



# .gal Launch Policy

Version 3.0 - September 10th., 2014

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### 10. Compliance with Eligibility and Name Selection Requirements

#### 1. Acceptance of this Registration Policy

This Registration Policy sets forth the terms and conditions which govern .gal domain name registrations during the launch period.

- 1.1 By applying to register .gal domain name during the launch period, You agree to be legally bound by:
  - a. This Launch Policy, as well as the .gal general Registration Policy available at <http://dominio.gal/normativa> and hereby incorporated by reference;
  - b. The Registration Agreement provided by the sponsoring Accredited Registrar through which You applied for Your .gal domain name; and
  - c. Any other policies mandated by ICANN from time to time.
- 1.2 You hereby represent and warrant to Us that the statements that You made in Your Registration Agreement with the Accredited Registrar sponsoring Your .gal domain name are complete and accurate.
- 1.3 It is Your sole responsibility to determine whether Your .gal domain name registration and use complies with this Registration Policy.

#### 2. Definitions

2.1 In this Registration Policy:

- a. “**Accredited Registrar**” means an ICANN accredited registrar that has entered into an agreement (“the **Registry-Registrar Agreement**”) with the Registry Operator and is authorised to register names in the .gal TLD.
- b. “**General Availability**” means the general registration period commencing after the launch phases during which available .gal domain names will be generally made available to all registrants that are qualified to register domain names on a first-come, first-served basis, under the process described in the .gal general Registration Policy.
- c. “**.gal general Registration Policy**” and/or “**Registration Policy**” means the policy available at the Registry Operator’s website at <http://dominio.gal/normativa> and



hereby incorporated by reference, which governs the registration of .gal domain names.

- d. “**ICANN**” means the Internet Corporation for Assigned Names and Numbers.
- e. “**Premium Name**” means a .gal domain name listed in the Premium Name List that may be made available for registration at a premium fee or initially reserved by the Registry Operator to be auctioned or sold at a later date.
- f. “**Public Authorities**” means International, national, regional, local and municipal authorities and other governmental departments; as well as other public institutions or appropriate entities under Galician or Spanish law (like agencies, consortiums, commissions, and other administrative divisions) with competence in Galicia.
- g. “**Registrant**”, “**You**” and “**Your**” refers to the individual or entity, which applies or wishes to register a .gal domain name with an Accredited Registrar.
- h. “**Registry Operator**”, “**We**”, “**Us**” and “**Our**” refers to the Asociación puntoGAL, as entity responsible for operating the .gal TLD, regardless of whether acting directly or through an authorised agent (e.g.:CORE Association).
- i. “**Reserved Name**” means a .gal domain name listed in the Reserved Name List that is withheld from registration.
- j. “**TLD**” means Top-Level Domain.

### 3. General conditions and Launch overview

**3.1** To register a .gal domain name during Launch, the application must comply with

- i) The specific eligibility requirements set forth in this Launch Policy for each launch category, as well as with
- ii) The general eligibility requirements and terms of use set forth in the .gal Registration Policy, hereby incorporated by reference. Specifically, to register and renew a .gal domain name the Registration Policies require that You must be an individual or legal entity with a nexus to the .gal community at the time of registration and thereafter.

Registrations under the .gal TLD are restricted to those fulfilling these two requirements:

- i. bona-fide membership of the Galician linguistic and cultural community on the Internet. The community consists of those who use (or commit to use) the Galician language for their online communications, and/or promote the different aspects of Galician culture online, and/or intend to specifically address their online communications and services to that community.



- ii. subject to the further requirement that the registrant's actions in the Galician linguistic and cultural community, as well as the registrant's use of the registered domain name, must be:
  - i) generally accepted as legitimate; and
  - ii) beneficial to the cause and the values of the Galician linguistic and cultural community; and
  - iii) commensurate with the role and importance of the registered domain name; and
  - iv) in good faith at the time of registration and thereafter.

Registrants are required to state their intended use of the registered domain name. A false statement of intended use is an indication of bad faith and can be the basis for the suspension of the domain name.

Upon registration and during all the life of the .gal domain name You must be able to demonstrate either of the aforementioned fields is applicable to You. Community nexus is subject to post-validation by way of an extensive compliance program based on the same criteria that form the basis of the TLD.

The strength of the validation will be kept in line with the importance of the underlying domain name based on the assumption that an average user would reasonably make in the context of that domain name.

