

RULES OF THE ALTERNATIVE DOMAIN NAME DISPUTE RESOLUTION PROCEDURE FOR .SI TOP-LEVEL DOMAINS (ARDS Rules)

Version 1.1

Preamble

1. The ARDS Rules form part of the General terms and conditions for registration of domains under the .si top-level domain (hereinafter: General terms and conditions). These Rules are binding on all Registrars that have contracts with Arnes and on all domain-name holders.
2. The ARDS Rules regulate potential disputes regarding domains registered under the .si top-level domain.
3. The ARDS Rules, together with the ARDS Principles included in the General terms and conditions, have the legal character of a contractually agreed alternative dispute-resolution system. This system does not exclude or restrict, and is not intended to exclude or restrict, court protection that is the constitutional or statutory right of any party.
4. The ARDS Rules and the ARDS Principles may be amended on the basis of a decision of Arnes. All amendments shall enter into force on the date of publication on the Arnes website or subsequently, after the expiry of an interval defined by Arnes.

Terms used

Unless otherwise indicated by the text, the terms used in the ARDS Rules shall have the following meanings:

ADMINISTRATOR means Arnes where it manages the ARDS procedure or provides administrative support to the tribunal in the procedure.

DOMAIN means a domain name registered directly under the .si top-level domain.

DOMAIN-NAME HOLDER is a subject allocated a domain name under the .si top-level domain in accordance with the General terms and conditions

DECISION means a decision in which the tribunal rules on a disputed domain name.

ARDS PROCEDURE is the alternative dispute resolution procedure for domains under the .si top-level domain, managed and coordinated by the tribunal president and undertaken by arbiters, and with the necessary administrative and organisational support from the administrator in line with the provisions of the ARDS Rules.

APPEAL is an application by an appellant that initiates an ARDS procedure.

APPELLANT is a third party in the ARDS procedure that asserts that the registered domain name of a domain-name holder violates its rights.

TRIBUNAL is a separate and independent institution that operates under the administrator comprising a tribunal president, a deputy and arbiters.

An **ARBITER** is a person with special professional knowledge and experience in law or other relevant fields appointed by the tribunal president to rule on the substance of a dispute in a specific domain-name dispute within the ARDS procedure.

The REGISTRAR is a subject with a contract with Arnes on the basis of which it is granted the right to register, and to extend the registration of, domains under the .si top-level domain on behalf of its customers.

The SENATE comprises three arbiters appointed by the tribunal president to rule on a particular domain-name dispute under the ARDS procedure.

DISPUTED DOMAIN NAME is a domain name for which an ARDS procedure has been initiated or is underway.

PARTY is the domain-name holder or appellant.

APPLICATION is any written communication from a party to the ARDS procedure sent to the administrator or tribunal.

ARDS PROCEDURE RULES

1. General provisions

- 1.1 The ARDS procedure shall be managed in accordance with these Rules. Where these Rules do not provide sufficiently precise instructions for the management of the ARDS procedure, the administrator or arbiter or senate may by agreement apply *mutatis mutandis* the Rules of Permanent Arbitration at GZS or UNCITRAL.
- 1.2 The ARDS procedure shall take place in Ljubljana. Where possible through means of communication, arbiters and parties may perform individual tasks in the procedure from other locations.
- 1.3 The Slovenian language shall be used in ARDS procedures.

2. Tribunal

- 2.1 The tribunal is specifically established and organised as a separate and independent institution within the administrator to ensure the implementation of impartial and rapid resolution and decision-making in disputes regarding domains under the .si top-level domain.
- 2.2 The tribunal shall not have legal personality.
- 2.3 Disputes shall be decided by an arbiter, who must be and remain independent and impartial towards parties to the dispute. If an appellant in the appeal or the domain-name holder in a response to the appeal requests a decision by a senate of three arbiters, a senate of three arbiters shall rule on such dispute.
- 2.4 The administrator shall undertake administrative and organisational work for the tribunal. The administrator shall also undertake all necessary organisational activity within the framework of ARDS until the appointment of an arbiter or senate.
- 2.5 The administrator shall appoint the tribunal president. The administrator shall appoint arbiters to the list of arbiters at the suggestion of and following consultation with the tribunal president. The tribunal president shall select and appoint a deputy from among the arbiters. The tribunal president may not perform the role of arbiter. The names of the tribunal president, his or her deputy and a list of at least 7 arbiters shall be published on the Arnes website.

