



FORUM'S SUPPLEMENTAL RULES TO ICANN'S TRADEMARK  
**POST-DELEGATION DISPUTE RESOLUTION  
PROCEDURE AND RULES**

## Supplemental Rules

### 1. Definitions

- (a) **The Rules** means the Rules for the Trademark Post-Delegation Dispute Resolution Procedure, approved by the Internet Corporation for Assigned Names and Numbers (ICANN).
- (b) **The PDDRP Procedure** means the Trademark Post-Delegation Dispute Resolution Procedure as approved by ICANN.
- (c) **FORUM** means the National Arbitration Forum.
- (d) **Submit.** In these Supplemental Rules or in a FORUM or Expert Panel Order, documents are deemed Submitted when received by FORUM via the submission method specified;
- (e) **Business Days** means that only the days Monday- Friday, inclusive, shall be counted in determining all deadlines and due dates.

#### Exceptions-Deadlines

- (i) In no event shall a United States federal holiday, as defined by 5 U.S.C. §6103, be counted as a Business Day.
  - (ii) In the event that a Business Day deadline falls on a United States federal holiday, as defined by 5 U.S.C. §6103, the deadline shall be extended to the following Business Day.
- (f) **Calendar Days** means that all days, including weekends and international and national holidays, shall be counted in determining all deadlines and due dates.

#### Exceptions-Deadlines:

- (i) In the event that a deadline falls on a United States federal holiday, as defined by 5 U.S.C. §6103, the deadline shall be extended to the following Calendar Day.
- (ii) In the event that a Calendar Day deadline falls on a Saturday or Sunday, the deadline shall be extended to the following Calendar Day.

## 2. Scope

FORUM will apply the PDDRP Rules, the PDDRP Procedure, and FORUM's Supplemental Rules in effect at the time a Complaint is Submitted. FORUM's Supplemental Rules may be amended by FORUM in its sole discretion.

## 3. Communications

All communications must be directed to FORUM and not to the Expert Panel.

## 4. The Complaint

- (a) The Complaint must include all elements listed in Paragraph 3(b) of the Rules and must be submitted via email to [domaindispute@adrforum.com](mailto:domaindispute@adrforum.com) or FORUM's online complaint filing site at <http://domains.adrforum.com> (if available).
  - (i) The Complaint and all supporting documents must be in a format as specified in Annex A to these Supplemental Rules, unless approved by FORUM in advance.
  - (ii) Individual files must not exceed the file size restrictions as set forth in Annex A to these Supplemental Rules unless approved by FORUM in advance. The Annexes may be divided into multiple files as needed.
  - (iii) FORUM may rename electronic files compatible with internal naming conventions, for ease of internal and Expert Panel use.
- (b) The Complaint (see PDDRP 7.2 and 8.3) must be submitted in a file that is not merged with the Annexes. The Complaint must be a separate document and must comply with PDDRP Rule 3.

## 5. The Threshold Review

- (a) If the Registry Operator submits papers contesting Complainant's standing per PDDRP Section 9.3, the papers shall be limited to 1,500 words excluding attachments in support of Registry Operator's contentions.
- (b) If the Complainant submits an opposition to the Registry Operator's papers per PDDRP Section 9.4, the opposition shall be limited to 1,500 words excluding attachments.
- (c) All documents shall comply with the file type and size limitation in Annex A to these Supplemental Rules and shall be submitted electronically via email to [domaindispute@adrforum.com](mailto:domaindispute@adrforum.com) or via FORUM's electronic portal, if available.

