

1. INTRODUCTION / TIMETABLE

The background for the present policy as well as the target of the Valuetainment Corp. ("**Registry**") is the orderly, fair and technically organised allocation of domain names below the TLD **.VOTING** ("**domain(s)**" or "**.VOTING domain(s)**") to individuals and legal persons ("**applicants**" or "**registrants**") in accordance with the present policy and the other integral parts of the contract.

The other integral parts of the contract are:

- **[1] .VOTING Eligibility Policy**
- **[2] .VOTING Domain Name Registration Policy;**
- **[3] .VOTING ACCEPTABLE USE POLICY;**
- **[4] .VOTING Rapid Takedown Policy;**
- **[5] .VOTING Whois-Policy;**
- **[6] policies required by ICANN, such as URS and UDRP;**
- **[7] conditions, price lists and other integral parts of contracts with regard to further services of registrars.**

Applicants are notified that application for registration of a specific domain does not necessarily result in actual registration of the desired domain. Contractual rights and privileges only enter into force with actual registration.

The following launch phases shall govern the times at which certain applicants are able to apply for the registration of an .VOTING domain as well as possible further application requirements. Please note that the Registry reserves the right to change this phased roll-out plan at any time. The key for Applicants is the prevailing phased roll-out plan, which is available at all times at nic.voting.

PHASE 1: SUNRISE (15.04.2014 / 10:00 UTC - 16.05.2014 / 24:00 UTC)

During this Phase, trademark owners in compliance with the following provisions can apply for .VOTING domains identical to their protected trademarks, if the applied for .VOTING domain has not been excluded from registration by the Registry. Applications must be forwarded to the registry through a registrar in all phases. Registrants wishing to apply for registration of a .VOTING domain can see an overview of registrars at nic.voting.

Mark rights which are the basis for an application for registration of a specific domain must be validated before actual registration. Applicants must have marks and other rights previously validated by the Trademark Clearinghouse ("TMCH"). The TMCH is a service independent of the registry. Word marks and image marks which have a predominantly and clearly recognisable text element are accepted here for validation. The current validation guidelines of the TMCH can be found at <http://trademark-clearinghouse.com/>.

In addition the applicant shall meet the further requirements of the .VOTING Eligibility Policy.

The domains are allocated on the "first come, first served" principle.

.VOTING Sunrise Dispute Resolution Policy: Domains which are registered during the sunrise phase can be the subject of the complaint procedure under the **.VOTING Sunrise Dispute Resolution Policy (also "SDRP")**. For details, see the policy in question.

This does not affect other legal protection mechanisms in the .VOTING policies and/or other dispute resolution procedures.

PHASE 2: LANDRUSH (27.05.2014 / 10:00 UTC - 08.07.2014 / 24:00 UTC)

Landrush phase is open to all Applicants interested in registering a .VOTING domain. Validation with the TMCH is not required. Applications for all domains are accepted, except where domains have been registered or applied for during the prevailing phases or are excluded by the Registry.

In addition the applicant shall meet the other requirements of the .VOTING Eligibility Policy.

If two or more Applicants submit an Application during this phase for an identical domain name, the allocation of the domain name will be determined by auction. Policies for such auctions are to be announced in time by the registry.

PHASE 3: GENERAL AVAILABILITY (AB 22.07.2014 / 15:00 UTC)

.VOTING domains are available to the public and can be registered in accordance with the **.VOTING Policies**.

Except where registered or applied for during the prevailing phases or excluded by the Registry, domains are available on a first come, first served basis.

2. GENERAL PROVISIONS

Applications submitted during the various phases must specifically meet the requirements of the **.VOTING Eligibility Policy, the .VOTING Domain Name Registration Policy and the .VOTING policies generally**, unless there are deviating provisions in the present policy.

The following provisions apply to all applications submitted to the registry during the above phases.

3. PARTIES TO THE APPLICATION / APPLICATION PROCEDURE / FEES

Applications must be forwarded to the registry through a registrar in all phases. Registrants wishing to apply for registration of a .VOTING domain can see an overview of registrars at nic.voting.

In the event of successful application, this registrar is the sole contact for all the registrant's contractual questions for the full term of the domain contract. Towards the registry, registrars will act on behalf of the respective registrants.

The fees to be paid by the applicant in the relevant phases can be seen on the websites of the relevant registrars.

4. TRADEMARK CLAIMS SERVICE

The registry is obliged to support the Trademark Claims Service. This means that registrants who try to register a domain identical with a mark deposited in the Trademark Clearinghouse will receive an automatic notification.

This notification contains more details on the mark involved, the classes of goods and services protected by the mark, and the territorial area of protection of the mark.

Registration of the domain involved can only be done if the registrant explicitly confirms on receipt of notification, that the requested domain does not infringe any mark rights.

The registrant is further notified that the holder of the mark right involved is being informed of the registration.

5. REGISTRY RIGHTS

The Registry is entitled to reject an application at any time, if

- The application clearly does not meet the requirements of the present policy, or
- the domain applied for is already registered or reserved. The registry is entitled to exclude certain domains from registration (cf. (2) of the .VOTING Domain Name Registration Policy), or
- this is necessary to protect the integrity and stability of the registry system and/or the operation and/or administration of the .VOTING domain, or
- this is required to ensure legal action by the registry and/or comply with ICANN provisions and/or follow court or official rulings, or
- to avoid liability on the part of the registry and the associated companies, managing directors, senior executives, staff and/or subcontractors.