- 2.6 The deputy may temporarily replace the tribunal president with regard to his or her duties. The deputy tribunal president may not appoint himself or herself as arbiter to rule on an individual dispute, and may not decide in the event of doubt as to his or her independence, impartiality or ability to decide on an individual case.
- 2.7 The tribunal president shall form a list of professional associates of the tribunal, which shall be published on the administrator's website.

3. Applications

- 3.1 An application is any written communication between a party and the administrator or tribunal. The term written shall be taken to include documents, notes, data and applications in electronic form that genuinely represent a designed and sent or received message:
- If it is accessible and suitable for subsequent use;
 - If the stored electronic message allows identification of the sender, recipient and time and place of sending or receipt;
 - And if the technology and procedures used prevent to a reasonable and sufficient extent changes to or deletions of data that could not readily be identified, or where there exists a reliable guarantee regarding the invariability of the particular message in electronic form.
- 3.2 All applications submitted by parties pursuant to these Rules must be sent within the intervals stipulated by these Rules:
- By electronic mail to ARDS@arnes.si in MS Word format, and
 - By registered mail to Academic and Research Network of Slovenia, ARDS, PO Box 7, 1001, Ljubljana.
- Where an application sent by electronic mail differs from an application sent by registered mail, the latter shall be deemed to be the authentic version.
- 3.3 Applications shall be deemed timely if sent by registered mail before the end of the last day of the interval, and if they arrive in the electronic mailbox of the administrator before the end of the last day of the interval. In the event of technical barriers to the acceptance of applications by electronic mail, the administrator shall suitably extend the interval by a reasonable length of time if the application was sent by mail in a timely manner.
- 3.4 Where for an individual type of application there exist electronic or paper forms that are appended to these Rules and available on the Arnes website, such forms must be used for such applications, otherwise the administrator and tribunal shall not be obliged to accept them.
- 3.5 All applications sent by mail must be sent together with enclosed documentation in three copies, otherwise the administrator and tribunal shall not be obliged to accept them.
- 3.6 All applications by parties, with the exception of appeals, must contain a task number, otherwise the administrator and tribunal shall not be obliged to accept them.
- 3.7 All applications sent by mail must be signed in holograph by the party. Where the party is a legal person, applications must also contain the stamp of the legal person.
- 3.8 All applications by parties must be in the Slovenian language. If parties submit documents in other languages, they shall be obliged on request by the administrator, arbiters or senate (if the procedure is operating before an arbiter or a senate of three arbiters) to submit a certified translation of the documents concerned.
- 3.9 Parties shall submit all applications to the administrator, which shall forward them to the tribunal without delay.

4. Submission

- 4.1 The administrator shall endeavour to send all communications to parties:
- by electronic mail to the email address; and
 - by registered mail with receipt.
- 4.2 The administrator shall in principle send relevant material or necessary communication to parties' postal and email addresses. If an appellant supplies another postal address for the domain-name holder, and if delivery to the postal address originating from the domain-name holder was unsuccessful, the administrator shall attempt to deliver to the postal address provided by the appellant. If such delivery also fails, the administrator shall act under clause 4.4.
- 4.3 All communications intended for parties shall be deemed by the administrator to have been received on the date shown on the receipt. Failed email communication shall not affect the success of delivery, although the administrator may attempt to deliver to an alternative email address according to its own judgement. If temporary technical barriers prevent communication by email, the administrator shall attempt the communication as soon as possible or within a reasonable interval.
- 4.4. Where any communication cannot be delivered to a party due to deficient or inaccurate information that was or should have been provided by the party, or if the party fails to collect a delivery from *poste restante* within the defined interval, or refuses the delivery, delivery shall be deemed to have occurred on the date it was attempted.
- 4.5 Parties with an authorised representative may opt in their initial application for communications to be delivered to their representative in accordance with the provisions of this section.
- 4.6 All communication from arbiters or the senate shall be delivered to parties by the administrator in accordance with the rules of this section.