## 6. The Response

- (a) The Response must include all elements listed in Paragraph 5(a) of the Rules and must be submitted via email to [domaindispute@adrforum.com](mailto:domaindispute@adrforum.com) or FORUM's online response filing site at <http://domains.adrforum.com> (if available).
  - (i) All supporting documents must be in a format as specified in Annex A to these Supplemental Rules, unless approved by FORUM in advance.
  - (ii) Individual files must not exceed the file size restrictions as set forth in Annex A to these Supplemental Rules unless approved by FORUM in advance.
  - (iii) FORUM may rename electronic files compatible with internal naming conventions, for ease of internal and Expert Panel use.
- (b) The Response (see PDDRP Section 10) must be submitted in a file that is not merged with the Annexes. The Complaint must be a separate document and must comply with PDDRP Rule 5.
- (c) The Response is limited to 5,000 words and 20 pages, excluding attachments, unless the Provider determines that additional material is necessary. In the event multiple complaints are consolidated, the Provider and/or Expert Panel may extend the Response length at their discretion.

## **7. The Reply**

- (a) If the Complainant submits a Reply per PDDRP Section 11, the Reply shall be limited to 2,500 words excluding attachments.
- (b) All documents shall comply with the file type and size limitation in Annex A to these Supplemental Rules and shall be submitted electronically via email to [domaindispute@adrforum.com](mailto:domaindispute@adrforum.com) or via FORUM's electronic portal, if available.

## **8. Consolidation**

Requests for Consolidation:

- (a) A request for consolidation may be made through the joint filing of a complaint or after a complaint or complaints are filed only where:
  - (i) the Complaints relate to the same conduct by the Registry Operator, at the top or second level of the same gTLD for all Complainants; and
  - (ii) all Complainants have satisfied the Threshold Review criteria specified in Article 9 of the TM-PDDRP.
- (b) A request for consolidation must include the following:
  - (i) A statement that the dispute involves the same Parties.
  - (ii) A statement regarding whether all Parties agree to consolidation (evidence of agreement shall be submitted with the request).

- (iii) A statement addressing the way in which consolidating the cases involves the same essential conduct by the Registry Operator and will be procedurally efficient.

Responding to a Request for Consolidation:

- (c) If a request for consolidation is made in a Complaint, Respondent shall respond to the request in the Response. If a request for consolidation is made in a Response, Complainant shall respond to the request in the Reply.
- (d) A response to a request for consolidation shall state the reasons why the request should or should not be granted.

Decisions on a Request for Consolidation:

- (e) The Expert Panel shall, in its sole discretion, decide whether to grant a request for consolidation. If the request is not made within a joint Complaint, the first proposed consolidated case to be appointed to an Expert Panel will be the case in which the consolidation request is decided.
- (f) If the consolidation request is denied, FORUM will handle cases in the order they were received and may temporarily suspend cases to allow earlier Determinations to issue.

**9. Default/Setting Aside Default**

- (a) If Respondent fails to Respond by the Response deadline, FORUM will notify the Parties of the default at the time of the Expert Panel appointment.
- (b) A late Response, received after the Response deadline but before a Final Determination is published will be forwarded to the Expert Panel, to be considered at the Panel's discretion, subject to the payment of any fees due.
- (c) A late Response, received after the publication of the Final Determination will be forwarded to the Expert Panel, if the following conditions are met:
  - (i) The re-examination administrative fee is included;
  - (ii) The Response is accompanied by a statement of the exceptional circumstances causing the late Response;
  - (iii) No more than fifteen (15) days have passed since the Final Determination; and
  - (iv) The estimated Expert Panel fees for re-examination are paid by Respondent.
- (d) The Expert Panel has sole discretion to determine if the Final Determination shall be set aside and a new Final Determination issued as a result of a late Response submission, and shall do so only where Respondent successfully shows:
  - (i) Exceptional circumstances, beyond the control of the Respondent, made a timely Response unfeasible; or
  - (ii) Respondent was not effectively served based on a mistake by FORUM or a third party.

## 10. Extensions

PDDRP Rule 1 provides that FORUM may permit reasonable requests for extensions of time. Such extension requests will be granted in the following circumstances.

