

**! Attention! The checkboxes below can help you to structure your Response if you wish to. Checking the boxes is purely optional, you are not required to do it and you may fill in the textual parts of your Response only. Please attach to your Response evidence of the facts you present.**

## **Factual Grounds**

### I. Protected rights relied on by the Respondent

- a. Registered trade/service mark
  - i. Registered in one country
  - ii. Registered in a state or region of one country
  - iii. Registered in several countries
  - iv. CTM
  - v. Benelux
  - vi. Registered combined/figurative trade/service mark
  - vii. Other
- b. Well-known/famous mark
- c. Family of marks
- d. Unregistered trade mark/service mark
  - i. Common law trade mark – rights based on use by public
  - ii. Common law trade mark – rights based on advertising and publicity prior to use of mark (use analogous to trade mark use)
  - iii. In jurisdiction that does not recognise unregistered trade marks – rights based on use by public
  - iv. In jurisdiction that does not recognise unregistered trade marks – rights based on advertising and publicity prior to use of mark (use analogous to trade mark use)
- e. Trade name/business identifier
- f. Geographical indication/designation of origin
- g. Company name
- h. Personal Name
- i. Name of a public body/IGOs and NGOs
- j. International Nonproprietary Names (INNs) for pharmaceutical substances
- k. Other [here add text field]

### II. Respondent's Rights

- a. Owner
- b. Licensee
- c. Person related to owner or licensee (e.g. a subsidiary or manager of an owner)
- d. Heir(s), trustee in bankruptcy, guardian of mentally impaired
- e. Validity of rights relied on by the Respondent
  - i. Pending application for registration
  - ii. Registration subsequent to registration of domain name
  - iii. Generic/descriptive
  - iv. Suggestive
  - v. Fanciful
  - vi. Other [here add text field]
- f. Other [here add text field]

ADDITIONAL EXPLANATIONS: [here add text field]

**Legal Grounds**

- A. Domain name is neither identical nor confusingly similar to the protected mark for the following reasons:
  - a. Complainant's failure to meet standard of proof
  - b. Other [here add text field]

ADDITIONAL EXPLANATIONS: [here add text field]

- B. The Respondent has rights and/or legitimate interest in the domain name(s)

Categories of issues involved:

- a. Use of, or demonstrable preparations to use the domain name or a name corresponding to the domain name in connection with a bona fide offering of goods or services
  - i. Use or demonstrable preparations to use
  - ii. Bona fide offering
  - iii. Before notice or concurrent with notice
  - iv. Domain name holder owns protected rights in a corresponding name
  - v. Respondent's domain name registered before Complainant's protected rights
  - vi. Distributor/reseller/agent of trade-marked goods
  - vii. Licensee
  - viii. Generic/Descriptive words
  - ix. Respondent's use of mark is sufficient to grant rights
- b. Commonly known by the domain name
- c. Legitimate noncommercial or fair use of the domain name, without intent for commercial gain
  - i. Criticism and Fan Sites
  - ii. Free speech
  - iii. Parody
  - iv. Other legitimate non-commercial or fair use of the domain name [here add text field]
- d. Complainant's failure to meet standard of proof
- e. Other [here add text field]

ADDITIONAL EXPLANATIONS: [here add text field]

- C. The domain name(s) has not been registered and used in bad faith

Categories of issues involved:

- a. Meaning of registration
  - i. Acquisition

- ii. Renewal
  - iii. Maintenance
  - iv. Transfer to connected person
  - v. Other
- b. Reverse domain name hi-jacking
  - c. Registration of a domain name prior to trade mark right
  - d. Complainant's bad faith trade mark/business name registration
  - e. Complainant's failure to meet standard of proof
  - f. Other [here add text field]

ADDITIONAL EXPLANATIONS: [here add text field]

D. Legal basis

**Please explain your arguments in detail below.** If you want to identify CAC's UDRP decisions in proceedings involving the same categories of issues as you selected above, please click here: \_\_\_\_\_.

[text field]