



HOW TO FILE A COMPLAINT

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ADR.eu

Language English

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Welcome to the website of the alternative dispute resolution (ADR) provider for Internet related disputes

ADR.EU provides Alternative Dispute Resolution services of the highest quality using a secure on-line platform and a network of expert panellists fluent in all the languages of the European Union and many other countries.

ADR.EU is the only ADR provider for .eu domain name disputes. In January 2009, ADR.EU launched a unique UDRP service for generic Top Level Domains such as .com, .net, .org, .biz, .info, .mobi and .tel which features e-filing and class complaints. ADR.EU administers also disputes related to .co.nl domains, according to UDRP Policy and Rules. These disputes are decided by UDRP Panellists.

ADR.EU, a service of the Czech Arbitration Court based in Prague, helps brand and trade mark owners, domain name registrants and registration companies all over the world to resolve conflicts in a fast, efficient and cost-effective fashion.

.eu Disputes

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Testing the CAC's UDRP Platform

- We are delighted to present you an easy and flexible possibility how to familiarize yourself with our new UDRP on-line platform.
- You can access our Test Platform which is available on:
<http://udrp.expert4me.com/>.
- All you need to do is to click onto the on-line platform in the main menu, register your
- name and details and then follow the instructions.
- If you have any technical difficulties, please contact the UDRP Support Team who you can reach by e-mailing support@expert4me.com.

<http://udrp.expert4me.com/>

and to resolve conflicts in a fast, efficient and cost-effective fashion.

.eu Disputes

Access to .eu Disputes

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UDRP

.eu ADR

Procedures

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UDRP Disputes

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On-line Arbitration Platform

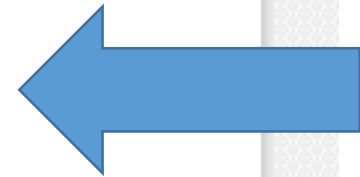
Login

Register new user


About ADR.EU

Who we are

Our history and success



Registration



ARBITRATION CENTER FOR INTERNET DISPUTES

Language **English**

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[Attention! To register and file a .eu dispute, please click here](#)

Insert Your Details (Registration Data)

To register, please complete and submit the following form.
Once registered, you can log in to our On-line Platform to start an administrative proceeding.

Natural person
 Legal entity or other

First Name	<input type="text" value="Michal"/>
* Last Name	<input type="text" value="Koscik"/>
Middle Name	<input type="text"/>
Title Before Name	<input type="text"/>
Title After Name	<input type="text"/>
* E-mail	<input type="text" value="michalkoscik@gmail.com"/>

LOGIN

Login Information

* Username

* Password



* Retype password

Chess Card

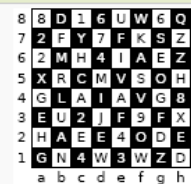
Would you like to have your electronic-only Complaints or Responses authenticated in a similar level as handwritten signatures authenticate paper documents? Are you involved in multiple domain name disputes? With the Chess Card you will be able to file your Complaints, Complaint Amendments or Responses with increased security and authentication, comparable to authentication by handwritten signatures. The Chess Card authenticates your electronic filings as a handwritten signature authenticates a paper document. **The fee for this service (Chess Card Fee) is 10 EUR per authentication** of a document (Complaint, Complaint Amendment or Response) using the Chess Card. **The issuance of a Chess Card is free of charge.**

If you participate only in a single or very few UDRP disputes, the Chess Card may be less beneficial in the filing process.

For a description of the issuance, activation and use of Chess Cards, click here:

[Service Description](#).

You can order your Chess Card NOW or when you are preparing your Complaint, Complaint Amendment or Response. Ordering now will save you time. The Chess Card is issued by the Czech Arbitration Court and sent to you by registered mail with Advise of Delivery. This process takes few days. By ordering now you can continue work on your Complaint or Response and receive your Chess Card promptly.



Example of a Chess Card

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[Attention! To file or log in to a .eu dispute, please click here](#)

Login

Username

*

Password

*

[Forgot Your password?](#)

Please be aware that some internet browsers (e.g. Microsoft Internet Explorer 6.0 and its older versions) have problems with downloading documents from secured pages, i.e. where the internet address begins with https. As our website redirects you to the secured pages once you log in, you may experience difficulties in downloading documents if you are using these browsers. (To be able to download any document it is necessary to logout and erase "s" from the "https" part of the internet address, leaving only "http".)