- (a) Complainant may request additional time to amend the Complaint as required under PDDRP Section 8. Any such request by the Complainant for an extension must comply with Supplemental Rule 10(e) and is limited to five (5) additional Calendar Days.
- (b) Respondent may request additional time to Submit a Response. Any request by the Respondent for an extension must comply with Supplemental Rule 10(e) and is limited to twenty (20) additional Calendar Days.
- (c) Complainant may request additional time to Reply. Any request by the Complainant for a Reply extension must comply with Supplemental Rule 10(e) and is limited to five (5) additional Calendar Days.
- (d) The parties may stipulate to extensions of time under Supplemental Rule 10(a-c), subject to the requirements in Supplemental Rule 10(e).
- (e) All single-party or joint extension requests shall:
  - i. be submitted during the period to be extended, as defined by the relevant PDDRP Section, late requests will not be considered;
  - ii. be submitted on the extension request form found at <http://domains.adrforum.com> via email to [domaindispute@adrforum.com](mailto:domaindispute@adrforum.com) or via FORUM's electronic portal, if available;
  - iii. state the exceptional circumstances warranting the request for an extension;
  - iv. state the length of the extension being requested (no more than number of additional Calendar Days specified above); and
  - v. be accompanied by a non-refundable extension request fee (see Supp Rule 24 for the fee schedule).
- (f) FORUM will, in its sole discretion, determine whether the circumstances warrant granting the extension, and may grant a portion, or all, of the requested time.

## 11. Stays of the Administrative Proceeding

- (a) As long as there is an active case, the parties may jointly request a stay for a one-time period of forty-five Calendar Days, provided that both parties

request the Stay using the form provided at <http://domains.adrforum.com> and transmit the request to FORUM via email at [domaindispute@adrforum.com](mailto:domaindispute@adrforum.com), or via FORUM's electronic portal, if available.

- (b) Prior to expiration of the Stay, at least one party must request that the case be reinstated or the Complaint will be automatically dismissed.
- (c) If an Expert Panel has been appointed by FORUM, a request that the administrative proceeding be stayed shall be granted at the discretion of the appointed Expert Panel.
- (d) A Stay does not alter the status of any domain names or recommended remedies; it suspends the case at the current status until it is resumed or dismissed per Supplemental Rule 11(b).
- (e) FORUM and the Expert Panel do not have the power or authority to enforce or oversee any privately-arranged settlement between the parties.

## **12. The Record of the Administrative Proceeding.**

The complete record to be considered by the Expert Panel is comprised of: the Complaint, any documents submitted that pertain to the Threshold Review, the paid Response, and the Reply, as well as any documents expressly solicited or admitted by the Expert Panel.

## **13. Appointment of the Threshold Panel, the Expert Panel, and the Appeal Panel**

- (a) FORUM will maintain and publish a list of Expert Panelists and their qualifications to which any party will be directed on FORUM's web site, <http://domains.adrforum.com>.
- (b) A single-member Threshold Review Panelist will be selected from FORUM's list by FORUM, in its sole discretion.
- (c) FORUM will appoint an Expert Panelist from this list to serve as a single-member Expert Panel as follows:
  - (i) FORUM will provide both parties with a list of five potential Expert Panelists, from FORUM's list at <http://domains.adrforum.com>.
  - (ii) Within 5 business days from the transmission of the list, each party shall strike two Expert Panelists from the list and rank the remaining Expert Panelists and return the list to FORUM.
  - (iii) FORUM will appoint either the sole remaining Expert Panelist or will appoint the highest ranking Expert Panelist based on the ranking.
  - (iv) If the highest-ranked Expert Panelist is unavailable, the second-ranked Expert Panelist will be appointed, and so on.

