



## **SUNRISE POLICY**

The Sunrise Policy (“Policy”) of Plan Bee, LLC (the “Registry”) is to be read together with the Registration Agreement and words and phrases used in this Policy shall have the same meaning attributed to them in the Registration Agreement unless otherwise specified or the context clearly otherwise requires.

Please note that the Registry may modify this Policy from time to time in order to comply with applicable laws and terms and conditions set forth by ICANN and/or the Registry. Any revisions or modifications to this Policy shall be effective thirty (30) days after the initial date of posting such revisions or modifications on the Registry’s website and such amendments shall be binding upon the domain name registrant.

### **Sunrise Overview**

Sunrise allows the holder of a trademark that has previously been verified by the officially mandated ICANN Trademark Clearinghouse (“Trademark Holder”) to notify the Registry of its trademark.

Trademark Holders may apply for a domain name label that constitutes an “exact match” of their mark, in accordance with the Trademark Clearinghouse (“TMCH”)’s domain name matching rules. The Registry will notify the TMCH whenever a valid Sunrise application is received. The Registry will charge a Sunrise domain registration fee, for registration of domain names during Sunrise (“Sunrise Price”).

The Trademark Holder is responsible for protecting any labels in which it has an interest. If a Trademark Holder fails to reserve any domain name during Sunrise, any other party is free to register that domain name during Landrush or General Availability, subject to Registry Policies, TMCH Claims Service, and applicable laws and regulations.

Multiple Trademark Holders with rights to a trademark term that have applied for the same domain name will settle the contention through an auction, as more fully described below.

Because some generic terms may be trademarked, certain names may be withheld from Sunrise availability. For example, life.build may not be available during Sunrise, even if entities participating in Sunrise have a trademark on the term “life”.

The Registry will announce .BUILD Sunrise at least thirty (30) days prior to opening. The Sunrise period will last thirty (30) days.

## **Sunrise Eligibility**

The Registry will abide by all policies and procedures adopted by the TMCH. The TMCH will maintain Sunrise Eligibility Requirements [<http://trademark-clearinghouse.com/content/who-can-apply>], and validate and authenticate marks as applicable. The Registry will only allow trademark holders with a valid signed mark data (SMD) file issued by the TMCH to apply for and register exact match domain names.

## **Fees**

Fees that may be collected during Sunrise include:

- Sunrise Domain Registration Fee – Varies per registrar
- Winning auction bid

The renewal price for domain names registered during Sunrise will be the Sunrise Price. The Registry may adjust the renewal price with ninety (90) days' notice. The registrant may renew the domain at the Sunrise Price during the ninety (90) day notice period.

## **Auctions**

If multiple Trademark Holders apply to register an identical domain name during Sunrise, conflicting applications will be settled by an auction conducted by the Registry's third-party auction provider. However, parties are not obliged to participate in an auction; they may choose instead to withdraw the Sunrise application or privately resolve their contending applications.

Starting bids for auctions will commence at the Sunrise registration fee plus \$1 USD, with bid increments increasing over time. If bidders do not bid at least the Sunrise registration fee plus \$1 USD, the domain name may not be awarded. The final auction price must be paid prior to allocation of the domain name.

For full auction rules see [www.namejet.com](http://www.namejet.com).

The outcome of any auction shall be deemed final and binding upon the parties. A party that either loses an auction or withdraws its Sunrise application shall receive a refund of the Sunrise domain registration fee.

## **Sunrise Dispute Resolution**

Disputes regarding Sunrise eligibility will be managed by the TMCH providers (see <http://trademark-clearinghouse.com/dispute>).



The TMCH will hear challenges to Sunrise eligibility determinations. In the event of a dispute, the Registry will adhere to decisions issued as an outcome of the TMCH sunrise dispute process (see <http://trademark-clearinghouse.com/dispute>).

In the event of a dispute beyond the scope of the dispute resolution procedures discussed in this Policy (auction, TMCH, etc.), the disputing parties should seek legal advice and bring an action in an appropriate international forum. The Registry will act in accordance with any binding notice of a relevant court order or arbitration award

Regardless of anything to the contrary stated in this Policy, the Registry reserves the right to put a hold on any domain name pending final dispute resolution and/or to seek legal advice on the enforceability of any court order and has the right to require the serving party to take additional steps before the Registry will comply with any order or award.