".餐厅" Registration Rules

Notes:

- ".餐厅" is a Chinese Internationalised Domain Name (IDN). "餐厅" is pronounced as "Can Ting" in Chinese Pinyin, meaning "restaurant" in English;

- Registration of ".餐厅" has three phases, namely, (i) Sunrise Period, (ii) Priority Registration, and (iii) General Availability;

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This set of registration rules ("These Rules" or "the Rules") aims to set out the procedures for the registration of ".餐厅" (the Chinese Internationalised Domain Name (IDN), pronounced as Can Ting in Mandarin Pinyin, meaning Restaurant in English) to those who are engaging in or will be engaged in food and beverage industry or providing related services.

Chapter 1   General Provisions

Article 1   The meaning of the major terms in these Rules are as follows:

(1)   **".餐厅"**: The Top-level domain with the two Chinese characters "餐厅" as suffix.

(2)   **The Registry**: Established under Hong Kong law and authorised by ICANN to operate and manage the ".餐厅" TLD, also known as "Internet DotTrademark Organisation Limited".

(3)   **ICANN**: Internet Corporation for Assigned Names and Numbers.

(4)   **Registrar**: Accredited by ICANN according to "2013 Registrar Accreditation Agreement" and by the Registry to provide ".餐厅" registration services.

(5)   **Reseller**: Authorised by a registrar and the Registry to provide ".餐厅" services on behalf of registrars and in accordance to relevant provisions of ICANN and the Registry.

(6)   **Applicant**: Natural person, legal person or organisation that has submitted a new registration / renewal / transferee application in accordance with these Rules.

(7)   **Registrant**: Natural person, legal person or organisation that has registered ".餐厅" name(s).

(8)   **Submission time of application**: The time at which a registration application is submitted to the Registry's registration system.

(9)   **Dispute Resolution Provider**: Asian Domain Name Dispute Resolution Centre (ADNDRC) and any other organisations authorized by ICANN and the Registry to handle ".餐厅" disputes.

(10)   **Foods Provision Activities**: Refers to any activities concerning the provision of foods and catering services

(11)   **Catering Services**: Refers to the services provided for delivering foods to consumers and providing venue to consumers for dining.

(12)   **Catering Information Services**: Refers to information services relevant to catering services, including food introduction, recommendation, restaurant location and navigation, discount, online ordering and online comment.

Chapter 2   Functions and obligations of registrars and resellers

Article 2   Registrars and resellers shall handle all ".餐厅" registrations and related matters pursuant to the applicable policies and rules published on the ".餐厅" Registry's official website (www.DotCanTing.com)

Article 3   When providing ".餐厅" registration services, registrars and resellers shall follow the principles of good faith and relevant provisions of ICANN, abide by the laws and regulations of their operation jurisdictions, and maintain confidentiality obligations of trade secrets.

Article 4   A registrar or reseller shall sign a separate agreement with the applicant covering following matters:

(1)   Require the applicant to comply with applicable policies and regulations of ICANN, relevant laws of the jurisdiction where the Registry is located, these Rules, and other policies and regulations implemented by the Registry;

(2)   Registrars and resellers shall examine the authenticity, accuracy and completeness of the application materials and submit the materials according to the provisions as stated in the Rules;

(3)   If an application is rejected or the Registry requires further information concerning the application, the concerned registrar or reseller shall clearly and promptly notify the applicant, and assist in submission of any supplementary materials as required the Registry.

Article 5   Registrars and resellers shall at least provide 5 x 8 hours of customer support services to applicants, including advising issues pertaining to ".餐厅" applications and management and handling new registrations, renewals, managements, linkage to websites and transfers etc..

Article 6   Registrars or resellers shall obtain authorisation from the applicant and complete the verification process before submitting the application.

Article 7   Registrars or resellers shall promptly notify the applicant the time of submission, and assist in submission of any supplementary materials as required the Registry.

Article 8   Registrars or resellers shall place or publish their ".餐厅" authorisation information at a prominent position at their business premises and on their official websites, including but not limited to authorisation certificate, customer services hotline, and email etc.