- (v) If only stricken Expert Panelists remain, FORUM shall constitute a new list and repeat the process until an Expert Panelist is chosen.
  - (vi) If a party fails to submit its Expert Panel strikes/ranks in time, the opportunity may be forfeited and FORUM may appoint the Expert Panel based solely on the responding party's list.
  - (vii) As an exception to PDDRP Rule 2(h), the strike/rank lists need not be provided to the opposing party prior to Expert Panel appointment. After appointment, the lists may be provided to the parties.
- (d) In cases involving a three-member Expert Panel, the three-member Expert Panel will be constituted as follows:
- (i) Each party will provide FORUM with a list of five ranked potential Expert Panelists, from FORUM's list at <http://domains.adrforum.com>, within 5 business days of the Response or the end of the Response period, if there is no Response.
  - (ii) FORUM will promptly provide each party with the opposing party's list, listed in alphabetical order.
  - (iii) Within 5 business days from the receipt of the lists, or the end of the period in Supplemental Rule 13(c)(i), each party shall strike two Expert Panelists from the list of the other and return the list to FORUM. Any ranking of the remaining Experts by the opposing party will be ignored by FORUM.
  - (iv) FORUM will appoint the highest ranking Expert Panelist from each remaining list.
  - (v) If the highest-ranked Expert Panelist is unavailable, the second-ranked Expert Panelist will be appointed, and so on.
  - (vi) If only stricken Expert Panelists remain, FORUM shall constitute a new list and repeat the process until an Expert Panelist is chosen. FORUM may, in its discretion, reduce the time periods in this Supplemental Rule if the process needs to be repeated.
  - (vii) If a party fails to submit its Expert Panel lists/strikes in time, the opportunity may be forfeited and FORUM may appoint the Expert Panel based solely on the responding party's list.
  - (viii) As an exception to PDDRP Rule 2(h), the strike/rank lists need not be provided to the opposing party prior to Expert Panel appointment. After appointment, the lists may be provided to the parties.
  - (ix) Once an Expert Panelist for each party is appointed, the two Expert Panelists will select a three (3) chair candidates from FORUM's list at <http://domains.adrforum.com> within 5 business days, and provide the ranked list.
  - (x) FORUM will appoint the chair within 2 business days of being notified, beginning with the first ranked chair.

- (e) The chair will sign all Orders and the Determination, coordinate and preside over the proceeding, and forward to FORUM the Expert Panel's Determination, including any concurring or dissenting opinion.
- (f) In cases where the Complainant requested a three-member Expert Panel and no Response was Submitted as required by Rule 5(a), the Complainant may be given the option of converting the three-member Expert Panel to a single-member Expert Panel:
  - (i) After the time for the Response has expired, FORUM will notify the Complainant that no response was Submitted and that the Complainant may convert its three-member Expert Panel request to a single-member Expert Panel request;
  - (ii) Within five (5) Calendar Days of this notification, the Complainant, by e-mail to FORUM (domaindispute@adrforum.com), may request that the three-member Expert Panel be converted to a single-member Expert Panel;
  - (iii) If a single-member Expert Panel is requested, FORUM will prepare a list of Expert Panelists from its list of Expert Panelists, who are not on the list of Expert Panelists Submitted by the Complainant; and
  - (iv) If the Complainant fails to request that the three-member Expert Panel be converted to a single-member Expert Panel, the selection of the three-member Expert Panel will be as above (Supp. Rule 13(c)), except the list for Respondent's appointment shall be provided by FORUM.
- (g) The Appeal Panel appointment shall not be the same as the Expert Panel appointment. No Threshold or Expert Panelist (for the same case) shall be included in any Appeal Panel list; if a party submits an Appeal Panel list with a previously appointed Threshold or Expert Panelist on it, that Appeal Panelist candidate shall be automatically disqualified and the name replaced by FORUM.

#### **14. Impartiality and Independence**

- (a) All FORUM Expert Panelists will take an oath to be neutral and independent.
- (b) An Expert Panelist will be disqualified if circumstances exist that create a conflict of interest or cause the Expert Panelist to be unfair and biased, including but not limited to the following:
  - (i) The Expert Panelist has a personal bias or prejudice concerning a party or personal knowledge of disputed



evidentiary facts;

- (ii) The Expert Panelist has served as an attorney to any party or the Expert Panelist has been associated with an attorney who has represented a party during that association;
- (iii) The Expert Panelist, individually or as a fiduciary, or the Expert Panelist's spouse or minor child residing in the Expert Panelist's household, has a direct financial interest in a matter before the Expert Panelist;
- (iv) The Expert Panelist or the Expert Panelist's spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:
  - (1) Is a party to the proceeding, or an officer, director, or trustee of a Party; or
  - (2) Is acting as a lawyer or representative in the proceeding.