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Logged on as Michal Kosci

- ▶ Logout
- ▶ Start new Dispute
- ▶ **Access your Disputes**
- ▶ Access Dispute with Access Code
- ▶ Prepare Response - Access Code

Search **Help**

- ▶ 1. CAC and UDRP
- ▶ 2. For Complainants
- ▶ 3. For Respondents
- ▶ 5. Technical Issues
- ▶ 6. UDRP Deadlines
- ▶ 7. Fees
- ▶ 8. New Electronic Services subject to Pilot
- ▶ 9. Questions, comments
- ▶ 11. Panellists
- ▶ 12. FAQ

Basic information about disputes in which you are participating. The table also illustrates in which stage each of the disputes is at a given moment, with respect to the following basic stages of each dispute: filing Complaint (Complaint - C), filing Response (Response - R), Appointment of Panellists (Panellists - P) and Decision (D). The color green means that the relevant stage of the dispute is currently active. The check mark means that the indicated stage of the dispute has been completed. When the box is blank, it indicates the future stages of the dispute.

Dispute type Case No. Domain Complainant Respondent Status [Start a new dispute](#)[Prepare Response with Access code](#)

By clicking on the Case Number, you will receive a detailed overview (electronic file) of the given dispute and all its basic stages and steps within each stage requiring your active participation (eg. filing a document). You will also gain access to all the documents included in the case file, regardless of who filed them.

Logged on as Michal Koscik

Search

Dispute 000240

- ▼ Complaint
- ▶ **Dispute Type Selection**
- ▶ Complaint
- ▶ Amend Payment
- ▶ File Complaint
- ▶ Complaint Suspended
- ▶ Amend Complaint
- ▶ Dispute Terminated
- ▶ Panellists
- ▶ Decision

Links

- ▶ Payment by Credit/Debit Card
- ▶ Change the Complainant's Authorized Representative

On-line ADR Center of the Czech Arbitration Court (CAC)

Dispute type selection

Dispute type:

In pressing this button you will submit the selection. Once submitted, you will not be able to edit the selection.

In pressing this button you will submit the selection and show printable version. Once submitted, you will not be able to edit the selection.

In pressing this button you will save the form for further editing and return to Case File.

Logged on as Michal Koscik
Search

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On-line ADR Center of the Czech Arbitration Court (CAC)

Complaint

§ 3 UDRP Rules (Rules); §4 CAC's Supplemental Rules (Supplemental Rules)

Case No. 000240 ?

Language of administrative proceeding ?

Are you preparing this Complaint as an external Authorized Representative on behalf of the Complainant? If yes, please click here:

Complainant

* Complainant Natural person Legal entity or other ?

First Name

* Last Name

Middle Name

Title Before Name

Title After Name

Complainant

* Complainant Natural person Legal entity or other ?

First Name

* Last Name

Middle Name

Title Before Name

Title After Name

* E-mail

* Physical Address / Address of the Seat ?

* City, State (if applicable)

* Country

ZIP / Postal Code

Mailing Address / Address for correspondence

City, State (if applicable)

Country

ZIP / Postal Code

* Telephone



Fax

▶ Add another Complainant ?

Authorized representative

ATTENTION: Please be aware that if you enter data here that is different from that in your registration profile, it will be changed in your registration profile as well, but the Username and Password will remain unchanged.

WHAT DOES IT MEAN? If you file another Complaint or submit any form in a different dispute under this account, the new data will appear there and you will be able to modify it again.

* Authorized representative	<input checked="" type="radio"/> Natural person <input type="radio"/> Legal entity or other	
First Name	<input type="text" value="Michal"/>	
* Last Name	<input type="text" value="Koscik"/>	
Middle Name	<input type="text"/>	
Title Before Name	<input type="text"/>	
Title After Name	<input type="text"/>	
Organization	<input type="text"/>	
* E-mail	<input type="text" value="michalkoscik@gmail.com"/>	
* Physical Address / Address of the Seat	<input type="text" value="Teyschlova 3"/>	
* City, State (if applicable)	<input type="text" value="Brno - Bystrc"/>	
* Country	<input type="text" value="Czech Republic"/>	
ZIP / Postal Code	<input type="text"/>	
Mailing Address / Address for correspondence	<input type="text" value="Teyschlova 3"/>	
City, State (if applicable)	<input type="text" value="Brno - Bystrc"/>	

Chess Card

Do you want to file your Complaint electronically using Your Chess Card?