Chapter 3   Application for Registration of ".餐厅" Domain Name

Article 9   Applicants shall abide by these Rules and other rules and regulations adopted by ICANN and the Registry in relation to the registration and use of the ".餐厅" Domain Name**.**

Article 10   Without prejudice to any existing rule of law, the Registry shall be no be liable to the applicants and registrants. If a ".餐厅" applicant or registrant involves in any disputes concerning the application, registration, renewal, amendment, or usage of a ".餐厅", they shall ensure that the Registry and its directors, senior management, employees, Policy Committee members, registrars and resellers are not liable for any claims or damages, including the attorneys' fees and other costs associated therewith. The exemption is still valid after the concerned ".餐厅" has expired or after termination.

Article 11   Registration of ".餐厅" Domain Names is on a First-come, First-served basis.

Article 12   ".餐厅" applications adopt the real-name registration system, under which applicants shall provide their identification documents, including but not limited to: identity card, passport, business license (business registration certificate), organisation code certificate, and any other documents required by the Registry. If any the aforementioned documents are in a language other than Chinese or English, the submission of such documents shall be accompanied by a translation in either Chinese or English.

Article 13   All information submitted to the Registry for registration of a ".餐厅" Domain Name must be true, accurate and complete.

Article 14   In accordance with ICANN's relevant policies and for consumer protection purposes, the Registry shall establish a database containing ".餐厅" Domain Name registration information (WHOIS) in its website. Registrars and resellers shall collect the relevant ".餐厅" Domain Name registration information (WHOIS) from the registrants, and ensure that registrants are aware of the use of these information, and that the information is complete and accurate.

".餐厅" Domain Name registration information (WHOIS) includes the following:

(1)   Registrant's information, including registrant's name (name or organisation name), identification documents (ID card, business license, organisation code certificate), telephone number, fax number, mailing address, zip code, email address;

(2)   Registering person information (shall be provided when the registrant is a legal person or other organisation), including registering person's name, telephone number, fax number, mailing address, zip code, email address; The registering person shall be an employee of the legal person or organization, and is authorised to handle the application of ".餐厅" Domain Name and such information shall be included under "Registrant Name" in the WHOIS database.

(3)   The format of registration information shall be as follows: Chinese characters, Latin letters (a-z, case insensitive), numbers (0-9). If the above information is neither in Chinese nor English, the applicant shall submit a Chinese or English translation.

Article 15   The Naming Requirements of the ".餐厅" Domain Name

(1)   The information and names that can be used for the naming of a ".餐厅" Domain Name must be relevant to the applicant's food services, catering services, catering information services or services provided for food and beverage industry, including but not limited to the name of the applicant, the company names and trademark names owned by the applicant, the geographical information of the applicant's location, and the name of the website of the applicant, and other related information.

(2)   Names that have been reserved by the Registry are generally not open for registration, unless the Registry decides otherwise, upon the application of the Applicant under exceptional circumstances.

(3)   Under exceptional circumstances, the Registry may, upon application by the applicant, decides to allow the applicant to include other appropriate information into the naming of the ".餐厅" Domain Name.

(4)   In no circumstances, the Registry would allow inclusion of information and names that are contradictory to any applicable laws of the Registry's jurisdiction, such as information violating the public interests, disrupting the order of the society, and information in relation to pornography, gambling, violence, terrorism or abetting.

Article 16   Eligibility Requirements of Applicant

The applicant has the burden of proof to prove that it has satisfied the following eligibility requirements:

(1) In the event that the applicant is engaging in providing food and beverage services, the applicant shall meet the identity requirement proving that its name is relevant to the second level domain name being applied, and the qualification requirement that it has been approved by the relevant authority or acquired certain license to provide services, if such are required by the laws and regulations of the place where the applicant is located.

(2) In the event that the applicant is engaging in providing information on food and beverage industry, the applicant shall meet the identity requirement proving that its name is relevant to the second level domain name being applied, and the qualification requirement that it has been approved to operate the relevant website (supporting documents may include the URL corresponding to the website and proof of approval for operating the website, if such is required by the laws and regulations of the place where the applicant is located).