- (c) A party may challenge the selection of an Expert Panelist, provided that a decision has not already been published, by filing with FORUM a written request stating the circumstances and specific reasons for the disqualification.
- (d) A request to challenge must be filed in writing with FORUM within five (5) Business Days of the date of receipt of the notice of the selection.
- (e) Provided a Determination has not already been published by the selected Expert Panel, FORUM will promptly review the challenge and determine whether circumstances exist requiring Expert Panelist disqualification in accord with this rule. The decision of FORUM is not subject to appeal.

## **15. Communications Between Parties and the Expert Panel**

- (a) No party may directly communicate with an Expert Panel.
- (b) The parties may communicate with the Case Coordinator assigned to their proceeding by phone or e-mail.

## **16. Discovery**

- (a) Either party may request limited discovery in the Complaint, Response, or Reply.
- (b) The discovery shall be limited to: live or written witness testimony, expert consultants, or limited exchange of documents.
- (c) The request must state the basis for the discovery request and provide evidence of

substantial need.

- (d) The request must specify what type of discovery is sought and provide a suggested timetable.
- (e) When the Expert Panel is appointed, the Expert Panel, in its sole discretion, will determine whether to allow the discovery and may extend deadlines accordingly.
- (f) Any Expert Panel response to a request for discovery will be provided in a panel order.

## **17. Hearings**

- (a) Either party may request an in-person, telephone, or web-based hearing in the Complaint, Response, or Reply.
- (b) The request must state the basis for the request and provide evidence of substantial need.
- (c) The request must specify what type of hearing is sought and a suggested timetable, as well as a suggested apportionment of any additional fees.
- (d) When the Expert Panel is appointed, the Expert Panel, in its sole discretion, will determine whether to allow the in-person, telephone, or web-based hearing and may extend deadlines accordingly.
- (e) Any response to a request for an in-person, telephone, or web-based hearing will be provided in a panel order.
- (f) The Expert Panel, in its sole discretion, will apportion fees for the hearing appropriately.

## **18. Withdrawal**

- (a) Prior to the Final Determination, the Complainant may withdraw the Complaint without prejudice. Upon FORUM's receipt of the withdrawal request, the Complaint will be dismissed without prejudice and the administrative proceeding will be terminated.
- (b) Prior to the Final Determination, the Complaint may be withdrawn pursuant to a joint request made by both parties. A joint withdrawal request must be consented to by both parties and may request dismissal either with or without prejudice and the administrative proceeding will be terminated.
- (c) The Complaint cannot be withdrawn after any Final Determination is published.
- (d) If an Expert Panel has been appointed by FORUM, a request that the administrative proceeding be dismissed shall be granted at the discretion of the appointed Expert Panel.

## **19. Expert Panel Determinations**

Expert Panel Determinations will meet the requirements set forth in Paragraphs 13 through 18 of the Rules and will be of a length that the Expert Panel deems appropriate.

## **20. Correction of Clerical Mistakes.**

Clerical mistakes or clerical errors in the Expert Panel's decision arising from oversight or omission by the Expert Panel may be corrected by FORUM.

## **21. Communication of Determination to Parties; Publication of Determination.**

- (a) FORUM will publish Expert Panel Determinations via transmission to the parties and ICANN, as required by the Rules, and by publishing the full Determination per PDDRP Section Para. 19.2 and PDDRP Rule 14(a) on a publicly accessible web site.
- (b) All requests regarding what information a party wants included or excluded from a publicly available Determination must be made in a timely, compliant Complaint, Response, or Reply.