5. Deadlines

- 5.1 The deadlines binding on arbiters and the tribunal shall have the legal character of instructions for their behaviour in the particular procedure. Any reasonable breach of deadlines shall not affect the outcome or validity of the procedure.
- 5.2 Parties shall be obliged to comply with binding deadlines on parties; failure to do so could harm their case.

6. Appeals

- 6.1 An appeal is an application by an appellant that initiates a procedure.
- 6.2 Appeals must contain:
- Full name, postal and email address and telephone number of the appellant and lawful agent or representative in the procedure, including the authorisation of the representative if the appellant has a lawful agent or representative;
 - A request to decide on the case enclosed in accordance with ARDS rules;
 - The contact person and email and postal address to whom and to which all communications under the ARDS Rules should be sent;

- Data on the domain-name holder, and specifically full name, title or other name, contact person, postal and email address and telephone number, including such data as follows from the whois database and other data available to the appellant;
- An indication of the disputed domain name or names;
- A statement that the appellant meets all the conditions for initiating a procedure in accordance with the dispute resolution principles, together with an explanation thereof, which may not be more than 3000 words in length;
- A statement or request from the appellant for deletion or transfer of the disputed domain or domains;
- If the appellant requests that the dispute be decided by a senate of three arbiters, a statement to that effect;
- A statement as to whether the disputed domain or domains is or are subject to court, arbitration or other procedures, and evidence of such procedures;
- Appeals in paper form must include evidence of payment of fees;
- If the appellant is a legal person, an extract from the relevant register of legal persons;
- Any evidence supporting the appeal, in paper, electronic or other form;
- A declaration of the veracity of statements, consent to the use of the ARDS Rules and the General terms and conditions, responsibility, good faith and eligibility for the procedure under the law of the Republic of Slovenia as substantively stipulated on the form.

6.3 Appeals may only relate to multiple domains if such domains are possessed by a single domain-name holder.

6.4 Appellants may not submit appeals regarding domains where a decision on the dispute between the appellant and the domain-name holder has already been adopted in an ARDS procedure, or where such procedure has been suspended.

6.5 The administrator shall within seven (7) days of receipt of an appeal and receipt of payment of the fees verify whether the appeal complies with formal requirements. If the appeal has formal deficiencies, the administrator shall call upon the appellant to correct or supplement the appeal as appropriate within five (5) days of receipt of such call.

6.6 If an appellant fails within the interval referred to in clause 6.5 of these Rules to correct or supplement the appeal, the appellant shall be deemed to have withdrawn the appeal.

6.7 Complete appeals shall be registered in the administrator's records. A task number shall be allocated in accordance with the internal rules of the administrator. The administrator shall quote the task number in all communications sent to parties.

6.8 The administrator shall send complete appeals to the domain-name holder together with an explanation from the administrator that the domain-name holder has the right in accordance with ARDS rules to respond to the appeal within an interval of twenty-one (21) days from the date of receipt of the appeal.

6.9 The administrator shall at the same time also inform the registrar or registrars that registered the disputed domain or domains of the appeal.

6.10 From the date when a complete appeal is made, the domain may not be transferred to a third party until the procedure either ends with a decision of the arbiter or panel, and the implementation thereof, or is suspended. (Such domains are assigned blocked status.).

7. Responses to appeals

7.1 Domain-name holders may within twenty-one (21) days from the date of delivery of the appeal submit their responses to the appeal to the administrator.

