



.MADRID LAUNCH POLICY

This Launch Policy sets forth the terms and conditions, which govern .madrid domain name registrations during the Launch Period.

1. DEFINITIONS

In this Launch Policy, the following capitalized terms will have the following meaning:

- a) **“Accredited Registrar”** means an ICANN accredited registrar that has entered into an agreement (**“the Registry-Registrar Agreement”**) with the Registry Operator and is, therefore, authorized to register names in the .madrid TLD.
- b) **“General Availability”** means the general registration period commencing after the launch phases during which available domain names ending with .madrid 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 .madrid general Registration Agreement.
- c) **“General Registration Agreement”** and/or **“Registration Agreement”** means the last published version of the Agreement available at the Registry Operator’s website at <https://dominio.madrid>, which governs the registration of all .madrid domain names.
- d) **“ICANN”** means the Internet Corporation for Assigned Names and Numbers.
- e) **“Launch Period”** means a period of time prior to General Availability, which will start on 11.04.2019 13:00 UTC and will end on 26.09.2019 13:00 UTC. Specifically, the ALP Public Administrations program described below at Section 6 will end on 6.06.2019 13:00 UTC. Sunrise and LRPs will begin on 16.07.2019 13:00 UTC and will end on 3.10.2019 13:00 UTC.
- f) **“Registrant”**, **“You”** and **“Your”** refers to the individual or entity, which applies or wishes to register a .madrid domain name with an Accredited Registrar.
- g) **“Registry Operator”**, **“We”**, **“Us”** and **“Our”** refers to the Comunidad de Madrid, as entity responsible for operating the .madrid TLD.
- h) **“TLD”** means Top-Level Domain.



2. BINDING RULES

- 2.1. By applying to register a .madrid domain name during the Launch Period, the Registrant agrees to be legally bound by:
- a) This Launch Policy;
 - b) The .madrid General Registration Agreement in its last published version, which is hereby incorporated by reference. The General Registration Agreement will apply to all aspects of Your registration not specifically contemplated in this Launch Policy;
 - c) The Registration Agreement provided by the sponsoring Accredited Registrar through which You applied for Your .madrid domain name; and
 - d) Any other policies mandated by ICANN and/or by the Registry Operator from time to time.
- 2.2. The Registrant hereby represent and warrant to Us that the statements that You made in Your Registration Agreement with the Accredited Registrar sponsoring Your .madrid domain name are complete and accurate.
- 2.3. It is the Registrant's sole responsibility to determine whether its .madrid domain name registration and use complies with this Launch Policy.

3. ELIGIBILITY REQUIREMENTS

To register a .madrid domain name during the Launch Period, the application must comply with:

- 3.1. The general eligibility requirements and terms of use set forth in the .madrid Registration Agreement. Specifically, to register and renew a .madrid domain name, the applicant must be *an* individual or legal entity, which at the time of registration and thereafter, is able to demonstrate either:
- a) To be a resident in the Region of Madrid (Comunidad de Madrid), or
 - b) To pursue occupational, personal, business or cultural activities in the Region of Madrid (Comunidad de Madrid), or
 - c) To have a nexus, wither direct or indirect, with the Region of Madrid (Comunidad de Madrid).
- 3.2. The specific eligibility requirements set forth in this Launch Policy for each Launch Period category (Sections 4 to 9 of this Launch Policy).

