

EFFECTIVE AS OF APRIL 30, 2015

.LAT LAUNCH POLICY.

Effective as of January 30, 2015.

1. Introduction.

This Launch Policy describes and explains the guidelines and requirements regarding priority registration for holders of registered trademarks and other obligations before Federación de Latinoamérica y el Caribe para Internet y el Comercio Electrónico ("Registry," "us," "our," "we," ".LAT Registry" or "ECOMLAC") opens registrations for general availability to the public on a first- come-first-served basis.

2. Definitions.

The terms defined in this section may be used in the present policy both in singular as plural. All the headings used in these Policies are used exclusively to facilitate their reading but will not be taken into consideration for their interpretation.

2.1. *Accredited Registrar.*

An individual or a corporation, accredited by ICANN and by .LAT Registry to distribute and provide administration services of .LAT Domain Names.

2.2. *Application.*

A complete and correct request for registration of a Domain Name that complies with the requirements of this Launch Policy and, in particular, those specific to the Launch Period during which the application is made.

2.3. *Applicant.*

Is the individual or organization that appears as the beneficiary of an Application. If the Application results in a domain name registration, the Applicant will become the Registrant of the domain name.

2.4. *Eligible Trademark.*

A trademark that has been validated by the Trademark Clearinghouse (TMCH) and for which a Signed Mark Data (SMD) file has been generated.

2.5. *.LAT Guidelines.*

Refers jointly to all Policies, Manuals, Business Rules, processes and released procedures, and any other document issued by the Registry.

2.6. *Reserved Name*

Domain Names that at the Launch Period are blocked from being registered, in accordance with ICANN standards or .LAT Guidelines.

2.7. *Registry Website.*

Refers to Registry's website located at www.nic.lat

2.8. *Signed Mark Data (SMD).*

A file generated by the TMCH regarding Intellectual Property rights to a trademark that has been verified and stored in the TMCH database.

2.9. *Trademark Clearing House (TMCH).*

An entity contracted with ICANN to provide a database for global trademark data, as well as authentication and validation services for the launch of new TLDs.



2.10. **Trademark Holder.**

The person or entity who retains legal control over all (or some) of the rights granted under trademark law

3. **Launch Phases.**

.LAT Registry will implement the launch of the .LAT TLD including the Rights Protections Mechanisms (RPM's) required in the Registry Agreement. The RPM's include a Sunrise and IP Claims period described below:

3.1. **Sunrise Period.**

A period of sixty (60) calendar days in which only the holder of the eligible trademarks that have been validated by the TMCH, and issued a SMD file, will be able to secure their trademark in the .LAT TLD.

3.2. **Quiet Period.**

The period after Sunrise, and before Landrush, in which no applications or registrations are accepted.

3.3. **Trademark Claims Period.**

The Trademark Claims period follows the Sunrise period and runs for at least the first ninety (90) days of general or unrestricted registration. During the Trademark Claims period, anyone attempting to register a domain name matching a mark that is recorded in the Trademark Clearinghouse will receive a notification displaying the relevant mark information. If the notified party goes ahead and registers the domain name, the Trademark Clearinghouse will send a notice to those trademark holders with matching records in the Clearinghouse, informing them that someone has registered the domain name. Trademark Claims Period will be active concurrently with Landrush Period and the beginning of General Availability.

3.4. **Landrush Period.**

A period, not to exceed ninety (90) calendar days, commencing after the Sunrise and subsequent Quiet Period in which any entity may apply for a .LAT Domain Name that is not a Reserved Name and has not been applied for during the Sunrise Period.

3.5. **General Availability.**

The period commencing after Landrush when Domain Names are available to the general public on a first come, first served basis.

4. **Timetable.**

The timetable for launch of .LAT TLD, including the relevant dates to the Launch Period can be found on the .LAT Registry Website.

5. **Launch Rules and Procedures (General).**

5.1. **Application Procedures & Requirements.**

5.1.1. .LAT Domain Names can only be applied for and registered through an Accredited Registrar. A list of .LAT Accredited Registrars can be found at the Registry's Website.

5.1.2. The Registry will create a .LAT Domain Name registration only in the following circumstances:

- a) The Domain Name is not a Reserved Name and is available for registration.
- b) The Accredited Registrar holds sufficient funds with the Registry and has signed up to participate in the Launch Period.