## **22. PDDRP Appeal Supplemental Rules**

- (a) Any Appeal or Appeal Response will comply with the PDDRP Section 20, PDDRP Rule 18, and this Supplemental Rule.
  - (i) The Appellant shall include the Appeal fee together with the submission of the Appeal.
  - (ii) All Appeals shall be heard by a three-member Panel for an additional fee. See PDDRP Section 20.3 and Supplemental Rule 13
  - (iii) The Appellant shall elect to have the Appeal decided on the basis of the originally submitted documents or to include additional materials, in accordance with PDDRP Rule 18(b) at the time the Notice of Appeal is filed. In either case, the entire prior record shall be provided to the Appeal Panel.
  - (iv) If a *de novo* review on the available record is requested, the Appellant shall specify the grounds for Appeal in 500 words or fewer. No additional evidence may be submitted.
  - (v) If a *de novo* review on the available record is requested, the Appellee shall be permitted to specify the grounds for denying the Appeal in 500 words or fewer. No additional evidence may be submitted.
  - (vi) If an Appeal including additional submissions is requested, the Appeal shall be

limited to ten (10) pages and 3,000 words. Additional evidence, subject to the limitations in PDDRP Section 20.5 shall be permitted

- (vii) If an Appeal including additional submissions is requested, the Appellee shall have the opportunity to submit an Appeal Response. The Appeal Response shall be limited to ten (10) pages and 3,000 words. Additional evidence, subject to the limitations in RRDRP Section 19.5 shall be permitted.
  - (viii) Any Appeal or Appeal Response shall be submitted within the time period provided in RRDRP Section 19 and shall be filed by email to [domaindispute@adrforum.com](mailto:domaindispute@adrforum.com) (or via the online portal, if available). The time period for an Appeal Response will begin to run on the date the Notice of Appeal is electronically transmitted by FORUM. Late submissions will not be accepted.
  - (ix) All supporting documents must be in a format as specified in Annex A to these Supplemental Rules, unless approved by FORUM in advance.
  - (x) Individual files must not exceed the file size restrictions as set forth in Annex A to these Supplemental Rules unless approved by FORUM in advance. The Annexes may be divided into multiple files as needed.
  - (xi) FORUM may rename electronic files compatible with internal naming conventions, for ease of internal and Expert Panel use.
- (b) FORUM will ordinarily issue a Notice of Appeal within two (2) Business Days of the receipt of the Appeal.
  - (c) FORUM will appoint an Appeal Expert Panel within twenty-one (21) Calendar Days of the receipt of the Appeal Response, or the deadline for the Appeal Response, whichever occurs first, according to Supplemental Rule 13.
  - (d) The Appeal Expert Panel shall ordinarily make its Appeal Determination within thirty (30) Calendar Days from the date of appointment, but may extend the time for its Appeal Determination in the event of exceptional circumstances.

### **23. Conclusion of the Proceedings.**

Subject to the provisions of the PDDRP Procedure for a PDDRP Appeal, Determinations are final. No requests to FORUM for reconsideration or changes will be considered. FORUM may, in its discretion, correct clerical or typographical errors or omissions in Determinations at the request of a party, or an Expert Panel, or on its own.

### **24. Fees (U.S. Dollars)**

(a) Fees:

Fees are a combination of flat administrative fees and hourly panelist fees. Estimated panel

fees are collected up front and as needed throughout the process.

If Complainant prevails, Complainant shall collect the total amount of fees paid from the Respondent, per PDDRP Section 14.3. If Respondent prevails, FORUM shall reimburse Respondent its fees paid, from the matching fees pre-paid by Complainant. PDDRP Section 14.2.