7.2 Responses to appeals must contain:

- Full name, postal and email address and telephone number of the domain-name holder and lawful agent or representative in the procedure, including the authorisation of the representative if the domain-name holder has a lawful agent or representative;
- The contact person and email and postal address to whom and to which all communications under the procedure should be sent;
- Response to the appellant's proposals to delete or transfer the disputed domain or domains, which together with the explanation may not be more than 3,000 words long;
- Where the domain-name holder requests that the procedure be decided by three arbiters, a declaration to that effect;
- An indication if the disputed domain or domains is or are subject to court, arbitration or other procedures, and evidence of such procedures;
- Where the domain-name holder requests that the procedure be decided by three arbiters, and the appellant has not so requested, the response to the appeal must include written evidence of the payment of fees;
- Any evidence supporting the response to the appeal, in paper, electronic or other form that is both verifiable and suitable for identification.

7.3 The administrator shall send responses to appeals within three (3) days to the appellant, together with an explanation that the appellant has the right within five (5) days of receipt thereof to submit an additional application in accordance with ARDS rules.

7.4 Where evidence of the payment of fees under the conditions referred to in the sixth indent of clause 7.2 has not been submitted, or where it is determined that the domain-name holder has failed to pay such fees, the request referred to in the fourth indent of clause 7.2 shall not be granted.

8. Additional applications by the appellant

8.1 Appellants may within five (5) days of delivery of a response to an appeal submit an additional application, in which they may only respond to the statements made by the domain-name holder in the response to the appeal, and may not cite other facts or submit new evidence unrelated to the response to the appeal.

8.2 Additional applications must contain a statement from the appellant. The statements and their explanations together may not be more than 2,000 words long.

8.3 Arbiters shall not be obliged to respect statements in additional applications that do not fall within the framework of clause 8.1.

8.4 The administrator shall send additional applications by appellants to the domain-name holder within three (3) days.

9. Suspension of ARDS procedure

9.1 The administrator, or if the procedure is taking place before an arbiter or a senate, the arbiter or senate, may at any time suspend the ARDS procedure in part or in full:

- If the appellant withdraws the appeal in part or in full;
- If the parties at any time during the ARDS procedure agree a settlement and submit an application with a declaration regarding the settlement to the administrator in the manner set out in clause 12.1;
- If the appellant fails to pay fees as required by the ARDS Rules;
- If a dispute regarding the same domain between the same parties has been decided in a court or arbitration procedure, where such court or arbitration decision is enforceable in the Republic of Slovenia;

- If the arbiter or senate concludes that the appeal was clearly submitted in bad faith; or
- In other instances determined by these Rules, or where necessary in the assessment of the arbiter or senate.

9.2 The administrator shall inform parties of the suspension of the procedure; parties may object to the suspension of the ARDS procedure by application within five (5) days of receipt of notification of suspension of the procedure.

9.3 The administrator, or if the procedure is taking place before an arbiter or a senate, the arbiter or senate, shall study statements in objections, and shall continue the ARDS procedure as necessary if they consider the appellant's objection to be justified.

10. Fees

10.1 Appellants shall be obliged to pay fees at the same time as submitting appeals to the Arnes subaccount at the Public Payments Administration of the Republic of Slovenia no. 01100-6030345406.

10.2 Fees vary depending on the number of disputed domains covered by the appeal, and shall be calculated as follows:

	One domain	2-5 domains	6-10 domains
Fees for decisions by an individual arbiter	EUR 667.67	EUR 1,126.69	EUR 2,003
Supplement for decisions by a senate	EUR 667.67	EUR 1,126.69	EUR 2,003

10.3 Appellants shall pay the supplement for decisions by a senate if they requested a decision by a senate of three arbiters in their appeal. If the appellant did not so request, but the domain-name holder requested a decision by a senate of three arbiters in its response to the appeal, the domain-name holder shall pay into the Arnes transaction account cited in clause 10.1 the supplement for a decision by a senate at the same time as responding to the appeal.