(3) In the event that the applicant is engaging in providing services for food and beverage industry, the applicant shall meet the identity requirement proving that its name is relevant to the second level domain name being applied, and the qualification requirement that it has been approved to operate the relevant website (supporting documents may include the URL corresponding to the website and proof of approval for operating the website, if such is required by the laws and regulations of the place where the applicant is located).

Article 17   The length of a ".餐厅" domain name shall satisfy the following conditions:

(1) Within 3-63 ASCII characters (Latin alphabets, numbers, dashes all count as ASCII characters);

(2) For Chinese ".餐厅" domain names, the minimum length is one character and the maximum is the number of Chinese characters represented by 63 ASCII characters after transcoding through Punycode.

The composition of ".餐厅" name shall comply with the following provisions:

(1) Shall be in Simplified Chinese, Traditional Chinese, Latin letters (a-z), Arabic numbers (0-9) or combination of the above;

(2) For ".餐厅" names in Simplified Chinese, Traditional Chinese, combination of Simplified and Traditional Chinese, and variants of Chinese characters, the Registry shall automatically reserve the same ".餐厅" names in their corresponding different forms of Chinese, namely, Traditional Chinese, Simplified Chinese and combination of Simplified and Traditional Chinese.

Article 18   The following names shall be restricted from registration:

(1)   Names that are not relevant to the applicant's food services, catering services, catering information services or services provided for food and beverage industry, which might cause confusion to the public or illicit competition.

(2)   Names that are identical to or similar with the names of flags, logos, anthems of a nation, region, and administrative bodies of a country;

(3)   Words or phrases that are prohibited by ICANN to use for registration, including but not limited to names of international organisations or institutions, the International Olympic Committee, the International Red Cross, the International Red Crescent Movement, and international intergovernmental organisations;

(4)   Names that are prohibited by the laws and regulations of the domicile of the applicant;

(5)   Names that the Registry considers causing conflicts or negative social impacts in the political, economic, cultural and religious aspects;

(6)   Names that are not allowed by the Registry based on its discretion.

The above provisions should be interpreted and constructed by the Registry, and the Registry has the full discretion to approve / disapprove any application for ".餐厅" domain name registration.

Chapter 4   Registration of Domain Name and Publication of Information

Article 19   Pursuant to relevant laws and regulations of the place where the Registry is located, the domain name that is used for transmission of Internet Information, shall be registered by the applicant in accordance with the applicable laws and rules.

1.   If the Internet information provider is an individual, the registrant of the domain name should be the Internet information provider itself.

2.   If the Internet information provider is a company, the registrant of the domain name should be the company itself or its shareholder, the person in charge, or senior executive.

The Registry has full discretion on approving and disapproving an application based on its assessment of the application, and has the rights to request further information from the applicant for its assessment on the applicant's application.

Article 20   The Registry shall publish and update the application status and the WHOIS database in its official website once it receives the ".餐厅" application.

Article 21   For a ".餐厅" application which is undergoing verification process by the Registry, its status shall be displayed as "Pending Create". If there are no special circumstances and an applicant fails to submit the materials required for registration in 5 calendar days, the Registry shall reject and delete the application, with the registration fees refunded. The concerned name shall be opened for registration again after 24 hours of the deletion of the application.

Article 22   For ".餐厅" Domain Name applications in "Pending Create" status, if the Registry finds that the application does not satisfy the requirements of these Rules, and thus rejects the

application, the registry shall refund the application fees and the ".餐厅" Domain Name will be open to public for registration.

Article 23   For ".餐厅" Domain Name applications in "Pending Create" status, if the Registry is unable to complete the verification process within 10 calendar days upon the receipt of the application, the Registry shall reject the application, delete relevant information, and refund the application fees.

Article 24   Once an applicant satisfies the identity requirement and any the operation qualification requirements under Article 16, the Registry will approve the application for DotCanTing domain name. If the applicant only satisfies the identity requirement, the Registry may approve the application provided that the applicant agrees to place the domain name in a Serverhold status pending the documents proving its operation qualification. Once the applicant discharge its burden of proof on operation requirement, the Serverhold status will be removed.

Article 25   After the approval of the ".餐厅" application, the registrant shall receive a ".餐厅 Registration Certificate" issued by the Registry.