4. DATES AND ALLOCATION PROCEDURE



- 4.1. The Launch Period for .madrid will start on 11.04.2019 13:00 UTC and will end on 3.10.2019 13:00 UTC. The period for the names eligible under the ALP Public Administrations program (see section 6 below) will start on 11.04.2019 13:00 UTC and will end on 6.06.2019 13:00 UTC. During the period comprised between 16.07.2019 and 3.10.2019, four categories of applications will be accepted: three categories for registrants with prior rights, and one additional category for applications without prior rights (Landrush). Applications for these 4 categories will be accepted simultaneously and will be allocated at the end of this Sunrise and Launch Period 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. The names applied for by Public Administrations during the period comprised between 11.04.2019 and 06.06.2019 will not be allocated in any case until the beginning of the sunrise phase, in 16.07.2019.
- 4.2. Each claim of priority will be individually and thoroughly validated by the Registry Operator. Self-declaration will not be sufficient. Specifically, 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 .madrid domain name the Registrant must be able to demonstrate either of the aforementioned fields is applicable to You. Nexus with the .madrid community is subject to post-validation by way of an extensive compliance program based on the same criteria that form the basis of the TLD.

5. OVERVIEW OF CATEGORIES

During the Launch Period, the following categories are allowed, according to priority status (from top-priority to lesser priority):





CATEGORY /PRIORITY	LENGTH	SUMMARY
1. Public Administrations in the Region Madrid	From 11.04.2019 13:00 UTC To 6.06.2019 13:00 UTC	Category for Public Administrations with competences over and/or legal seat in the Region of Madrid to apply for: <ul style="list-style-type: none">• their own names or acronyms;• the name of a building, park, monument, airport or other public place operated by the applying Public Authority;• the name of a region, city, street, district or other geographic area under the governance of the applying Public Authority;• the name of a recognized public service provided by the applying Public Authority. Eligibility under this category is subject to the Terms and Conditions set forth in Section 6 of this Launch Policy.
QUIET PERIOD	From 7.06.2019 12:01 UTC To 15.07.2019 12:01 UTC	No Public Administrations applications will be allocated during the quiet period
2. Sunrise	From 16.07.2019 13:00 UTC To 3.10.2019 13:00 UTC	End-date Sunrise for trademarks validated in the Trademark Clearinghouse (“TMCH”). Eligibility under this category is subject to the Terms and Conditions set forth in Section 7 of this Launch Policy.





<p>3. Local Trademarks</p>	<p>From 16.07.2019 13:00 UTC To 3.10.2019 13:00 UTC</p>	<p>Category for legal entities to register:</p> <ul style="list-style-type: none"> • Non TMCH-validated trademarks registered before 04.07.2019 with effect in the Region of Madrid (i.e. Spanish trademarks, European Union trade marks, and WIPO International trademarks with effect in Spain) and • Geographical Indications recognized by International or Spanish legislation. <p>Eligibility under this category is subject to the Terms and Conditions set forth in Section 8 of this Launch Policy.</p>
<p>4. Local legal Entities (corporations and non-for-profit organizations)</p>	<p>From 16.07.2019 13:00 UTC To 3.10.2019 13:00 UTC</p>	<p>Category for legal entities of any type (companies or non-for-profit) with their legal seat or place of business in the Comunidad de Madrid to register:</p> <ul style="list-style-type: none"> • Their corporate registered names and trade names, including clear variations and/or abbreviations thereof; and • Labels matching domain names registered by them in other TLDs prior to 04.07.2019 and effectively used in connection to the entity's activities. <p>Eligibility under this category is subject to the Terms and Conditions set forth in Section 9 of this Launch Policy.</p>
<p>5. Landrush</p>	<p>From 16.07.2019 13:00 UTC To 3.10.2019 13:00 UTC</p>	<p>Category for any interested party (individual or legal entity) to submit one or more applications for .madrid domain names that were not previously allocated under Categories 1 to 4 above, or otherwise reserved by the Registry Operator.</p> <p>Eligibility under this category is subject to the Terms and Conditions set forth in Section 10 of this Launch Policy.</p>
<p>General Availability</p>	<p>10.10.2019 13:00 UTC</p>	<p>General registration period commencing after the launch phases during which available domain names ending with .madrid can be registered by any individual or legal entity on a <i>first-come, first-served</i> basis, under the process described in the .madrid General Registration Agreement.</p>



6. PRIORITY 1 CATEGORY: PUBLIC ADMINISTRATIONS

6.1. Eligibility

This category is for Public Authorities with competences over and/or legal seat in the Region of Madrid (Comunidad de Madrid) only. Here, “**Public Authorities**” means international, national, and regional public authorities, as well as local and municipal authorities under Spanish law (*Ley 7/1985 de Bases del Régimen Local*) and Madrid’s own legislation (*Ley 2/2003 de Régimen Local de la Comunidad de Madrid*), including but not limited to agencies, consortiums, commissions, and other administrative divisions of the Region of Madrid and/or having competences over it.