6. DOMAIN REGISTRATION

Domains are registered by the end of each given phase if

- the registry receives an application which meets the other conditions of the .VOTING policies, and
- the applicant has paid in full the fees due up to the point of registration, and
- if required, in a phase the applicant has explicitly confirmed on notification by the TMCH that the requested domain does not infringe any mark rights.

7. CONTENTS OF THE APPLICATION

When submitting the application to the registry through a registrar, the applicant must provide the following information:

- the applicant's full name and, where relevant, the name of the company on whose behalf the domain is being applied for (if the applicant enters a company, the company is subsequently regarded as the applicant); and
- a full postal address, and
- an e-mail address; and
- a phone number at which the Applicant can be reached, and
- the domain for which registration is being applied, and
- where necessary, the SMD filed generated by TMCH, and
- all data specified in the .voting Domain Name Registration Policy.

8. SUBMISSION OF THE APPLICATION / OBLIGATIONS

With submission of the complete application, the applicant warrants to the registry or registrar that the information in the application is true and complete.

On application for a specific domain, the applicant explicitly warrants that the requested domain neither infringes third party rights nor violates general statute, regulations or the .VOTING policies.

9. SUNRISE PHASE

The following provisions apply to applications submitted to the registry during the sunrise phase through the authorised registrars. The applications must also meet the other requirements of the .VOTING Policies.

GENERAL

During the sunrise phase, applications for domains are received which are identical with marks validated by TMCH. The registry will conduct an auction, if there is more than one successful application for a specific domain.

The domains are allocated on the "first come, first served" principle.

Further details are described below.

VALIDATION OF A MARK BY TMCH

Applicants who have validated their mark successfully with TMCH are obliged to forward the corresponding SMD file ("**Signed Mark Data**") to the registrar for review of successful validation at TMCH. The current validation guidelines are available at:

<http://www.trademark-clearinghouse.com/>

All applicants are responsible for carrying out the validation procedures with the TMCH. The registry is not obliged to counsel applicants.

IDENTITY BETWEEN DOMAIN AND MARK

During Sunrise phase, an applied for domain is deemed identical to a trademark, if the applied for domain has been successfully validated with the TMCH („Identical Match“) in compliance with the current validation guidelines available at: <http://www.trademark-clearinghouse.com> .

An application in the sunrise phase is successful, if the .VOTING domain requested matches the mark validated and stored by TMCH, and if the applicant complies with the further requirements of the **.VOTING Eligibility Policy**.

10. LANDRUSH-PHASE

During the Landrush phase, applications for domain names are possible and permissible without evidence of priority rights, so that the Landrush phase is open to all Applicants.

Domain names already allocated during the prevailing phases and domain names blocked by the Registry are no longer available. In such event, an application will be rejected by the Registry.

If two or more Applicants submit an Application during this phase for an identical domain name, the allocation of the domain name will be determined by auction.

If there is only one application for an available domain name, this domain name will be registered to the Applicant.

11. GENERAL AVAILABILITY

The last phase describes the general availability of the remaining domain names, not already allocated during the preceding phases.

From this point, the domains are registered exclusively in accordance with the general .VOTING policies on a "first come, first served" basis. Within the first 90 days, from the start of general availability, the registry will support the Trademark Claims Service (cf. 4 above). The requirements and/or restrictions of the present policy does no longer apply.

12. AUCTION

When there is more than one qualified application during Landrush phase for an specific domain name, an auction will be held, where the applicant has the chance to aquire the applied for domain.

All applicants wishing to participate in an auction, need to be in full compliance with the provisions of this policy as well as the requirements of the **.VOTING Eligibility Policy** .

As no detailed auctions rules are available at this time, the applicants will be informed of the auction procedure to be established by the Registry by email and on the Registries website.

13. LIABILITY / INDEMNIFICATION

The following provisions apply to the registry's liability to applicants.

The registry is liable without limit for loss or damage caused by intent or gross negligence by the registry, its legal representatives or agents. The registry is also liable without limit under mandatory statutory provisions.

The registry is always liable without limit for damages for cases of culpable injury to human life or health or personal injury, regardless of whether the injury was the fault of the registry itself, or its legal representatives or agents.

Liability for loss or injury caused by ordinary negligence by violating a primary or substantive obligation (an essential contractual obligation which makes possible regular performance of the contract and which the other parry to the contract can regularly rely on) is limited to typical and foreseeable damages.

The applicant is obliged to indemnify the registry and all other parties involved in registration of a .VOTING domain against all damages including the costs of reasonable legal defence in connection with third party claims which may arise out of registration and/or use of a .VOTING domain. This covers both judicial and extrajudicial claims, if the registrant is responsible for the claims.

14. OTHER

The sole venue for all disputes arising out of the contract with the registry is the seat of Valuetainment Corp., therefore Taegerwilen/Switzerland.

Swiss law shall apply exclusively.

If any provision of these registration conditions should be or become invalid or contain an inadmissible period of notice or a gap, this does not affect the legal validity of the other provisions.

Translations of this policy are purely for information purposes. The German language version is decisive.