Article 26   The Registry shall have the right to request further or supplementary information from an applicant during the verification process, and to make a decision after fully consider the applicant's circumstances. The decision of the Registry will not be affected if the applicant fails to provide supplementary information as required.

Article 27   If a ".餐厅" application is rejected, the Registry shall inform the registrar or reseller through electronic means within one working day and the registrar/reseller shall inform the applicant of such decision promptly.

Chapter 5   Usage Requirements of Domain Name

Article 28   Resolution of ".餐厅" Domain Name shall comply with relevant laws and regulations of the jurisdiction of the registrant and the following provisions:

1. The owner of the website resolved by a ".餐厅" Domain Name must be properly registered with the relevant authority.

2. If providing catering service, the Registrant shall obtain the relevant license and fulfill the requirements under any applicable laws and administrative measures for food industry. When required by the Registry, the Registrant shall provide such license through the Registrar for the Registry's review. If the Registrant is not able to provide such license, or its license couldn't pass the validation, the Registry has the right to set serverhold to the name.

3. If providing catering information service, the Registrant shall meet the qualification requirement that it has been approved to operate the relevant website. When required by the Registry, the Registrant shall provide supporting documents (which may include the URL corresponding to the website and proof of approval for operating the website, if such is required by the laws and

regulations of the place where the applicant is located) through the Registrar for review. If the Registrant is not able to provide such documents, or the documents couldn't pass the validation, the Registry has the right to set serverhold to the name.

4. If providing services for food and beverage industry, the Registrant shall meet the qualification requirement that it has been approved to operate the relevant website. When required by the Registry, the Registrant shall provide supporting documents (which may include the URL corresponding to the website and proof of approval for operating the website, if such is required by the laws and regulations of the place where the applicant is located) through the Registrar for review. If the Registrant is not able to provide such documents, or the documents couldn't pass the validation, the Registry has the right to set serverhold to the name.

5. The website resolved by a ".餐厅" shall be fraud-free, lawful and with good faith, and the information published on the website shall be consistent or relevant to the information provided in its ".餐厅" registration.

6. The Registry has the right to freeze or cancel any ".餐厅" name(s) which violate the usage requirements.

Article 29   If the information contained in the website is inconsistent with the information provided in its ".餐厅" registration, or existence of unauthorized usage, misleadingness to the public, or infringement of third party's legitimate rights, the registrant shall be liable for all legal responsibilities and any losses and expenses incurred to the Registry.

In addition, the Registry may, in such circumstances, issue a warning to the registrant and to pursue relevant liabilities, and may suspend, freeze, or cancel the relevant ".餐厅" name.

Chapter 6   Registration Period, Renewal, Change, Transfer, Cancellation and Redemption

Article 30   The registration and renewal period ranges from 1-10 years.

Article 31   Changes to ".餐厅" Domain Name registration information shall be made in accordance to the following provisions:

(1)   If the changes concern about registrant information, the registrant shall apply to the Registry through its registrar or reseller to update the relevant information within 30 natural days after such changes are effective.

(2)   The registrar or reseller shall, within three calendar days upon receiving the change of information request from the registrant, submit the updated registrant information to the Registry for review. Upon approval of the Registry, the information can be changed.

Article 32   Change of registrars shall follow the provisions as below:

(1) After receiving the valid application materials submitted by the ".餐厅" Domain Name registrant requesting for the change, the original registrar (prior to the change) shall follow the provisions of ICANN's "Inter-Registrar Transfer Policy" (https://www.icann.org/resources/pages/transfers-2012-02-25-en), and no fees can be charged from the registrant;

(2) If the losing registrar does not provide the credentials for the transfer within 5 days after the request is made, the gaining registrar may apply to the Registry for implementing the change of the registrar.

(3) Both the gaining registrar and the losing registrar shall keep the relevant application materials for change of registrar.

(4) After the change of the registrar, the registrant shall immediately pay the gaining registrar one year's domain name registration fee. The registration term of the domain name will hence be extended for one year. This provision does not apply to change of reseller.

(5) The change of registrars or resellers is not allowed in the circumstances including but not limited to: within 60 days after a ".餐厅" Domain Name is registered, less than 15 days until expiration, registration fees are in arrears, the ".餐厅" Domain Name is invalidated or other circumstances that the Registry does not approve the transfer of ".餐厅" Domain Name.