6.2. Name Selection Requirements

Under this category, Public Authorities referred to in 6.1 above may register the following names:

- a) the name or acronym of the applying Public Authority;
- b) the name of a building, park, monument, airport or other public place operated by the applying Public Authority;
- c) the name of a region, city, street, district or other geographic area under the governance of the applying Public Authority;
- d) the name of a recognized public service provided by the applying Public Authority, and used by the said Public Authority in connection with the public services that domain name represents.

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 .madrid general Registration Agreement,
- ii. complies with the specific eligibility and name selection requirements set forth in this Clause 6; and
- iii. it is available.

6.3. 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. In case of doubt, and upon request by the Registry Operator, the applicant will need to prove this eligibility requirement.

6.4. *Threshold*

The initial number of eligible names under this category will be limited to a threshold of 3,000 (three thousand) domain names. In case this threshold is met, the Registry Operator will request ICANN to expand the threshold number. The Registry Operator cannot guarantee, however, that ICANN will authorize such increase, as the case may be.

6.5. *Transfer restrictions*

- 6.5.1. Domain names matching the name or acronym of the applying Public Authority under Section 6.2 a) above can only be transferred to where the domain name remains a match to the transferee Public Authority name or acronym, except in cases of internal reorganization, internal renaming, transformation, merger or spin-off of the registrant.
- 6.5.2. Domain names falling within categories b), c), and d) of Section 6.2 above can only be transferred to another Public Authority where the transferee assumed the duties or authority of the initial registrant with respect to the public authority activity to which the domain relates.

6.6. *Contention Resolution within this category*

If there is more than one eligible application for the same name within this category, the following criteria will apply:

- 6.6.1. “**Sub-category 1 names**” will include names applied for by the Comunidad de Madrid and its institutional administrations. “Sub-category 1 names” will have priority over the names applied by any other eligible Public Authorities.
- 6.6.2. “**Sub-category 2 names**” will include names applied for by the municipalities (ayuntamientos) in the Region of Madrid (Comunidad de Madrid). “Sub-category 2 names” will have priority over the names applied by any other eligible Public Authorities except for those in “Sub-category 1”, as defined in 6.6.1 above.
- 6.6.3. “**Sub-category 3 names**” will include names applied for by local Public Authorities and entities other than Municipalities (ayuntamientos) in the Region of Madrid (Comunidad de Madrid). “Sub-category 3 names” will have priority over the names applied by any other eligible Public Authorities except for those in “Sub-category 1” and “Sub-category 2”, as defined in 6.6.1 and 6.6.2 above, respectively.
- 6.6.4. “**Sub-category 4 names**” will include names applied for by any eligible Public

Comunidad de Madrid

Authorities other than those in “Sub-category 1”, “Sub-category 2” and “Sub-category 3”, as defined in 6.6.1, 6.6.2 and 6.6.3, respectively. Specifically, eligible International Public Authorities fall under this sub-category.

If there is more than one application for the same name applied for by Public Authorities within the same sub-category according to this clause, the following contention resolution processes will be offered to the parties in contention:

- a) agreement between contenders (withdrawal and refund of application);
- b) mediation and arbitration or random selection (if all contenders agree); or
- c) If contender parties do not agree on any of the above contention-resolution mechanism, or such method provides no resolution of the contention, the name will remain non-allocated or reserved by the Registry Operator, at its sole discretion.