10.4 Fees paid shall generally not be refunded. Fees paid and appropriately reduced may exceptionally be refunded to the payer:

- If the parties agree a settlement prior to the appointment of the arbiter or senate, 75% of the fees paid by each party shall be refunded;
- If the appellant withdraws the appeal, all fees paid by the domain-name holder shall be refunded unless a senate has already been appointed;
- If the appellant fails within the required interval to correct or supplement an incomplete appeal, 70% of the fees paid shall be refunded.

10.5 Fees shall be used to cover the cost of the administrator's services and payments to arbiters at the standard tariff as follows:

- An individual arbiter shall receive 80% of the fees,
- Members of the senate combined shall jointly receive 90% of the fees for decisions by a senate; they may reach a written agreement on the internal division of the aforementioned sum and submit such agreement to the administrator;
- The administrator's administrative costs shall amount to 20% of the fees for decisions by individual arbiters and 10% of the fees for decisions by a senate.

The administrator shall ensure payment to the tribunal president of EUR 350 per month from June 2008 on. If necessary, a new key for the division of fees, which will also be used to cover the costs of the tribunal president or to adjust them to take account of changing circumstances.

10.6 The administrator shall adjust the level of fees set out in clauses 10.2 and 10.5 in accordance with economic trends and its assessment, taking reasonable account of the extent of work, inflation, growth in personal incomes in the sector etc. Changes to the level of fees shall not apply to ARDS procedures in which appeals were submitted prior to publication on the Arnes website of the change in the level of fees.

11. Possibility of settlement

11.1 After receiving all applications from parties, or after the expiry of the deadlines for submission of applications, the administrator shall call upon the parties to agree a settlement if possible.

11.2 In its call to the parties, the administrator may according to its assessment propose any advice regarding the content of the settlement. Such advice shall not affect any possible subsequent judgement by arbiters.

12. Appointment of arbiters

12.1 If both parties fail within ten (10) days of delivery of the proposal in accordance with clause 11.1 of the ARDS Rules to send to the administrator an application with a statement that they have agreed a settlement, the administrator shall immediately inform the tribunal president, who shall as soon as possible and without delay appoint an arbiter, or, where so requested by the appellant in the appeal or by the domain-name holder in the response to the appeal, a senate of three arbiters.

12.2 The tribunal president shall appoint within seven (7) days an arbiter or a senate of three arbiters from the list of arbiters. If there are no other barriers, appointments shall be made under the rotation principle as designed by the tribunal president, and must continually ensure conditions in which all appointed arbiters in each specific case are always independent and impartial. The tribunal president shall appoint a senate president from a senate of three arbiters.

12.3 Arbiters with concerns regarding their independence and impartiality shall inform the tribunal president thereof without delay so that the president can appoint another arbiter. Arbiters may do so at any time during the ARDS procedure prior to the issuing of a decision. The ARDS procedure shall begin anew before a new arbiter or before an altered senate.

12.4 If the tribunal president at any point during the ARDS procedure determines that a particular arbiter for any reason whatsoever will be unable to perform his or her duties, or will be unable to do so in a timely manner, or if doubt arises as to the arbiter's independence and impartiality, the president shall appoint another arbiter without delay. The ARDS procedures shall begin anew before a new arbiter or before an altered senate.

12.5 Arbiters who are appointed shall immediately complete the form with a declaration of independence and impartiality, and shall send it to the administrator. Parties shall have the right to examine such declarations.

12.6 The administrator shall inform parties of each appointment of arbiters.

13. ARDS procedure before arbiters

13.1 When the administrator receives an arbiter's declaration of independence and impartiality, it shall send the arbiter a copy of all applications by parties in electronic and paper form. It shall make copies of documents where necessary. Where a particular

domain dispute is decided by a senate, copies of the documents shall be sent to all senate members.

13.2 All arbiters shall be obliged to treat all parties to disputes equally.

13.3 Where particular documents or other evidence are stored at the administrator, arbiters may inspect them at any time during the administrator's office hours by prior arrangement.

