



Glossary of Definitions

22 September 2008

The purpose of this document is to provide a glossary of definitions to be used in conjunction with the following .IM Contracts :

The .IM Terms and Conditions (IM Terms)

and

the .IM Dispute Resolution Procedure (IM DRP)

and

the .IM Application rules (IM rules).

You can get copies of these from our website or from us. Other policies we refer to do not form part of this contract and may change at any time.

Definitions

1 The following words marked in **bold** will have specific meanings in these **contracts**.

'abusive registration' means a Domain Name which either:

- i. was **registered** or otherwise acquired in a manner which, at the time when the registration or acquisition took place, took unfair advantage of or was unfairly detrimental to the Complainant's **Rights**; OR
- ii. has been used in a manner which took unfair advantage of or was unfairly detrimental to the Complainant's **Rights**;

'agent'– Someone who may act on your behalf to deal with us, which will be shown in the **WHOIS**.

'black list' means list of names which are considered to be profane or otherwise abusive.

'cancel' – Cancelling this **contract** and your **domain name** are the same thing. The **contract** ends. The **domain name** will be deleted, will no longer work as part of a **website** or e-mail, and will be released to be **registered** again under **IM rules**.

'complainant' means a third **party** who asserts to **us** the elements set out in paragraph 2 of this Policy and according to the Procedure, or, if there are multiple **complainants**, the 'lead **complainant**' (see Procedure paragraph 8(b));

'consumer' – You are a consumer if **you** are an individual not registering, using or planning to use the **domain name** as part of a business, trade or profession.

'contract' means the **contract** between **us** and the **respondent**, made up of **our** Terms and Conditions, the IM rules for .im domain and sub-domains, and this dispute resolution policy and procedure (IM DRP);

'correct' – This means that the information must be good enough to allow us to contact you quickly at any reasonable time without having to get information from anywhere else, must not be deceptive, and (if possible for that type of information) must clearly identify you. For your name this also means that the information must be detailed enough that **we** can tell exactly who you are (in legal terms, exactly which legal entity **we** have this **contract** with).

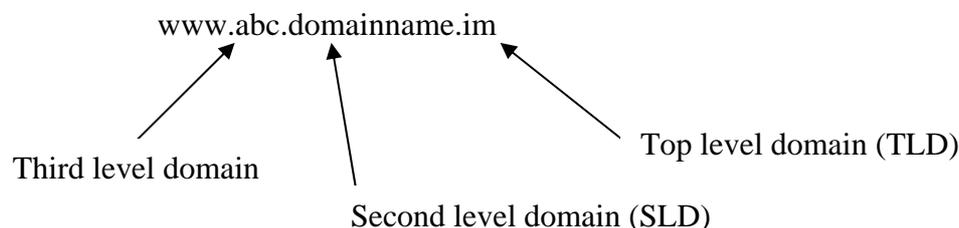
'days' means unless otherwise stated any day other than Saturday, Sunday or any Bank or public holiday in Isle of Man;

'decision' means the decision reached by the **designated official** at the Isle of Man Government;

'designated official' means the Isle of Man Government Officer appointed to adjudicate on matters of dispute;

'domain name' – An internet domain name ending in .im and operated by us. For example <domainname.im> is a domain name

Top level domain ("TLD"), second level domain ("SLD") and third level domain ("Third Level Domain") will be used which are as follows:



'higher level domain' means a sub-domain of an existing domain, for instance a third level domain is a higher domain than a SLD.

'IM DRP' – Our dispute resolution procedure.

'IM rules' – Our IM rules which explain which domain names can be **registered** and which cannot.

'ISP' means the internet service provider through which the **domain name** in dispute has been **registered** or is hosted;

'name servers' – Computers that provide specific translation information in the domain name system.

'notify' – Serving notice to you, your **agent**, authorised representative, contact (see condition 5.5) or **us** (see condition 35).

'party' means a **complainant** or **respondent** and 'parties' has a corresponding meaning;

'personal data' – Any information about an identifiable living person (for example, your name, address or phone number).

'pending status' – when a domain name is reserved for a customer and therefore not available for registration by anyone else but is live on **name servers**.

'referred' means domains will be submitted for manual approval or rejection by the designated official.

'register' – Our record of domain names and details about you, your **agent** (if you have one) and other information **we** need.

'registrant' means the person who is entering into **contract** with us and who the **domain name** will be **registered** for.

'registry' – The single organisation which holds all records for **domain names** with the same ending (**we** run *.im*) and operates the **name servers** for that domain.

'respondent' means the person (including a legal person) in whose name or on whose behalf a **domain name** is **registered** and against whom the **complainant** makes a complaint;

'reverse domain name hijacking' means using the IM DRP in bad faith in an attempt to deprive a **registered** domain-name holder of a domain name;

'rights' includes, but is not limited to, **rights** enforceable under Manx law. However, a **complainant** will be unable to rely on **rights** in a name or term which is wholly descriptive of the **complainant's** business;

'we' means Domicilium (IOM) Ltd (company no. 54878C) whose **registered** office is at The Isle of Man Datacentre, Ronaldsway Industrial Estate, Ballasalla, Isle of Man, IM9 2RS, British Isles, and **'us'** and **'our'** have corresponding meanings.

'WHOIS' – A system which provides public information about **domain names**. See our **website** for details and how to use the **WHOIS**.

2 Also the following words have special meanings but will not be put in bold.

'conditions' – includes all parts of the **contract**, not just those that lawyers call conditions.

'you', 'your' - The person who is entering into this **contract** with us and who the **domain name** will be **registered** for.