6.7. Priority

Eligible names under this Public Administration category will be allocated with priority over any other category. No domain name will be allocated until the start of the Sunrise and the concurrent Limited Registration Periods.

6.8. Duration

The Public Administrations program will last fifty-six (56) calendar days.

6.9. Challenges to domain names allocated or rejected under this category

Allocations and rejections of domain names under this category will be able to be challenged through the Public Administrations Launch Program Dispute Resolution Policy established by the Comunidad de Madrid available on the Registry Operator’s website at <https://dominio.madrid>. Said Public Administrations Launch Program Dispute Resolution describes the process and standards that will be applied to resolve challenges alleging that a domain name has been allocated or declined to be allocated in violation of the Public Administration Launch Program Eligibility and/or Name Selection Requirements set forth in 6.1 and 6.2 above.

7. PRIORITY 2 CATEGORY: SUNRISE

7.1. Sunrise Eligibility and Name Selection Requirements

This category is for registered owners, licensees or assignees of trademarks verified by the Trademark Clearinghouse. This requirement is in addition to the local nexus (i.e. local presence) and other general requirements applicable to all .madrid registrations, as set forth in Section 3.1 of this Launch Policy and in the .madrid General Registration

Agreement.

7.2. Validation

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 .madrid Registration Agreement;
- 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) the domain name is available.

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

7.3. Priority

Applications eligible under this Sunrise category will be allocated with less priority than those falling under Public Administrations program but with priority over any other.

7.4. Contention Resolution within this category

If there is more than one eligible application for the same name, the following criteria will apply:

- 7.4.1. Applications based on Local Trademarks will have priority over applications based on non-Local Trademarks. In this Launch Policy “**Local Trademarks**” means registered trademarks with effect in Spain and in force at the time of registration of the domain name; including the 3 following types of trademarks:
 - a) **Spanish trademarks** registered at the Spanish trademark office (*Oficina Española de Patentes y Marcas*, “**OEPM**” <http://www.oepm.es/es/index.html>);
 - b) **European Union trade marks** registered at the European Union Intellectual Property Office - “**EUIPO**”- (previously called Office for Harmonization of the Internal Market, “**OHIM**”), and
 - c) **WIPO International trademarks designating and in force in Spain** according to the Madrid System (<http://www.wipo.int/romarin>).

- 7.4.2. If there is more than one eligible application for the same name applied by either: (i) different holders of local Trademarks, or (ii) exclusively by holders of non-local Trademarks, the successful applicant will be solved through an auction process.
- 7.4.3. No other contention resolution criteria (like allocation based on a first-come first served basis, or taking into account the class of goods and services of the Trademark Record) will apply.

7.5. Duration

This Sunrise Period will last seventy nine (79) calendar days, starting on 16.07.2019 13:00 UTC and ending on 3.10.2019 13:00 UTC.

7.6. Sunrise Dispute Resolution Policy

Allocations and rejections of domain names under this Sunrise Period category will be able to be challenged through the Sunrise Dispute Resolution Policy (“SDRP”) available on the Registry Operator’s website at <https://dominio.madrid>.

8. PRIORITY 3 CATEGORY: LOCAL TRADEMARKS

8.1. Eligibility and Name Selection Requirements

- 8.1.1. This category is for owners of registered Local Trademarks and Geographic Indications not validated by the Trademark Clearinghouse (if they are validated by the Trademark Clearinghouse, they fall under the priority 2 Sunrise category), granted on or before 04.07.2019 and in force at the time of application of the domain name.
- 8.1.2. In this Launch Policy, “Local Trademarks” include the 3 following types of trademarks:
- a) **Spanish trademarks** registered at the Spanish Patent and Trademark Office (*Oficina Española de Patentes y Marcas*, “OEPM” <http://sitadex.oepm.es/Localizador/buscarDenominacion.jsp>);
 - b) **European Union trade marks** registered at the European Union Intellectual Property Office - “EUIPO”- (previously called Office for Harmonization of the Internal Market, “OHIM”), and
 - c) **WIPO International trademarks designating and in force in Spain** according to the Madrid system (<http://sitadex.oepm.es/Localizador/buscarDenominacion.jsp>).
- 8.1.3. In this Launch Policy “Geographical Indications” means managing councils (Consejos Reguladores) of Spanish geographical Indications recognized by

International treaties, EU regulations (Reg. (EC) No 510/2006, and subsequent and related Regulations), and Spanish legislation derived from them.

