

.taipei Auction Rules for Taipei Enterprise Sunrise Period and Phase I of Landrush Period

Multiple Applications for the same domain name during Taipei Enterprise Sunrise Period and Phase I of Landrush Period will result in auction after the end of Landrush Period. The winning bidder has the right to register the respective domain name.

● **Definition**

1. Applicant: An Applicant who applies for .taipei domain name during Taipei Enterprise Sunrise Period and Phase I of Landrush Period.
2. Registration Fee: Payment made by the Applicant to accredited registrar for 3-year .taipei domain name registration.
3. Deposit: Registration Fee applicant pays to accredited registrar. Registration fee will turn into deposit at the beginning of auction.
4. Start Price: The starting bid for the domain name.
5. Bid: An applicant who participates in an auction should fill out Bid Form in Appendix 3 and provide to .taipei Registry. A complete Bid Form with essential information and signature would be considered as a valid bid.
6. Winning Bidder: The applicant that secures the domain name in the auction.
7. Winning Price: The highest bid that winning bidder submits. The winning price does not include Registration Fee.
8. Bought-In: Nobody places a bid for the domain name in the auction.
9. Auction Closed: The winning bidder wins the bid and pay winning price to .taipei Registry.
10. Non-Paying Bid: The winning bidder does not pay winning price. Non-paying bid will result in forfeiture of deposit.

● **Auction Process**

The auction schedule will be announced on .taipei Registry's website within ten (10) business days after the end of Phase I of Landrush period.

Steps of Auction:

1. Validity of Contact Email and Intention to Participate In the Auction

1.1 Validity of Contact Email

Those Applicants who are eligible to participate in the auction will be informed through email by .taipei Registry within five (5) business days after the end of Phase I of Landrush. The information about the rules, date and place of the action will be included in the email. Applicant must reply the email and express his willingness and means to participate in the auction.

The following means that applicant can choose to participate in the auction:

- A. Attending in person to place a bid.
- B. Authorizing an agent to attend and place a bid.
- C. Place a bid with a Bid Form delivered to registry by registered mail or express post.

.taipei Registry will contact applicant and provide auction information through email.

1.2 Declaration Form or Authorization Form

.taipei Registry will email Declaration Form and Authorization Form to applicants who are eligible to participate in the auction ten (10) business days prior the commence date of the auction.

- Applicant should present the complete and signed Declaration Form when attending the auction in person.
- The agent who is authorized by the Applicant should present signed Declaration Form and Authorization Form when attending the auction.
- If the Applicant places bid with a bid form, the Applicant should delivery both signed Declaration Form and Bid Form to registry by registered mail or express post two (2) business days prior to the auction.

Applicant will lose the eligibility to participate in the auction without following the requirements mentioned in this sector.

2. Auction Procedure and Fee

2.1 Deposit:

Registration Fee will be taken as the deposit until the end of auction in the event of multiple Applications for the same domain name

The winning bidder's deposit will turn into registration fee for the domain name.

The deposit will be refunded to respective accredited registrars in the event that Applicants lose the bid or fail to verify the contact e-mail or submit Declaration Form or Authorization Form as specified in section 1.1 and 1.2. The accredited registrars refund the registration fee following their registration agreement with the Applicants.

2.2 Currency

All prices in the auction are expressed in New Taiwan Dollars (NTD).

2.3 Start Price

The start price (the registration fee not included) for each domain name bid would be **NTD1**.

2.4 Number of bids

The Applicant or Agent can place unlimited bids in an auction.

2.5 Authorized Signatory

The bid form must be signed by applicant or authorized agent.

2.6 Time to place a bid

The auction for a domain name will be closed in the event that no one places a bid when auctioneer declares the highest bid three times.

2.7 Rules to place a bid

Applicant must place a bid before the close of the auction for a domain name. Applicant will lose the eligibility to place a bid in the event that the auction is closed.

2.7.1 The winning bidder will be the Applicant that places the highest bid in the auction. If only one Applicant places the bid, the auction will result in Auction Closed.

2.7.2 In the event that all applicants do not place a bid for the domain name, the earliest Applicant for the domain name recorded in registry system will be eligible to register the domain name.

2.7.3 In the event that more than one Applicant places the highest price in the bid, the earliest Applicant recorded in registry system will win the bid with the price.

2.8 Bid Opening

.taipei Registry will invite impartial third party to be the auctioneer. The auctioneer will declare the bid price received from the applicants at an auction.

The dispute during the bidding and advances shall be regulated and interpreted by and at the absolute discretion of the auctioneer. Each Party should not raise objection for the interpretation. Auctioneer reserves the right to terminate the auction in the event of force majeure or interference to proceed to the auction. Registry will invite an attorney as the witnesses and keep recording evidence of auction.