5.1.3. A .LAT Domain Name must meet all of the following technical and syntax requirements:

- a) The A-label must consist exclusively of all letters from latin alphabet from “A” to “Z” (not case sensitive), hyphen “-“and the numbers 0-9.
- b) The Domain Name cannot begin or end with a hyphen.
- c) IDN registration will be provided in Spanish language. Allowed characters are numbers from “0” to “9”, hyphen “-“, all letters from latin alphabet “a” to “z”, and the following special characters from Spanish language: á, é, í, ó, ú, ü, ñ.
- d) Internationalized Domain Names (IDN) will not be allowed during the Sunrise Period. IDN Registration will be available on Landrush phase and General Availability, subject to IDN Policy.
- e) The Domain Name cannot exceed 63 characters (excluding the TLD).

6. Representations and Warranties

When submitting Applications or registration requests to the .LAT Registry during Sunrise, the Accredited Registrar will ensure that the Applicant represents and warrants that:

6.1. The Application is made in good faith, contains only truthful, accurate and up-to-date information, and does not infringe the rights of any third party.

6.2. The Applicant accepts and will comply this Launch Policy and any other applicable Registry rules, policies, or procedures in .LAT Guidelines.

7. Term of Registration.

During the Sunrise Period, the initial term of registration is three (3) years. During Landrush the term of registration is one (1) year. During General Availability, the registration term may be between one (1) and the maximum term as determined by the Registry. The term commences on the date of registration of the Domain Name, and shall expire on the same day of the month in the year when the term finishes.

The Registration Period begins once a Domain Name is allocated, all registrations during Sunrise and Landrush periods are considered final and there will be no refunds if the Domain Names are deleted.

The Registry reserves the right to immediately suspend or cancel the Domain Name when the Domain Name registrant is in breach of the .LAT Guidelines.

8. Names Reserved in Accordance with Registry Obligations

Under the Registry Agreement with ICANN, the Registry is compelled to maintain a list of Reserved Domain Names. These Domain Names will not be available for registration in the Sunrise Period or subsequent registration periods. This list can be found on the .LAT Registry Website.

9. Sunrise Period.

A. Purpose

During Sunrise Period, holders of Eligible Trademarks will have the opportunity to apply for and register the .LAT Domain Names that correspond with those Eligible Trademarks during a limited period of time before registration is open to the general public.

B. Eligible Trademarks



An Eligible Trademark, as considered in definition 2.4, consists exclusively of:

Letters, words, numerals and/or special characters that meet the syntax requirements below that has been validated by the TMCH and is included in a SMD file.

C. Domain Name Requirements

During the Sunrise Period, the Domain Names applied for, must have a minimum length of 3 (three) characters and must match any of the labels included in the SMD file. It is not possible for the Applicant to obtain a Domain Name registration for a sub-string or partial match of any label included in the SMD file.

D. Eligible Applicants

Only holders of Eligible Trademarks with a valid SMD file are eligible to submit Applications.

E. Content of a Sunrise Period Application

In addition to the information required for an Application made during the Sunrise Period, the Application must include the SMD file generated by the TMCH.

10. Quiet Period - Allocation of Domain Names

After conclusion of the Sunrise Period, the Registry will complete the validation process.

All Applications received during the Sunrise Period will be treated as if they had arrived at the same time.

Domain Names that receive only one Application during the Sunrise Period will be allocated to the respective Applicant, provided that the Application meets the requirements of this Launch Policy.

If a Domain Name receives two or more Applications during the Sunrise Period all qualified Applicants will participate in an auction to resolve the contention.

Auctions will be conducted by a third party provider with specific rules and guidelines. Full details about the Auction process will be provided to qualifying applicants.

The Registry will inform the auction provider of the Domain Names and their corresponding Applicants. Each Applicant will be given the necessary information to participate in the auction and the Registry will award registration of the Domain Name when notified of the outcome by the auction provider.

The decisions of the auction provider will be deemed final.

After Sunrise and Quiet Periods, the Domain Name will be allocated to that corresponding Applicant.

11. The Registry's Right to Reject Applications or Revoke Domain Names.

The Registry may reject, revoke, or delete any Application or resulting registration of a Domain Name at any time if it appears that the Applicant did not fulfill all of the registration requirements at the time of the Application. In the event of revocation or deletion, the Applicant or (any subsequent)



Domain Name registrant shall not be entitled to any reimbursement or compensation as a result of such rejection, revocation, or deletion.

12. Sunrise Dispute Resolution Process (“SDRP”, or “Sunrise Challenge”).

Sunrise Dispute Resolutions complaints will be received at: sdrp@nic.lat.