You will find all the necessary information about how to use the Chess Cards under the links below:

[Chess Card Terms of Use](#)

[Service Description](#)

[Chess Card Fees](#)

Please be sure that you have familiarized yourself with the Chess Card Terms of Use, including the Chess Card Fees and the Service Description, before clicking on the "ACCEPT" button below (you will be asked to repeat your click).

IMPORTANT: BY DOUBLE-CLICKING ON THE "ACCEPT" BUTTON AND FILING THIS COMPLAINT YOU AGREE TO THE TERMS OF THE CHESS CARD TERMS OF USE AND AGREE TO BE BOUND BY ITS PROVISIONS.

I WOULD LIKE TO FILE THIS

DOCUMENT USING MY CHESS CARD

AND ACCEPT THE TERMS OF USE

The Chess Card is currently being sent to you.



Respondent

Insert Name of Respondent and Respondent's known contact information.

* Respondent type Domain holder (Registrant) [?](#)

* Respondent Natural person [?](#)
 Legal entity or other

First Name

* Last Name

Middle Name

Title Before Name

Title After Name

* E-mail

* Physical Address / Address of the Seat [?](#)

* City, State (if applicable)

* Country ▼

ZIP / Postal Code

Mailing Address / Address for correspondence

City, State (if applicable)

Country ▼

ZIP / Postal Code

Registrar(s) and Disputed domain name(s) ?

You may file a Complaint dealing with multiple disputed domain names only if the Respondent is the same for all the disputed domain names and if the same language of administrative proceeding is applicable.

Insert disputed Domain Name(s) and Registrar(s) of the disputed Domain Name.

ATTENTION: You will be required to fill in the identification of the Registrar first and then you can fill in the domain name/s.

Prefill Registrar from ICANN database

* Registrar Natural person
 Legal entity or other

First Name

* Last Name

Middle Name

Title Before Name

Title After Name

* E-mail

* Physical Address / Address of the Seat ?

City, State (if applicable)

* Country

ZIP / Postal Code

Panellists

Select the Panel type you prefer. Please note that there are higher fees for a three-member Panel than for a single-member Panel.

If you choose a three-member Panel, you will be asked to provide the names of three candidates who you would like to have serve as one of the Panellists. The CAC will attempt to appoint one Panellist from your list of candidates below.

Panel type

Three-Member Panel

Single Panel



Fees

Fees payable for filing your Complaint and for additional services (if any) are as follows (please be aware that if you ask for a single member panel, the Complaint filing fee below is only initial and you might be asked to provide additional fee under circumstances described in the [Fee schedule](#)):

Complaint **initial** filing fee: 500 EUR

Total amount payable at the moment: 500 EUR

Payment information

Important: any payment of fees will be considered complete as follows:

Other proceedings

Insert any information you have regarding other legal proceedings, pending or decided, which relate to the disputed domain name.

Remedies sought

* Indicate the remedies sought for each disputed domain name:



TRANSFER
REVOCATION

Factual and Legal Grounds

ATTENTION: The checkboxes below can help you to structure your Complaint 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 Complaint only. Please attach to your Complaint evidence of the facts you present.

Factual Grounds

- I. Protected rights relied on by the Complainant
 - 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 trade mark
 - 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:

II. Complainant's Rights

- a. Owner

II. Complainant'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. Are Complainant's rights valid in the territory where domain name holder is established?

i. yes

ii. no

f. Validity of rights relied on by the Complainant

i. Pending application for registration

ii. Registration subsequent to registration of domain name

iii. Generic/descriptive

iv. Suggestive

v. Fanciful

vi. Other:

g. Other:

ADDITIONAL EXPLANATIONS:

g. [unclear]

ADDITIONAL EXPLANATIONS:

PLEASE FILL !!!