2.9 Auction Closed

.taipei Registry will notify the winning bidder through email in two (2) business days after the auction closed. The winning bidder must pay full amount of winning price (the registration fee is not included) to the account assigned by registry. .taipei Registry will notify respective registrar to register the domain name after receiving the payment from winning bidder.

2.10 Non-Paying Bid

The deposit will be confiscated if the winning bidder does not pay the winning price and will be considered as a breach of contract. **Under the condition, the winning bidder will lose the eligibility to register the domain name.**

When the winning bidder loses the eligibility to register the domain name, the alternate will be the Applicant who submits the second highest bid price. In the event that more than one Applicant is entitled as the alternate, the winning bidder would be the earliest Applicant for the domain name in the record of registry system. The alternate can decide if he would take the bid. The domain name will be released to General Availability if nobody registers the domain name after the auction.

It is strongly recommend to the bidders must consider carefully before placing the bids since the bids are not reversible and cannot be canceled under any

circumstances, including but not limited to the following situation: the bidder fails to accept the registrar-registrant agreements or encounter intellectual property rights conflicts which will influence the use or the registration of the domain name.

2.11 Bought-In:

If nobody places a bid for a domain name in the auction, the winning bidder would be determined by the chronological order of sending the domain name Application recorded in registry system. The Registration Fee paid at the time of sending Application will be taken as winning price paid to registry. The winning bidder can decide if he would take the bid. If the winning bidder decides not to register the domain name, the domain name will be released to General Availability.

2.12 Domain Name Registration

.taipei Registry will notify respective registrar to register the domain name within three (3) business days after the payment is received. The terms of the domain name will be three (3) years starting from the date when the domain name is registered. The winning price and registration fee are non-refundable if the domain name is deleted in the period of registration. The transfer of domain name is prohibited in the first sixty (60) days of registration.

● Domain Name Dispute

The dispute arising from the conflict between any applicant's domain name registration and trademark holders, will be resolved by complying with the Uniform Domain Name Dispute Resolution Policy established by ICANN ("UDRP") or the Uniform Rapid Suspension Policy ("URS") constituted by ICANN.

● Limitation of Duties - Registry

Registry or parties which are assigned by registry to execute the auction will not participate in any way in any dispute between applicants and any party regarding the use of the auction. All disputes between Applicant and any party regarding the results of an auction (includes but not limited to non-compliance with this Rule) shall be resolved through any judicial, arbitration or other proceeding that may be available.

● Indemnification

The applicant shall indemnify, defend, protect, and hold Registry, their parents, subsidiaries and affiliates, and all of their respective owners, managers, directors, officers, employees, partners, contractors, agents, and attorneys (each, an “Indemnified Party”) harmless from and against all liabilities, claims, damages, costs and expenses, including reasonable attorneys’ fees and expenses and the cost of internal personnel time (at reasonable rates) incurred or suffered by any Indemnified Party, relating to or arising from the applicant’s breach of this Agreement, registration and/or use of a domain, use of the Auction , and/or participation in an Auction.

Applicant who participates in the auction shall be deemed to have agreed to the auction rules. The auction rules shall be governed by and construed in accordance with applicable laws and regulations of Taiwan(Republic of China). Any disputes arising from auction rules shall be brought and adjudicated upon by the Taiwan Taipei District Court thereof in the Republic of China.

The auction rules will be announced on registry’s website thirty (30) calendar days prior to the auction date. .taipei Registry, in its sole discretion, reserves the right to modify the auction rules at any time and announced on website.

Appendix 1 Declaration Form

.taipei Declaration Form

_____ (Declarant/Registrant) hereby declares that the identification and contact information are truth and correct and will obey the .taipei Auction Rules for Taipei Enterprise Sunrise Period and Phase I of Landrush Period. Where violations of this declaration occur, I agree to take the legal responsibilities and compensate for loss of registry.

To: Taipei City Government

Declarant: (Signature)

Date: (yyyy/mm/dd)

Note:

Declarant must be the registrant who applies for domain name. Authorization Form is needed if declarant is different from registrant.

Appendix 2 Authorization Form

.taipei Authorization Form

Principal (Registrant):

Agent:

_____ hereby authorizes _____, hereinafter called agent, to sign up related document of .taipei Auction Rules for Taipei Enterprise Sunrise Period and Phase I of Landrush Period. Both agree to obey the Auction rules. Where violations of this declaration occur, I agree to take the legal responsibilities and compensate for loss of registry.

Principal (Registrant): (signatory)

Agent: (signatory)

Date: (yyyy/mm/dd)

Note:

The Principal must be the registrant who applies for domain name.

.taipei Bid Form

Domain name in auction: _____

Bid price: NTD _____

Signatory (Registrant or Agent):

(Signature)

Date:

(yyyy/mm/dd)

Note:

1. The applicant or agent can place unlimited bids for a domain name.
2. An applicant who participates in auction should fill out Bid Form and provide to .taipei Registry. A complete Bid Form with essential information and signatory would be considered as a valid bid.