The Registry will attempt to direct the complainant to the relevant organization according to the nature of the complaint. In particular, in the case that the matter is more appropriately dealt with by the TMCH, it will advise the potential complainant accordingly. If the complaint relates to an improper application of the Sunrise Registration Policy or a registry process error affecting the applicable domain(s), the Registry will investigate and if upheld the registry will seek to resolve such errors internally. In the event the complaint does not correspond to a policy or process error then the Registry will notify the potential complainant to submit the complaint directly to the National Arbitration Forum as outlined in the Sunrise Dispute Resolution Policy.

See the complete Sunrise Dispute Resolution Policy for full rules and procedures on the SDRP, available at the Registry Website.

13. Landrush Period.

After the Sunrise Period and the subsequent Quiet Period are closed, the Registry will open a Landrush period during which any interested party will have the opportunity to register any Domain Name considering that:

- The Domain Name is not a Reserved Name; and
- The Domain Name is available for registration; and
- The Domain Name is not the subject of a pending auction or a SDRP.

The .LAT’s Landrush Period provides a means to make the most valuable domain names available for those who value them the most. There will be no “Reserved Premium Domains List” but all domains in the Landrush Phase will be treated as premium names. The Landrush Phase will feature a reverse (dutch) auction that will make all domain names available for registration.

The reverse (dutch) auction will start with the registration fee at a premium (highest) level so all available domain names will be considered as premium domains and could be registered at the announced price in a first-come first-served scheme. The next day, the registration fee will go down to the next level, and all remaining available domain names will be open for registration at the new price.

The Trademark Claims Period will be active during the duration of this period and the beginning of General Availability to complete ninety (90) days of unrestricted domain availability.

14. General Availability.

After the Launch Period described above, any interested party may register a Domain Name on a first-come-first served basis for the regular registration fee provided that:

- The Domain Name is not a Reserved Name; and
- The Domain Name is available for registration; and
- The Domain Name is not the subject of a pending auction or a SDRP.



15. Legal Disclaimers.

A. NO GUARANTEE.

The Registry provides no guarantees in relation to the Sunrise Period, Landrush Period, or General Availability registration. Registrations of Registry Domain Names will be determined either through a third party auction, or on a first- come, first- served basis, assuming that the Domain Name meets all of the requirements designated by the Registry. First come, first-served has many risks, and we make no guarantees or warranties as to whether any registration will be successful in registering a Domain Name. Additionally, we are not responsible for any failure on the part of the Registrar to timely file required paperwork, documents or other materials that may be required by the Registry to successfully procure a .LAT Domain Name or any failures on our part to timely pass on any communications or information requests between the registrant and the Accredited Registrar. The registration services are offered "AS IS" with no guarantees or warranties whatsoever. Applicants for Sunrise Period registration agree that they will not hold us responsible for any failed attempt to obtain a Domain Name.

B. LIMITATION OF LIABILITY.

APPLICANTS PARTICIPATING IN ANY LAUNCH PERIOD AGREE THAT THE REGISTRY WILL NOT BE LIABLE TO ANY APPLICANT OR TO ANY THIRD PARTY FOR ANY (1) SUSPENSION OR LOSS OF DOMAIN NAME REGISTRATION SERVICES IN RELATION TO A DOMAIN NAME(S) REGISTERED IN YOUR NAME, (2) USE OF THE REGISTRY DOMAIN NAME REGISTRATION SERVICES, (3) INTERRUPTION OF BUSINESS, (4) ACCESS DELAYS OR ACCESS INTERRUPTIONS TO OUR WEB SITE(S) OR SERVICES MAINTAINED BY THE REGISTRY; (5) LOSS OR LIABILITY RESULTING FROM ACTS OF GOD OR NATURE (6) DATA NON- DELIVERY, MIS-DELIVERY, CORRUPTION, DESTRUCTION OR OTHER MODIFICATION; (7) EVENTS BEYOND THE REGISTRY'S CONTROL; (8) THE PROCESSING OF A REGISTRY DOMAIN NAME REGISTRATION APPLICATION; (9) LOSS OR LIABILITY RESULTING FROM THE UNAUTHORIZED USE OR MISUSE OF YOUR ACCOUNT IDENTIFIER OR PASSWORD; OR (10) APPLICATION OF THE DISPUTE POLICY OR ANY ICANN OR REGISTRY POLICIES. ALSO WE WILL NOT BE LIABLE FOR ANY INDIRECT, SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES OF ANY KIND, INCLUDING LOST PROFITS OR THE COST OF PROCUREMENT OF ALTERNATIVE GOODS OR SERVICES, REGARDLESS OF THE FORM OF ACTION WHETHER IN CONTRACT, TORT (INCLUDING NEGLIGENCE), OR OTHERWISE, EVEN IF WE HAVE BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. IN NO EVENT SHALL OUR MAXIMUM AGGREGATE LIABILITY EXCEED THE TOTAL AMOUNT PAID BY YOU TO THE REGISTRY FOR THE SERVICE IN QUESTION, BUT IN NO EVENT GREATER THAN TWO HUNDRED DOLLARS (\$200.00). THE REGISTRY LIABILITY IS LIMITED TO THE EXTENT PERMITTED BY APPLICABLE LAW.