	Complainant	Respondent	Complainant pre-pay/ matching fee
Extension Request*		\$100	
Filing Fee*	\$500 Complaint	\$500 Response	\$500
Threshold Hearing Admin. Fee*	\$200	\$200	\$200
Threshold Hearing Fee	<i>TBD**</i>		
Doc. Hearing Admin. Fee*	\$1,000		
Doc. Hearing Fee	<i>TBD**</i>		
Re-examination Admin. Fee*		\$500	
Re-examination Hearing Fee		<i>TBD**</i>	
Part. Hearing Admin. Fee*	\$1,000†		Match if Respondent requests/pays
Part. Hearing Fee	<i>TBD**†</i>		Match if Respondent requests/pays
Appeal Admin Fee*	\$1,000†		Match if Respondent requests/pays
Appeal Hearing Fee	<i>TBD**†</i>		Match if Respondent requests/pays

\*Administrative fees are not refundable.

\*\* Based on Panelist’s published hourly rates

† Fee is charged to the requesting party.

(b) If any fee remains unpaid, FORUM may place the case in a “Suspended Pending Payment” status until all accounts are current or may elect to disregard the unpaid submission, at its discretion.

(c) Refunds:

All administrative fees to be paid to FORUM as provided in these Supplemental Rules are generally non-refundable.

(i) Any “matching” fees paid by a prevailing Complainant will be refunded in full to the paying party.

- (ii) Any estimated Panel fees not applied to a hearing will be refunded to the paying party
- (iii) A prevailing Complainant MUST seek reimbursement of fees from a losing Respondent directly; FORUM is not responsible for collections.
- (iv) FORUM will refund fees paid to a prevailing Respondent, once all fees are paid by Complainant or its surety.

(d) Payment shall be made online via credit card (charge to be made in U.S. dollars) or via wire in U.S. dollars (account details to be provided with the fee estimate). If fees are to be guaranteed via bond, see Supplemental Rule 25.

(e) If any form of payment is cancelled, stopped, returned unpaid or dishonored, without prior written authorization from FORUM, FORUM reserves the right to charge a service fee of \$50 for each cancelled, stopped, returned or dishonored payment.

## **25. Guarantee of Payment with Bond**

PDDRP Section 14.2 allows Complainants to guarantee the “prepayment” portion of the fees via bond. The following shall apply to bond guarantees.

- (a) Complainants seeking to guarantee the “prepayment” portion of fees via a bond must provide FORUM with evidence that the surety issuing the bond is reputable and financially stable.
- (b) Specific evidence may vary according to specific circumstances, but should include (but not necessarily be limited to) information about ownership, government regulation, financial status, and any available ratings of the surety institution.
- (c) It is within FORUM’s exclusive discretion whether to accept each submitted bond guarantee based upon information submitted by the Complainant or other information available to FORUM.
- (d) In situations where FORUM rejects a bond guarantee, the Complainant may elect to resubmit a putative bond guaranty from the same surety and with additional information about reputation and financial stability, resubmit a putative bond guarantee from a different surety, or resubmit a Claim that does not rely on a bond guaranty.
- (e) The time period for payment of fees may be extended in FORUM’s sole discretion if the Complainant is, in good faith, working to provide any of the information required in this section.

## **26. Effective Date**

These Supplemental Rules apply to all cases filed on or after October 1, 2013.

## ANNEX A TO FORUM'S SUPPLEMENTAL RULES

The purpose of this annex is to define technical requirements for electronic submissions.

### 1. Types of Files Supported

FORUM will accept files having the following extensions. If you have a file in a format not specified, you must have advance permission from FORUM or your submission may be rejected.

- (a) .pdf
  - (b) .doc [Microsoft Word document]
  - (c) .rtf
  - (d) .jpg
  - (e) .tiff
  - (f) .xls [Microsoft Excel spreadsheet]
  - (g) .htm/.html
  - (h) .smd (Trademark Clearinghouse Signed Mark Data file)
- ### 2. File Size Restrictions
- (a) No individual file may exceed 10 MB; a preferred file size limitation is < 5 MB.
  - (b) No party may submit electronic case documents in excess of 50 MB, in the aggregate.

FORUM does not accept links to files located on external servers and is not responsible for gathering electronic files. All files must be sent to FORUM following the PDDRP Rules and Supplemental Rules.