- 8.1.4. These requirements are in addition to the local nexus (i.e. local presence) and other general requirements applicable to all .madrid registrations, as set forth in the .madrid General Registration Agreement. No other requirements (e.g. trademark class) will apply.

8.2. Validation

Applications under this category will be individually and thoroughly validated by either the Registry Operator or its specialized agents in the publicly available online databases.

8.3. Duration

The period to submit applications under this category will last seventy nine (79) calendar days, starting on 16.07.2019 13:00 UTC and ending on 3.10.2019 13:00 UTC.

8.4. Priority

Applications eligible under this category will be allocated with less priority than eligible **applications** under the Public Administrations program and Sunrise, but with priority over any other applications.

8.5. Contention Resolution within this category

Should there be more than one eligible application for the same domain in this category, the applications **based** on the oldest registered Local Trademark or Geographical Indication will prevail. For the purposes of contention resolution, the Geographical Indications will be treated as Local Trademarks.

9. PRIORITY 4 CATEGORY: LOCAL ENTITIES

9.1. Eligibility and Name Selection Requirements

- 9.1.1. This category is for Local Entities. In this Launch Policy “Local Entities” mean any type of legal entity like, e.g., companies, non-for profits, etc. with legal seat or place of business in the Region of Madrid (Comunidad de Madrid). Local Entities will be allowed to apply for, among other:

- a) Their corporate names and/or trade names, including clear variations and/or abbreviations thereof; and
- b) Labels matching domain names **registered** by them in other TLDs prior to 04.07.2019 and effectively used in connection to the entity’s activities.

- 9.1.2. The Registry Operator will only register the domain name applied for insofar and



to the extent that the domain name:

- a) meets the general eligibility criteria set out in the **.madrid Registration Agreement**,
- b) complies with the specific eligibility and name selection requirements set forth in this Clause; and
- c) it is available.

9.2. Validation

Either the Registry Operator or its specialized agents will individually and thoroughly validate applications under this category.

9.3. Duration

The period to submit applications under this category will last seventy nine (79) calendar days, starting on 16.07.2019 13:00 UTC and ending on 3.10.2019 13:00 UTC.

9.4. Priority

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

9.5. Contention resolution within this category

If there is more than one eligible application for the same domain in this category, names in subcategory 9.1(a) above (registered and trade names) will have priority over names in subcategory 9.1(b) (labels matching domain names in other TLDs). In other cases where this rule does not solve the contention, it will be solved through an auction process.

10. CATEGORY 5: LANDRUSH (NAMES WITHOUT PRIORITY RIGHTS)

10.1. Eligibility and Name Selection Requirements

During Landrush, any interested party may submit one or more applications for any domain name that:

- a) meets the general eligibility criteria set out in the **.madrid general Registration Agreement**; and
- b) has not been reserved, registered or awarded by the Registry Operator in the context of any other Launch categories.

10.2. Contention resolution within this category

Should there be more than one eligible application for the same domain in this category



the contention will be solved through an auction process.

No other contention resolution criteria (like allocation based on a first-come first served basis) will apply.

10.3. Duration

The period to submit applications under this category will last seventy nine (79) calendar days, starting on 16.07.2019 13:00 UTC and ending on 3.10.2019 13:00 UTC.

10.4. Priority

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

11. 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 fulfill any of the eligibility and/or name selection requirements required for each of the above categories. In such cases the applicant or Registrant will not be entitled to any reimbursement or compensation as a result of such rejection, revocation or deletion.