13.4 An arbiter or senate may at any time request via the administrator additional information and clarification from the parties. Where such information or clarification is not received within the interval determined, arbiters or senates shall act according to their judgement. Parties may not communicate with arbiters at their own initiative.

13.5 Any arbiter may at any time during the ARDS procedure request that the tribunal president assign him or her a professional associate. The costs of such associates shall be covered from the remuneration due to the arbiter. The tribunal president shall appoint a professional associate from the list of professional associates.

13.6 When a senate is appointed, the senate president shall be exclusively responsible for communication with the administrator, and shall undertake all other activities required to implement the procedure. When any member of the senate disagrees with a decision of the senate president regarding the management of the procedure, he or she may request that the senate make the final decision on the matter.

13.7 The senate shall adopt decisions after discussion by all three arbiters by a majority vote of all members. The senate may discuss cases using electronic means. All three members of the senate shall have 1 vote each.

14. Influence of court or arbitration procedures

14.1 The enforcement of court or arbitration decisions enforceable in the Republic of Slovenia shall have priority over enforcement of decisions of the tribunal and the ARDS procedure. The tribunal and administrator shall act in accordance with binding court and arbitration decisions irrespective of the ARDS Rules.

14.2 Both parties shall be obliged to inform the tribunal of any court or arbitration procedure regarding the disputed domain or domains that is running in parallel. The arbiter or senate shall assess what such a procedure means, and if necessary may suspend the procedure in part or in full.

15. Decisions and implementation of decisions

15.1 Decisions may reject appeals in full as unfounded, or may uphold appeals in part or in full.

15.2 If an appeal is upheld in part or in full, the decision shall in accordance with the contents of the appeal order that the particular domain be deleted or transferred to the appellant. If an appellant requests in an appeal the transfer of a particular domain, but the arbiter or senate concludes that there are no grounds for so doing, but that there are grounds for deleting the domain, the decision shall order that the domain be deleted.

15.3 Arbiters or senates shall adopt and compose an explained decision in written form within twenty-one (21) days of receipt of the documentation, and shall send it in written and electronic form to the administrator. This deadline shall be extended where justified by circumstances, particularly where further clarification or additional evidence must be obtained from the parties.

- 15.4 There shall be no appeals against decisions in the ARDS procedure.
- 15.5 The administrator shall within seven (7) days send the decision to parties, and shall inform the registrar or registrars that registered the disputed domain or domains. If the decision orders that the domain be deleted or transferred, the administrator should announce in its notification to parties that the decision will be enforced after twenty-one (days) from delivery of the decision to the domain-name holder. Decisions shall be published on the Arnes website. Natural persons shall only be identified by their initials, while other personal data pertaining to them shall not be published.
- 15.6 If the decision is to delete the domain, the administrator shall implement the decision after twenty-one (21) days from delivery of the decision to the domain-name holder. If the decision is to transfer the domain to the appellant, the administrator shall implement the decision after twenty-one (21) days from delivery of the decision to the domain-name holder if it has received from the appellant's registrar an application and payment for registration of the domain name on behalf of the appellant in accordance with the General terms and conditions. If within the aforementioned interval Arnes does not receive an application for registration on behalf of the appellant, the domain shall be allocated quarantine status, and shall then be deleted from the database of registered domain names after thirty (30) days.
- 15.7 On the date that a decision was sent to parties, the general prohibition on the transfer of the domain name to third parties shall be lifted for those domains not subject to deletion or transfer under the relevant decision.
- 15.8 After deletion or transfer of the domain, the domain-name holder may not acquire the same domain without the consent of the appellant.
- 15.9 Insofar as a domain is transferred on the basis of a decision to the appellant, the appellant shall be obliged within one (1) month to conclude a domain registration contract with a registrar, otherwise the transfer shall have the effect of a deletion.