Article 33 The transfer of ".餐厅" Domain Name shall comply with the following provisions:

(1) After an application for change of registrants is received, the Registry shall validate the assignee's eligibility before approving the change application.

(2) The assignee shall be a natural person, legal person or organisations in accordance with the provisions of Article 12.

(3) Transfer of domain name shall be conducted in accordance with the relevant rules adopted by ICANN.

(4) Registrars and the Registry shall not accept transfer or cancellation of a ".餐厅" Domain name that is a subject in dispute resolution proceedings, unless the assignee agrees in writing to be bound by the relevant court's judgements or decisions by the relevant arbitral tribunal or dispute resolution bodies.

Article 34 Cancelation of ".餐厅" Domain Names shall follow the following provisions:

(1) Once a ".餐厅" Domain Name is expired and not renewed by the registrant, the registrar or reseller may, in accordance to ICANN's provisions and its own business practices, decide to cancel the relevant ".餐厅" Domain Name, suspend the resolution of the concerned ".餐厅" Domain Name and its affiliated ".餐厅" Domain Name within 45 days after its expiration. Before cancelation, the registrar or reseller shall inform the registrant

in a reasonable manner, including but not limited to sending renewal reminder emails, and suspending the resolution of the concerned ".餐厅". Registrants shall pay attention to the expiration policies of the registrars and resellers to avoid losses caused by the cancelation their ".餐厅" Domain Name(s).

(2) For ".餐厅" Domain Names which are canceled in accordance with Article 34, they shall be subjected to a redemption period of up to 30 calendar days in accordance to the relevant provisions of ICANN. During the redemption period, the protection of the primary and its affiliated ".餐厅" names will be suspended. The registrant may apply to the Registry for the restoration and redemption of the abovementioned ".餐厅" name through its registrar or reseller to reactivate protection services and pay the redemption fees according to the Registry's policies. After the end of the redemption period, any unrestored ".餐厅" names will be deleted from the Registry's database, and shall be open to the public for registration after 5 calendar days.

(3) In accordance with these Rules or the relevant provisions of ICANN, if any dispute resolution provider, court or administration body requests for locking, cancellation or transfer of a registered ".餐厅", the Registry has full discretion to implement relevant decisions for the following purposes: (i) to resolve any compliance issues arising out from the registrations of ".餐厅" of registrars/resellers/the Registry; or (ii) to rectify the invalidity issues in ".餐厅" registrations such as expiration and cancellation of trademark registration etc. or; (iii) to rectify invalidity issues found during spot checks by the Registry; or (iv) to enforce decisions concerning disputes concerning ".餐厅" registrations; or (v) to tackle issues on registrant's failure to settle applicable fees; or (vi) to comply with or enforce relevant laws, government regulations, enforcement requirements or disputes resolution decisions; or (vii) to circumvent the civil or criminal liabilities of the Registry and its affiliates, subsidiaries, offices, directors or employees.

Chapter 7   Disputes Resolution

Article 35   Other policies applicable to resolving disputes concerning the registrations and usage of ".餐厅" Domain Name include ICANN's Uniform Domain Name Dispute Resolution Policy (UDRP), Uniform Rapid Suspension System (URS), and any other disputes resolution policies adopted by the Registry and ICANN.

Article 36   ".餐厅" Domain Names which are in dispute resolution proceedings not transferrable and renewable. Upon completion of the dispute resolution proceedings, the Registry, registrar or reseller shall implement the decision of the dispute resolution panel and enforce any remedies ordered by the panel, including suspension, locking, cancelation, transfer, change of registrars, and cancellation.

Chapter 8   Effective Date and Interpretation

Article 37   The Rules shall be in effect as of 12 March 2018. The Rules supersedes the ".餐厅 Registration Rules" published by the Registry previously and other policies that apply to new registrations, renewals, transfers, or other matters as specified in the Rules. If there are any documents published by other organisations are inconsistent with the Rules, the provisions of the Rules shall prevail.

Article 38   These Rules are subject to the interpretation of the Registry. In case of any discrepancies between the Chinese and English version, the Chinese text shall govern.