a bad faith. For the purpose of this clause, the occurrence of one of the following events; for example and not limited to, is considered as an evidence of bad faith:
   a. By any form, the registration was conducted for the purpose of selling, renting or transferring the domain name to the objector in his capacity as the owner of a trade

mark or a commercial name corresponding to the domain name under objection or to a competitor of the objector.

b. The registration was conducted for the purpose of preventing the holder of a trade mark or a commercial name from registering a domain name corresponding to the holder's trade mark or commercial name.

c. The registration was conducted, or the domain name was used for the purpose of impeding the objector's business activity.

d. The purpose of registering or using a domain name was to attract or redirect internet users to visit a website which deceive the users that this website is under the supervision and/or sponsorship of the objector or is related to him/her or to any of his/her trademarks and commercial names.

3   Correspondence

3/1 All correspondence related to this document shall be directed to the Commission's deputy governor for legal affairs.

3/2 Unless other means of communication were defined, correspondence related to Domain name objections should be communicated to either the CITC's website (www.citc.gov.sa) or SaudiNIC's website (www.nic.sa).

3/3 All correspondences between the parties of an objection or between parties of an objection and CITC must be available to all other parties. A party shall not communicate with another party (including CITC) without providing the other concerned parties with a copy of such correspondence including its appendices.

3/4 Correspondence issued in relevant to this document shall be deemed as been received if sent to the objection parties' addresses stated in the objection form or in the domain name information available at SaudiNIC.

3/5 All correspondence issued in relevant to this document shall be in the Arabic language. Other languages may be accepted subject to the terms set by the CITC on a per case basis.

3/6 CITC may communicate with objection parties through email or any other means the CITC may choose.

3/7 The objector is the sole responsible for ensuring that the contact information stated in the objection form is valid, accurate and updated during the objection period.

4   Submitting the Objection

4/1 Any natural or legal person may submit an objection to CITC; subject to the terms stipulated in this document.

4/2 Objections shall be provided electronically or through any other means determined by the CITC, and according to the form devised for that purpose. Such form is available on both websites of CITC and SaudiNIC, and may include the following:

1) The objector's identity and contact information.
2) The name of the person representing the objector and its contact information.
3) The domain name (or names) under objection.
4) The defendant's identity and contact information.
5) Objection reasons; as described in paragraph (2/2) hereinabove.
6) Details of the objection.
7) Defining the objector's request(s) subject to paragraph (7/3) herein below.
8) Defining any previous or current objections or legal suits related to the domain name under objection.
9) All required contact information shall include the following information: postal address, landline, mobile and fax numbers, and email address.
10) The objector's recognizes that:
    a. All provided information is valid and accurate.
    b. The objection's sole purpose is that mentioned in the objection application.
    c. The objector agrees to abide to the Kingdom of Saudi Arabia's laws and regulations, and to the jurisdiction of its courts on all matters related to the objection; including any grievance or appeal against any of the CITC's procedures or decisions relative to the objection.
    d. CITC has the right to reject the request if the objector violates this recognition.
    e. The objector agrees to abide to the regulations presented in this document.
    f. The objector agrees to abide to the Saudi domains' registration principles (in case the objection involves the transfer of a domain name).

4/3 The objection must include a copy of all documents supporting the objection.

4/4 The objection may include more than one domain name if all names under the objection belong to one registrant.

5   Review of Objection

5/1 CITC shall respond to the objector within two business days in case there is any missing information needed for the objection. The objector shall provide the CITC with the missing/requested information within five business days of receiving the CITC's request. If the objector fails to provide the requested information within the five business days, the CITC may reject the application; without affecting the objector's right to submit a new objection.

5/2 The Commission shall review the objection within ten business days from the objection application date and make a decision whether to accept or reject the objection; stating the reason(s) in case of rejection.

5/3 If CITC decided that the objection is a resubmission of an application that has been subject to a previous decision issued by CITC, it then shall reject the new objection without any review, unless the new objection includes new facts or evidences that were not available before at the time of investigating the first objection.

5/4 If the subject of the objection is being presented to any judicial or semi judicial body, then such objection shall not be reviewed by CITC until a rule or a decision is issued by that judicial body, unless such objection was submitted to CITC before court review.

6   Considering the objection

6/1 In case the CITC accepts the objection, it will forward a copy of the objection to the defendant. The defendant must reply to CITC's correspondence within a period of maximum fifteen days. If the CITC did not receive the defendant's reply within the determined period, it will make its judgment on the objection according to the available information including the information provided by the objector.

6/2 The defendant's response must:

   a. Specific to the objection subject.
   b. Inclusive of all aspects of objection.
   c. Acknowledge validity and accuracy of information provided and its adherence to the format required by CITC.
   d. Enclose all of the supporting documents.

6/3 At any time, CITC may request additional information, documents or acknowledgements related to the objection from any party of the objection. The additional requests shall be provided within the period specified by the CITC and according to the format and method determined by the CITC.

6/4 All correspondence related to the objection must be in written and no party is allowed to communicate verbally.

6/5 CITC shall make its judgment on the objection based on the available information and documents, and according to the general rules and regulations, and the CITC statutes especially the rules and procedures related to Saudi domains names.

6/6 All parties of objection shall be treated equally; and each party shall be given a fair opportunity to present its case.

6/7 The objector may withdraw the objection at any time before the CITC issues its decision regarding the objection in question. In such case, it is not allowed to accept the objection again, unless the objector withdrew the application for the purpose of resolving the dispute with the defendant or for any other purpose accepted by CITC.

6/8 Unless otherwise decided by CITC, the domain name under objection may not be transferred, deleted, suspended or its information modified until a decision regarding the objection has been made.

7   Commission's decision on the objection

7/1 CITC must issue its final decision on the objection within a maximum period of sixty days from the date on which the CITC accepted the objection.

7/2 CITC shall notify all concerned parties regarding the final decision on the objection promptly. The concerned parties have the right to appeal in accordance with the terms of the telecommunication act.

7/3 The CITC's decision on the objection is limited to any of the following:

1) Rejecting the objection and maintaining the status quo.
2) Rectifying SaudiNIC's decision regarding registration services.
3) Cancelling the registration of the domain name under objection.
4) Transferring the domain name's registration to the objector; provided that the objector fulfils the domain name registration eligibility requirements.

7/4 upon the issuance of a decision on the objection, SaudiNIC role is limited to the execution of such decision.

8 Implementation of the CITC's decision on the objection

8/1 The decision issued by CITC for any objection is due for execution two business days after the date of issuance, without affecting the grievance or appeal that may arise against the decision, unless a decision is issued by a juridical entity seizing the execution of such decision.

8/2 If the CITC decision entails cancelling the registration under objection or transferring it to the objector, the execution of such decision shall be according the procedures SaudiNIC's shall set for this regard.

9 General rules

9/1 CITC may impose fees for its objections services.

9/2 The implementation of this document and the issuance of decisions based on it is subject to the Kingdom of Saudi Arabia's laws and regulations.

9/3 This document is approved by the CITC board of directors and shall take effect upon its publication on SaudiNIC's website on the internet.

9/4 This document and any of its terms or conditions are subject to amendment from time to time by CITC without prior notice. Such amendment shall be published on both websites of CITC and SaudiNIC.

9/5 CITC may publish any information relevant to the objections or its decisions on the objections by any means set by CITC.