APPEAL

DATA ON APPELLANT

Full name / title:
Postal address:
CONTACT PERSON AT THE APPELLANT:
Full name:
Postal address (if different from the address of the appellant):
Email:
Telephone:

All communication will take place with the stated contact person at the appellant, except if the appellant requests that communication in the ARDS procedure takes place via an authorised representative.

DATA ON LAWFUL REPRESENTATIVE OF THE APPELLANT (where applicable)

Full name:
Postal address:
Email:
Telephone number:

DATA ON THE APPELLANT'S AUTHORISED REPRESENTATIVE (where applicable)

Full name / title:
Postal address:
Email:
Telephone number:

Should communication be delivered to the authorised representative rather than the appellant (circle as appropriate): YES NO

I hereby request that the dispute cited below should be decided in accordance with ARDS rules, as set out in the General terms and conditions for registration of domain names under the .si top-level domain. I confirm that the following domains

STATEMENT OF DOMAIN / DOMAINS

_____ . si
_____ . si
_____ . si
_____ . si
_____ . si
_____ . si
_____ . si
_____ . si
_____ . si
_____ . si

held by

DATA ON DOMAIN-NAME HOLDER

Full name / title:
Postal address:
Email:
Telephone number:
Contact person:

The data provided are taken from (circle as appropriate): WHOIS database other source both
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violate my rights, and I declare that (circle at least one of the following statements):

- a) The domain(s) is/are identical to or interchangeable with my trademark or slogan valid on the territory of the Republic of Slovenia;
- b) The domain(s) is/are identical to or interchangeable with my company title as registered in the court register in the Republic of Slovenia;
- c) The domain(s) violate(s) my copyright as recognised by the law of the Republic of Slovenia;
- d) The domain(s) unjustly encroach(es) on a registered geographic designation to which I am entitled under the law of the Republic of Slovenia;
- e) The domain(s) encroach(es) upon my rights to my personal name as recognised by the law of the Republic of Slovenia;
- f) The domain unjustly encroaches in the following rights recognised under the law of the Republic of Slovenia (list):

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and that the aforementioned domain-name holder has no right or legally recognised interest to the domain name, and that the domain name was registered or used in bad faith.

Explanation (use additional paper if necessary, maximum of 3000 words):

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In accordance with the ARDS Rules, I hereby request that (circle or state as appropriate):

a) The domain(s)

be deleted;

b) The domain(s)

be transferred to the appellant.

The ARDS procedure should be decided (circle as appropriate):

- a) One arbiter;
- b) A senate of three arbiters, and I am prepared to pay additional fees in accordance with the ARDS Rules.

To the best of my knowledge, the same domain(s) is/are (circle as appropriate):

- a) Not subject to any other current court, arbitration or other procedure;
- b) Subject to a procedure before _____ (state the body) at the initiative of _____ (state who), and I enclose suitable evidence thereof.

MANDATORY ENCLOSURES:

- Bank confirmation of payment of fees
- If the appellant is a legal person, extract from the relevant register of legal persons

NON-MANDATORY ENCLOSURES:

- Authorisation of authorised representatives
- Evidence supporting the appeal
- Evidence of the existence of another procedure regarding the same domain(s)

By signing this appeal as the appellant, I hereby accept the ARDS Rules and the General terms and conditions for registration of domain names under the .si top-level domain, both as regards to the aforementioned domain-name holder and as regards Arnes and the registrar, and I consent to the decision in the procedure, and with its implementation. I hereby declare that the statements in the appeal are true, that I am submitting this appeal in good faith, and that there are no barriers in the law of the Republic of Slovenia to the running of this procedure. I am aware of all civil, penal and other sanctions that I could face due to bad-faith or unlawful actions on my part, and I undertake to reimburse Arnes and the arbiter all damages and costs incurred due to my bad-faith or unlawful behaviour. I renounce any and all claims against the arbiter, Arnes, the registrar, the tribunal president and deputy president, or any of their assistants, employees or otherwise connected persons where such claims are related to their actions or failures to act in the alternative domain-name dispute resolution procedure, except for claims for damages arising from their wilful actions, or through gross negligence or criminal action. In particular, I renounce all claims for compensation relating in any way to the content of the decision adopted in the procedure by Arnes, the tribunal president or arbiters.