The .gal General Registration Policy will apply to all aspects of Your registration not specifically contemplated in this Launch Policy.

**3.2** As an exception to the eligibility registration requirements described in 3.1 above, TMCH validated applications which do not comply with the .gal community based registration policies may opt for a defensive registration that will block the registration to any potential third party applicant without the activation of the domain in the DNS, as described in 4.1.3 below.

**3.3** The Launch Phase for .gal will start on September 16th 2014 13:00 UTC and will end on November 18th 2014 13:00 UTC, except for the Public Interest LRP that will end on November 25th 13:00 UTC\*. This will be followed by a cooling off period before the start of the General Availability period, on December 2nd 13:00 UTC. During this 71 calendar day period, six categories of applications will be accepted: five categories for registrants with prior rights, and one additional category for applications without prior rights (*Landrush*). Applications for **all these 6 categories will be accepted simultaneously** and will be **allocated at the end of the Launch Phase** window according to the hierarchy of **priority status** of each category. Thus, each category



will be completely allocated (i.e. accepted, rejected or sent to contention resolution) before any name on the next category is allocated. Each claim of priority will be individually and **thoroughly validated** by the Registry Operator. Self-declaration will not be sufficient. The categories are the following, according to priority status (from top-priority to lesser priority):

Category / Priority	*Length	Summary
1. Sunrise	16 Sep 2014 13:00 UTC 18 Nov 2014 13:00 UTC	End-date Sunrise for TMCH-validated trademarks.
2. Defensive Registrations	16 Sep 2014 13:00 UTC 18 Nov 2014 13:00 UTC	TMCH-validated trademarks that do not comply with .gal eligibility requirements
3. Public Interest LRP	16 Sep 2014 13:00 UTC 25 Nov 2014 13:00 UTC	Limited Registration Period to allow legal entities which have a specific vocation in promoting the Galician community Public Interest, including Public Administrations with competences Galicia,, to register:  (i) their own <b>names</b> (including clear variations and/or abbreviations thereof),  (ii) their <b>online services</b> ,  (iii) the same <b>domain names</b> registered by them in other TLDs and effectively used, and  (iv) their <b>registered trademarks</b> .
4. Local Trademarks LRP	16 Sep 2014 13:00 UTC 18 Nov 2014 13:00 UTC	Limited Registration Period to allow legal entities to register:  - Non TMCH-validated trademarks with effect in Spain  (i.e. Spanish trademarks, EU Community trademarks, and WIPO International trademarks with effect in Spain) and  - Geographical Indications:  recognised by International or Spanish legislation.



5. Prior Content LRP	16 Sep 2014 13:00 UTC 18 Nov 2014 13:00 UTC	Limited registration period intended to allow legal entities proving prior online communications in Galician (e.g. through a website, mailing list, blog...) to register:  (i) their official <b>names</b> (including clear variations and/or abbreviations thereof); and/or  (ii) the same <b>domain names</b> registered by them in other TLDs and effectively used.  If more than one applicant has submitted an application for the same name within this category, the successful applicant will be determined by auction.
6. Landrush	16 Sep 2014 13:00 UTC 18 Nov 2014 13:00 UTC	Period during which any interested party shall have the opportunity to submit one or more applications for .gal domain names that were not previously allocated under Categories 1 to 5 above, or otherwise reserved by the Registry Operator. If more than one applicant has submitted an application for the same name within this category, the successful applicant will be determined by auction.
General Availability	2 Dec 2014 13:00 UTC	Ongoing General registration period commencing after the launch phases during which available domain names ending with .gal can be registered by any natural person or entity on a first-come, first-served basis, under the process described in the .gal Registration Policy.
Trademark Claims Notice Service	Throughout LRPs, Landrush, and at least for the first 90 days of General Availability.	Period during which the Accredited Registrar is required to provide notice to all potential domain name registrants who attempt to register a domain name that matches a Trademark Record verified by the Trademark Clearinghouse ("Claims Notice") and the Trademark Clearinghouse will provide Notice of Registered Names to ("NORNs") the trademark holders

\* IMPORTANT: The Registry Operator reserves the right to revise or extend the schedule of any of the above launch categories at its sole discretion. However, Sunrise will last for a minimum of 60 days and the Trademark Claims Notice Service will be in effect for at least the duration of Landrush and the first 90 days of General Availability.



## 4. Priority 1 Category: End-Date Sunrise

### 4.1 Sunrise Eligibility and Name Selection Requirements

This category is for TMCH-registered trademarks: registered owners, licensees or assignees of trademarks verified by the Trademark Clearinghouse (“TMCH”);

These requirements are in addition to the the nexus to the .gal community as defined in 3.1 above, as well as to any other general requirement applicable to all .gal registrations, as set forth in the .gal Registration Policy. No other requirements (e.g. trademark class) will apply.

### 4.2 Validation

TMCH-registered trademarks: The Registry Operator will only register the domain name applied for insofar and to the extent that:

- a. The domain name meets the general eligibility criteria set out in the .gal Registration Policy;
- b. The domain name corresponds exactly with a trademark validated, upon request of the applicant, by the Trademark Clearinghouse for Sunrise Services;
- c. a valid SMD file is submitted at the time of application;
- d. the application matches a label contained within the SMD file;
- e. and the domain name is available.

No other requirements (e.g. trademark jurisdiction, trademark class or local presence) will apply.

### 4.3 Duration

This Sunrise Period will last sixty-four (64) calendar days and it will run in parallel with the rest of the Launch Phases.

### 4.4 Contention Resolution via Auction

Should there be more than one eligible application for the same domain in this category, the contention will be solved through an auction process.

### 4.5 Sunrise Dispute Resolution Policy

Allocations and rejections of domain names under this TMCH Sunrise Period category will be able to be challenged through the **Sunrise Dispute Resolution Policy** (“SDRP”) available on the Registry Operator’s website.



## 5. Priority 2 Category: Defensive Registrations

### 5.1 Eligibility and Name Selection Requirements

TMCH validated applications which do not comply with the .gal community based registration policies may opt for a defensive registration. This defensive registration will block the possibility to register the domain name by any potential third party applicant in the phases with lesser priority. Defensive registrations will not allow the activation of the domain in the DNS. Multiple defensive registrations from different applicants may be accepted.

### 5.2 Priority

Applications eligible under this category will prevent eligible Priority 3, 4 and 5 Category and Landrush applications over the same domain name.

### 5.3 Duration

This Sunrise Period will last sixty-four (64) calendar days and it will run in parallel with the rest of the Launch Phases.

### 5.4 Contention Resolution via Auction

Should there be more than one eligible application for the same domain in this category, the contention will be solved through an auction process.

## 6. Priority 3 Category: Public Interest LRP

This Category is for legal entities with a specific remit to promote the Galician language and/or culture. Only those applicants proving this specific remit in promoting the Public Interest of the .gal Community (including the relevant Public Authorities with competence in Galicia) will be allowed to register names subject to the Eligibility and Name Selection requirements set forth below.

A list of authoritative publicly available resources where some of the entities considered as having a specific remit in promoting the Public Interest of the .gal Community is attached as Annex 1 to this Launch Policy.

Any potential applicant to be considered under the rules of this category must either





- i. Be included within these Public and private Registries, which are maintained by their respective Authorities; or
- ii. Prove its specific remit to promote the Galician language and/or culture with the provision in the application process of the reference to the online resources where this remit can be checked by the Registry.

### 6.1 Eligibility and Name Selection Requirements

Those applicants (legal entities and individuals) with a specific vocation in promoting the Galician language and/or Galician culture, including Public Administrations with competence in Galicia. Here, “**Public Authorities**” means International, national, regional, local and municipal authorities and other governmental departments; as well as other public institutions or appropriate entities under Galician or Spanish law (like agencies, consortiums, commissions, and other administrative divisions).

Entities eligible for this category may register:

- i. their own names (including clear variations and/or abbreviations thereof),
- ii. their online services,
- iii. the same domain names registered by them in other TLDs and effectively used, and
- iv. their registered trademarks.

Public Authorities referred to in 2.1 f) above may also register the following names:

- (i) Names of public services for which Public Authorities referred to in 2.1 f) above have specific responsibilities. These would include at least the following services:
  - public order and public security
  - public affairs and institutional relations
  - public health
  - taxation, economic development and promotion
  - public utilities
  - transportation
  - urban planning and environmental protection
  - culture and education
  - citizen participation
  - tourism; or
- (ii) Geographical names for any administrative level (e.g. provinces, cities, districts, neighbourhoods, streets...) local landmarks and other locally-relevant and iconic names over which the Public Authorities referred to in 2.1 f) above are the relevant authority according to local law, including clear variations and abbreviations thereof.



The Registry Operator will only register the domain name applied for insofar and to the extent that the domain name

- i. meets the general eligibility criteria set out in the .gal general Registration Policy,
- ii. complies with the specific eligibility and name selection requirements set forth in Clause 3.1 above; and
- iii. it is available.

## **6.2 Validation**

The validation process will be handled by the Registry. Any applicant declaring eligibility for consideration in this Category will be checked against the List of publicly available resources provided by the Registry Operator as Annex 1 or against those resources provided by the applicant during the application process, and its application will be considered approvable by the Registry if it meets the criteria established in sections 3.1 and 6.1 above and does not match any valid sunrise application as established in section 4.

## **6.3 Duration**

The Public Interest LRP will last seventy one (71) calendar days and it will run in parallel with the rest of the Launch Phases.

## **6.4 Contention Resolution**

Should there be more than one eligible application for the same domain in this category, the contention will be solved as follows:

1). For those domain names that are:

a) domain names with a geographic scope: domain names that are unequivocally associated with any administrative entity or relevant landmark in the areas where Galician is an autochthonous language, including clear variations and abbreviations.

b) domain names related to a public service or a public utility: domain names that are unequivocally associated with activities conducted in connection with a public service, by either a Public Administration or a private entity in partnership with a Public Administration.

The Public Administration which scope and remit is more directly related to the geographic scope or the public service/utility of the contested domain name will be allocated the registration of the domain name



II). Where I) is not applicable due to the impossibility to determine without any reasonable doubt the most relevant Public Administration, and for any other domain name that does not fall into any of the two previous provisions, the following process will apply

If there is more than one application for the same name the following contention resolution processes will apply:

- i. Agreement between contenders (withdrawal and refund of application);
- ii. If no agreement, the parties will be offered mediation, arbitration, or random selection (if all contenders agree); and
- iii. Auction, as a tie-breaker of last resort, if no agreement reached over any mechanism above.

## 6.5 Priority

Applications eligible under this category will be allocated with priority over eligible Priority 4, Priority 5, and landrush applications.

## 6.6 Challenges to domain names allocated or rejected under this category

Allocations and rejections of domain names under this category may be challenged through the Eligibility and Reconsideration Dispute Resolution Policy established by the Registry Policy, available at the Registry Operator's webpage.

## 7. Priority 4 Category: Local Trademarks Limited Registration Period

### 7.1 Eligibility and Name Selection Requirements

This category is for non TMCH validated trademarks trademarks with effect in the areas where Galician is an autochthonous language, applied on or before June 13th 2012 and granted on or before December 12th, 2013, and in force at the time of registration of the domain name. In this LRP, "**Local Trademarks**" include the 3 following types of trademarks:

- I. **Spanish trademarks** registered at the Spanish trademark office (*Oficina Española de Patentes y Marcas*, "**OEPM**" <http://www.oepm.es/gl/index.html>);
- II. **EU Community Trademarks** registered at the Office for Harmonisation of the Internal Market, "**OHIM**" <https://oami.europa.eu/ohimportal/en/trademarks>, and
- III. **WIPO International trademarks designating and in force in Spain**



according to the Madrid system (<http://www.wipo.int/romarin>).

The community nexus and any other general requirements applicable to all .gal registrations, as set in 3.1 above apply. No other requirements (e.g. trademark class) will apply.

## 7.2 Validation

Applications under this category will be individually and thoroughly validated by either the Registry Operator or CORE Association as an agent of the Registry Operator.

### 7.2.1 Validation of Trademarks

(i) *Verification of registration data and status in Public Online Databases:*

Local Trademarks will be individually verified with the aid of three search tools available online:

- **OEPM database**, available at:

[http://www.oepm.es/gl/signos\\_distintivos/index.html](http://www.oepm.es/gl/signos_distintivos/index.html).

This search tool gives access to OEPM's official trademark database, which contains all three types of Local Trademarks eligible under this program (i.e. Spanish trademarks, EU Community Trademarks, and International trademarks designating Spain);

### 7.2.2 Validation of Geographical Indications

Geographical Indications will be individually verified with the aid of the *DOOR Database*, available here:

<http://ec.europa.eu/agriculture/quality/door/list.html>

at the official database maintained by the European Commission and containing all EU PDOs, PGIs and TSGs, searchable by country for those created under EU Regulations, and the ones maintained by any other relevant source as may be indicated by European, Spanish or Galician Authorities.

## 7.3 Duration

The local trademarks LRP will last sixty-four (64) calendar days and it will run in parallel with the rest of the Launch Phases.



#### 7.4 Contention resolution via Auction

Should there be more than one eligible application for the same domain in this category, the contention will be solved through an auction process.

#### 7.5 Priority

Applications eligible under this category will be allocated with priority over eligible Priority 5 and landrush applications.

#### 7.6 Challenges to domain names allocated or rejected under this category

Allocations and rejections of domain names under this category may be challenged through the Eligibility and Reconsideration Dispute Resolution Policy established by the Registry Policy, available at the Registry Operator's webpage.

### 8. Priority 5 Category: Prior Content Limited Registration Period

#### 8.1 Eligibility and Name Selection Requirements

This category is for legal entities proving prior online communications in Galician (e.g. through a website, blog...) to register

- i. their official **names** (including clear variations and/or abbreviations thereof); and/or
- ii. the same **domain names** registered by them in other TLDs and effectively used.
- iii. The Registry Operator will only register the domain name applied for insofar and to the extent that the domain name:
- iv. meets the general eligibility criteria set out in the .gal general Registration Policy,
- v. complies with the specific eligibility and name selection requirements set forth in Clause 3.1 above; and
- vi. it is available.

#### 8.2 Validation

The validation process will be handled by either the Registry Operator or CORE Association as an agent of the Registry Operator. Any applicant declaring eligibility for consideration in this Category must provide a url to a domain name registered by the



applicant whereby the existence of the content in Galician prior to the application for a .gal domain name in this Category may be checked.

### **8.3 Duration**

The Other Rights LRP will last sixty-four (64) calendar days and it will run in parallel with the rest of the Launch Phases.

### **8.4 Contention resolution**

The following process will apply:

- i. Agreement between contenders (withdrawal and refund of application);
- ii. If no agreement, the parties will be offered mediation, arbitration, or random selection (if all contenders agree); and
- iii. Auction, as a tie-breaker of last resort, if no agreement reached over any mechanism above.

### **8.5 Priority**

Applications eligible under this category will be allocated with priority over eligible landrush applications.

### **8.6 Challenges to domain names allocated or rejected under this category**

Allocations and rejections of domain names under this category may be challenged through the Eligibility and Reconsideration Dispute Resolution Policy established by the Registry Policy, available at the Registry Operator's webpage.

## **9. Landrush (names without priority rights)**

### **9.1 Eligibility and Name Selection**

During Landrush, any interested party may submit one or more applications for any domain name that (i) meets the general eligibility criteria set out in the .gal general Registration Policy and that (ii) has not been reserved, registered or awarded by the Registry Operator in the context of any other Launch categories.



## **9.2 Duration**

The local trademarks LRP will last four (64) calendar days and it will run in parallel with the rest of the Launch Phases.

## **9.3 Contention resolution**

The following process will apply:

- i. Agreement between contenders (withdrawal and refund of application);
- ii. If no agreement, the parties will be offered mediation, arbitration, or random selection (if all contenders agree); and
- iii. Auction, as a tie-breaker of last resort, if no agreement reached over any mechanism above.

## **9.4 Priority**

Applications eligible under this category will be allocated with priority over eligible applications received during General Availability.

## **9.5 Challenges to domain names allocated or rejected under this category**

Allocations and rejections of domain names under this category may be challenged through the Eligibility and Reconsideration Dispute Resolution Policy established by the Registry Policy, available at the Registry Operator's webpage.

## **10. Compliance with Eligibility and Name Selection requirements**

The Registry Operator may reject, revoke or delete at any time any application or resulting registration of a domain name if it appears that the applicant did not fulfil any of the eligibility and/or name selection requirements required for each of the above categories, without the applicant or registrant being entitled to any reimbursement or compensation as a result of such rejection, revocation or deletion.



## ANNEX I

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### Public Directories of Eligible applicants for the Public Interest LRP

Galician Public Administration: Local entities

<http://www.xunta.es/rexistros/RexistroRELGA.htm>

Galician Associations Register:

<http://www.xunta.es/publicacion-electronica-de-rexistros>

Professional craftwork Register

<http://www.xunta.es/rexistros/RexistroRCA.htm>

Sport entities and clubs Register:

<http://www.xunta.es/rexistros/RexistroRED.htm>

Youth Associations Register

<http://www.xunta.es/rexistros/RexistroCEJ.htm>