Publication date of this update: April 15, 2015

Effective Version from: April 30, 2015



EFFECTIVE UNTIL APRIL 29, 2015

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The Registry may reject, revoke, or delete any Application or resulting registration of a Domain Name



at any time if it appears that the Applicant did not fulfill all of the registration requirements at the time of the Application. In the event of revocation or deletion, the Applicant or (any subsequent) Domain Name registrant shall not be entitled to any reimbursement or compensation as a result of such rejection, revocation, or deletion.

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Sunrise Dispute Resolutions complaints will be received at: sdrp@nic.lat.

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See the complete Sunrise Dispute Resolution Policy for full rules and procedures on the SDRP, available at the Registry Website.

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The Trademark Claims Period will be active during the duration of this period and the beginning of General Availability to complete 90 days of unrestricted domain availability.

14. General Availability.

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- The Domain Name is available for registration; and



- The Domain Name is not the subject of a pending auction or a SDRP.

15. Legal Disclaimers.

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The Registry provides no guarantees in relation to the Sunrise Period, Landrush Period, or General Availability registration. Registrations of Registry Domain Names will be determined either through a third party auction, or on a first- come, first- served basis, assuming that the domain name meets all of the requirements designated by the Registry. First come, first-served has many risks, and we make no guarantees or warranties as to whether any registration will be successful in registering a Domain Name. Additionally, we are not responsible for any failure on the part of the Registrar to timely file required paperwork, documents or other materials that may be required by the Registry to successfully procure a .LAT Domain Name or any failures on our part to timely pass on any communications or information requests between the registrant and the Accredited Registrar. The registration services are offered "AS IS" with no guarantees or warranties whatsoever. Applicants for Sunrise Period registration agree that they will not hold us responsible for any failed attempt to obtain a Domain Name.

B. LIMITATION OF LIABILITY.

APPLICANTS PARTICIPATING IN ANY LAUNCH PERIOD AGREE THAT THE REGISTRY WILL NOT BE LIABLE TO ANY APPLICANT OR TO ANY THIRD PARTY FOR ANY (1) SUSPENSION OR LOSS OF DOMAIN NAME REGISTRATION SERVICES IN RELATION TO A DOMAIN NAME(S) REGISTERED IN YOUR NAME, (2) USE OF THE REGISTRY DOMAIN NAME REGISTRATION SERVICES, (3) INTERRUPTION OF BUSINESS, (4) ACCESS DELAYS OR ACCESS INTERRUPTIONS TO OUR WEB SITE(S) OR SERVICES MAINTAINED BY THE REGISTRY; (5) LOSS OR LIABILITY RESULTING FROM ACTS OF GOD OR NATURE (6) DATA NON-DELIVERY, MIS-DELIVERY, CORRUPTION, DESTRUCTION OR OTHER MODIFICATION; (7) EVENTS BEYOND THE REGISTRY'S CONTROL; (8) THE PROCESSING OF A REGISTRY DOMAIN NAME REGISTRATION APPLICATION; (9) LOSS OR LIABILITY RESULTING FROM THE UNAUTHORIZED USE OR MISUSE OF YOUR ACCOUNT IDENTIFIER OR PASSWORD; OR (10) APPLICATION OF THE DISPUTE POLICY OR ANY ICANN OR REGISTRY POLICIES. ALSO WE WILL NOT BE LIABLE FOR ANY INDIRECT, SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES OF ANY KIND, INCLUDING LOST PROFITS OR THE COST OF PROCUREMENT OF ALTERNATIVE GOODS OR SERVICES, REGARDLESS OF THE FORM OF ACTION WHETHER IN CONTRACT, TORT (INCLUDING NEGLIGENCE), OR OTHERWISE, EVEN IF WE HAVE BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. IN NO EVENT SHALL OUR MAXIMUM AGGREGATE LIABILITY EXCEED THE TOTAL AMOUNT PAID BY YOU TO THE REGISTRY FOR THE SERVICE IN QUESTION, BUT IN NO EVENT GREATER THAN TWO HUNDRED DOLLARS (\$200.00). THE REGISTRY LIABILITY IS LIMITED TO THE EXTENT PERMITTED BY APPLICABLE LAW.