_____, date _____

Full name of signatory: _____

Signature: _____

Stamp (for legal persons):

RESPONSE TO APPEAL

TASK NUMBER:

DATA ON DOMAIN-NAME HOLDER

Full name / title:
Postal address:
Email:
Telephone number:

DATA ON LAWFUL REPRESENTATIVE OF THE DOMAIN-NAME HOLDER (where applicable)

Full name:
Postal address:
Email:
Telephone number:

DATA ON AUTHORISED REPRESENTATIVE OF THE DOMAIN-NAME HOLDER (where applicable)

Full name / title:
Postal address:
Email:
Telephone number:

Should communication be delivered to the authorised representative rather than the domain-name holder (circle as appropriate): YES NO

DATA ON CONTACT PERSON

Full name:
Postal address (if different from the address of the domain-name holder):
Email (if different from the email address of the domain-name holder):

BRIEF RESPONSE TO STATEMENTS IN THE APPEAL

Explanation (use additional paper if necessary, maximum of 3000 words):

The ARDS procedure should be decided (circle as appropriate):

- a) One arbiter;
- b) A senate of three arbiters, and I am prepared to pay additional fees in accordance with the ARDS Rules.

Note: If the appellant proposes a decision by a senate of three arbiters, the domain-name holder need not specifically so request.

To the best of my knowledge, the same domain(s) is/are (circle as appropriate):

- a) Not subject to any other current court, arbitration or other procedure;
- b) Subject to a procedure before _____ (state the body) at the initiative of _____ (state who), and I enclose suitable evidence thereof.

NON-MANDATORY ENCLOSURES:

- Authorisation of authorised representatives
- Evidence supporting the response to the appeal
- Evidence of the existence of another procedure regarding the same domain(s)
- Bank confirmation of payment of additional fees for a senate of three arbiters, if requested by the domain-name holder and not by the appellant.

_____, date _____

Full name of the signatory:

Signature:

Stamp (for legal persons):

ADDITIONAL APPLICATION BY APPELLANT

TASK NUMBER:

DATA ON APPELLANT

Full name / title:

Postal address:

Email:

RESPONSE TO STATEMENTS BY DOMAIN-NAME HOLDER

NON-MANDATORY ENCLOSURES:

- Evidence supporting this application in undermining the statements of the domain-name holder

_____, date _____

Full name of signatory:

Signature:

Stamp (for legal persons):

DECLARATION BY ARBITER OF INDEPENDENCE AND IMPARTIALITY

TASK NUMBER:

DATA ON ARBITER

Full name:
Postal address:
Email:
Telephone:

DATA ON PARTIES

Full name / title of appellant:
Full name / title of domain-name holder:
Full name / title of appellant's authorised representative:
Full name / title of domain-name holder's authorised representative:
Full name of lawful representative of appellant:
Full name of lawful representative of domain-name holder:

I hereby declare:

- That I will decide in the alternative domain-name dispute resolution procedure between the aforementioned parties according to my conscience, in accordance with the ARDS Rules, the Constitution of the Republic of Slovenia and the rules of the profession;
- That I will work and issue decisions in the ARDS procedure independently and impartially, and that I will avoid actions and omissions that could lead any party to doubt my independence and impartiality;
- That I have no relationship with any party, or their authorised or legal representatives, that could in any way influence my independence and impartiality in working and deciding in this procedure, nor have I any personal, financial or other interest with regard to the decision in this dispute;
- That if, at any time until the decision in the procedure, doubt arises as to my independence or impartiality, I shall inform the tribunal president thereof without delay.

Irrespective of the above declaration, I hereby inform the tribunal president and parties of the following circumstances that another person could consider constitute grounds for doubt as to my independence and impartiality in this ARDS procedure:

_____, date _____

Full name of arbiter:

Signature:
