OBJECTION PROCEDURE REGARDING THE ASSIGNMENT OF DOMAIN NAMES DIRECTLY UNDER .MX DURING THE SUNRISE PERIOD

This document is part of the Lineaments .MX and will be applicable during the Reopening process of the registration of Domain Names directly under .MX with regards to the Objection Procedure of the said Domain Names; therefore this documents is ancillary to the Reopening .MX Policies and the General Policies of Domain Names of the Registry .MX and only can be amended expressly by what is stated therein.

1. SCOPE.

Offer a resource offline to request the review of the assignment of a Domain Name directly under .MX undertaken during the Sunrise period to the Registrants that would have applied for the registration of the same name.

2. DEFINITIONS.

2.1. Domain Names
It represents a common group of computers or equipments linked to the net. They are a simple form of Internet address to allow the users find in an easy way Internet sites. For the purpose of this document, one can only refer to domain names under ccTLD .MX.

2.2. Origin Domain Name.
Domain Name under any of the following categories: .com.mx, .org.mx, .gob.mx, .edu.mx, .net.mx, which give to the Registrant the ability to apply for the registration of a Domain Name directly under .MX, this is say, that it was registered before March 1st, 2009.

2.3. Quiet period
It is meant to be the period in which the received applications during the Sunrise period that were left pending are processed, and in which no new registry applications are received.

2.4. Sunrise period
Period in which applications will be received to register a Domain Name directly under .MX, only from whom currently have a domain name .MX under some of the categories: .com.mx, .net.mx., .org.mx., .edu.mx, or .gob.mx.

2.5. Applicant

The Registrant of an Origin Domain Name that completed an application to register a Domain Name directly under .MX during the Sunrise period and considers that the assignment of the referred Domain Name directly under .MX was not completed in accordance with the Rules for the Reopening Process of registration of Domain Names directly under .MX, therefore the Registrant has requested the beginning of the Objection Procedure.

3. MISCELANEOUS.

3.1. The Registrant of a Domain Name can only file an Objection Procedure when:
    3.1.1. The Registry .MX had received the registration application by the same Domain Name of the Applicant, and it was not resolved in his favor; and
    3.1.2. The Applicant considers that the assignment of the referred Domain Name directly under .MX was not completed in accordance to the Rules for the Reopening Process of registration of Domain Names directly under .MX for the Sunrise period.
3.2. Any other kind of objection not related with the assignment of a Domain Name directly under .MX according to the Rules for the Reopening Process of registration of Domain Names directly under .MX of the Sunrise period will not be attended through the Objection Procedure.
3.3. Any Objection Procedure should be filed before the Registry .MX exclusively in the first 20 (twenty) days of the Quiet period.
3.4. The Applicant should file an application for each one of the Domain Names directly under .MX that was to have an objection in the assignment.
3.5. The only means of communication during the Objection Procedure will be electronic mail, unless that the Registry .MX points out something different.

4. REGARDING THE OBJECTION PROCEDURE.

4.1. The Objection Procedure Process should be started by the Applicant by sending to the Registry .MX to the following electronic mail reapertura@nic.mx as follows:
    4.1.1. Electronic mail stating your wish to start an Objection Procedure.
    4.1.2. The form to start the Objection Procedure (from now on the "Form") referred in section 4.2, dully filed, signed and digitalized.
    4.1.3. The evidence that shows the existence of inconsistencies in the assignment, in accordance with the Rules for the Reopening Process of registration of Domain Names directly under .MX in accordance with what is stated in section 4.3.
4.2. The Form will be available in the website http://www.registry.mx/reapertura/Formato de Inconformidad.pdf, and in such the Applicant should establish and detail the reason or reasons why he considers that the assignment of the Domain Name directly under .MX was not completed in compliance with the Rules for the Reopening Process of registration of Domain Names directly under .MX.

4.3. The minimum evidence that must file the Applicant to start the Objection Procedure Proceeding is:

    4.3.1. Information report from the service consultation of WHOIS (www.whois.mx) where is shown that there exists a Domain Name with prior date of creation than the Origin Domain Name to which was assigned the Domain Name directly under .MX.

        4.3.2. Receipt of the application to register, in the Sunrise period, the referred Domain Name directly under .MX.

4.4. Once the application for the Objection Procedure is received, the Applicant will be notified in a term of 3 (three) working days:

    4.4.1. If his application complies or not with the requirements described in this document; and

    4.4.2. If consequently, this Process will be resolved or not.

4.5. The Registry .MX reserved its right to not process the received applications by any other means than the ones described herein.

4.6. If an application for an Objection Procedure is accepted, the Registry .MX will send an e-mail to the RAR, Registrant and to the Administrative Contact to whom the Domain Name directly under .MX was assigned.

5. ANALISIS AND RESOLUTION OF THE OBJECTION PROCEDURE.

5.1. The applications for the Objection Procedure Process that had complied with the requirements described in this document will be reviewed by the Registry .MX. The Registry .MX has a maximum term of 30 (thirty) days to resolved, counted from the date of filing the application and evidence, accordingly with section 4.1.

5.2. During the Objection Procedure, the Registry .MX can request to the Applicant, via e-mail to the account established in the Form, the original documents and/or certified copies of the receipts and documents that where attached to the starting e-mail of the Objection Procedure, papers that will have to be sent via certified mail to the address referred by the Registry .MX in a term not longer than 6 (six) working days.

5.3. In the case that the Registry .MX considers that the assignation was made in violation of the Rules for the Reopening Process of registration of Domain Names directly under .MX during the Sunrise period, the Registry .MX will send notice to the Applicant, the RAR, the Registrant, and the Administrative Contact of the Domain Name directly under .MX in question, informing them the result of the Objection Procedure, and, in its case, will reassign the Domain Name directly under .MX in compliance with the Rules for the Reopening Process of registration of Domain Names directly under .MX.

5.4. Prior to the reassignment of the Domain Name directly under .MX, the Registry .MX will send via e-mail to the Applicant involved the instructions to complete the reassignment. In case the Applicant does not comply with the same, the assignment will not take place.

5.5. In case the Registry .MX considers that there is nothing wrong with the assignment made, the Registry .MX will notify so to the Applicant and the Domain Name directly under .MX in question will not be reassigned.

5.6. The resolution from the Registry .MX will be final and non appealable, reason why the Applicant will not be able to start a new Objection Procedure for the same Domain Name directly under .MX.

5.7. The Domain Names directly under .MX that had been assigned through the Objection Procedure will be activated in the beginning of the Landrush period or when the assignment is completed, what happens first.

5.8. Any other case not described in this document will remain under the discretion of the Registry .MX.

5.9. The Registry .MX reserves the right not to resolve an Objection Procedure when it considers that a case is over his abilities; or a better right is not demonstrated by the Applicant.

5.10. The processes will not be reviewed if the documentation received is not correct or if it is incomplete, or if part or all the information is deem to be doubtful, not genuine or false or does not comply with the requirements described in this document. Moreover, the Registry .MX may take the pertinent actions before the respective authority when the Registry .MX consider the information is false, not genuine of doubtful.