Legal Grounds

Legal Grounds

- I. Domain name is
 - a. identical
 - b. confusingly similar to the protected mark

The manner in which the domain name is confusingly similar to the protected mark:

 - i. Misspelling/Typosquatting ?
 - ii. Phonetically similar
 - iii. Optical similarity
 - iv. Conceptual/intellectual similarity
 - v. Addition/elimination of letter(s)
 - vi. Abbreviations
 - vii. Use of a number in words
 - viii. Geographical term
 - ix. Addition of pejorative terms
 - x. Addition of neutral/innominate terms
 - xi. Mark combined with trade name
 - xii. Mark combined with mark
 - xiii. Mark combined with generic term
 - xiv. Mark combined with geographical term
 - xv. Deletion of non-dominant portion of mark
 - xvi. Having regard to the website or other extraneous material to determine if the domain name is identical or confusingly similar to the mark
 - xvii. Transliteration/translation ?
 - xviii. Length of domain name/shortness of domain name
 - xix. Prefix+mark (e.g. www)
 - xx. Mark+postfix
 - xxi. Special characters/type identifiers ?
 - xxii. Internationalized Domain Names (IDNs) ?
 - xxiii. Other:

g. [unclear]

ADDITIONAL EXPLANATIONS:

PLEASE FILL !!!

Legal Grounds

Legal Grounds

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 - xx. Mark+postfix
 - xxi. Special characters/type identifiers ?
 - xxii. Internationalized Domain Names (IDNs) ?
 - xxiii. Other:

ADDITIONAL EXPLANATIONS:

PLEASE FILL !!!

II. The Respondent does not have any rights or legitimate interest in the domain name(s)

Categories of issues involved:

- a. Domain parking ?
- b. Domain tasting ?
- c. Pop-up advertisement
- d. Use of privacy or proxy registration services ?
- e. Inactive website
- f. Non use/Passive holding
- g. Diversion of consumers/trade mark tarnishment
- h. Adult content
- i. Competitors' sites
- j. Comparative advertising ?
- k. Disclaimer on website
- l. Misspelling/Typosquatting ?
- m. Other:

ADDITIONAL EXPLANATIONS:

III. The domain name(s) has been registered and is being used in bad fa

Categories of issues involved:

- a. Cumulative requirement
 - i. Registration in good faith, use in bad faith
 - ii. Registration in bad faith, use in good faith
- b. Meaning of registration
 - i. Acquisition
 - ii. Renewal
 - iii. Maintenance
 - iv. Transfer to connected person
 - v. Other
- c. Registration of a well-known/famous trade mark
- d. Registration of a domain name prior to trade mark right
- e. Bad faith trade mark/business name registration ?
- f. Domain tasting
- g. Use of privacy or proxy registration services
- h. Deliberate provision of false/misleading Whois data
 - i. Misspelling/Typosquatting
 - j. Prior relationship between the parties
- k. No response to cease and desist letter
 - l. Constructive knowledge/prior knowledge of potential rights
- m. Blocking registration
- n. Automated registration
- o. Speculation in domain names
- p. Holding domain name for purposes of selling, licensing or renting
 - i. Offer to Complainant
 - ii. Offer to a competitor of Complainant
 - iii. Offer to public

Please explain your arguments in detail below.



Annexes attached to the Complaint

We recommend that you attach at least the following documents to your Complaint:

Recent copy of an official database stating your rights in a trademark or other name right (e.g. excerpt from a database of registered trademarks operated by the relevant national trademark registry, together with a copy of the registration or renewal certificate);

Copy of the prior notice to the respondent notifying the respondent of your prior rights in the disputed domain name and requesting the domain name to be transferred to you;

Any other documents which in your view can prove the lack of respondent's rights or legitimate interest and registration and use of the disputed domain name in bad faith, e.g. respondent's reaction to your prior notice, copies of webpages operated under the disputed domain names, communications evidencing that the disputed domain name has been put on sale etc.

Please provide a title for each of the Annexes.

You may upload only .gif, .jpeg, .doc, .pdf or .xml files.



- In addition to filing your Complaint with the CAC you must send a copy of your Complaint to the Respondent. You may use the following means according to your discretion:
 - By fax, with a confirmation of transmission; or
 - By postal or courier service, with postage pre-paid and return receipt requested; or
 - **By email, provided a record of the transmission is available.**

By email, provided a record of the transmission is available

- In the CAC form –
 - Press print !
 - You will get HTML text
 - Copy it
 - Send it to the defendants (all three)
 - Copy to michalkoscik@gmail.com, loutocky@gmail.com