

Filing guidelines for the Petition

Before submitting your Petition, please read carefully Paragraph 7 of the Terms and Conditions of registration (the “.SE Policy”)

<https://internetstiftelsen.se/app/uploads/2019/02/registreringsvillkor-se-eng.pdf>

and the Instructions governing Alternative Dispute Resolution proceedings for domain names in the top-level domain .se (the “.SE Procedural Rules”)

<https://internetstiftelsen.se/app/uploads/2019/02/procedural-rules-adr.pdf>

In what language should the Petition be made?

The Petition for an ADR proceeding must be made in Swedish or English.

Does the Petition have to be prepared and submitted by a lawyer?

While the assistance of a lawyer may be helpful, there is no requirement that the Petition be prepared or submitted by a lawyer.

Can a Petition include more than one domain name?

Under Paragraph 7(a) of the .SE Procedural Rules, the Petition may relate to more than one domain name, as long as the person or entity that is the registrant of the domain names specified in the Petition is the same and if the petitions are supported by the same rights which are legally recognized in Sweden. Also petitions between the same parties may be handled in one proceeding, if it benefits the proceeding. The petitioner must state whether there may be grounds for implementing a single proceeding.

Do any payments have to be made when filing the Petition?

Yes. The appropriate fee specified in the “Arbitrators and costs” guidance must be submitted together with the Petition, using one of the methods described.

<https://internetstiftelsen.se/en/dispute-resolution/arbitrators-and-costs/>

Where can I get information about who is the registrant of a .se domain name?

You can find information about registrant of .se domain names at

<https://internetstiftelsen.se/en/>

What information should be included in the Petition?

The information that must be included in the Petition is described in Paragraphs 3, 4, 5, 6, 7 and 9 of the .SE Procedural Rules.

In addition, the WIPO Center has prepared a Model Petition and the below checklist of elements to include in a Petition.

Check list for the Model Petition:

- Complete the information about the parties (i.e. the petitioner and the domain holder).
For the petitioner, you should provide the name, national registration number or equivalent, postal and email address, and telephone number (and contact details of the authorized representative if applicable)
For the domain holder, you can find information about domain holders at <https://internetstiftelsen.se/en/>. It is sufficient to complete the contact ID number if the domain holder is a private individual.
- Check the box indicating one or three arbitrators. If you want the petition to be decided by three arbitrators, select an arbitrator from the list at <https://www.wipo.int/amc/en/domains/panel/panelists.jsp?code=seDRP> and enter their name on the petition form.
- Check the box for an accelerated proceeding if you want your petition to be decided pursuant to this method and if the domain holder fails to respond to the petition (the accelerated proceeding is always decided by one arbitrator within 10 days).
- Enter your requested remedy (i.e. whether you want the domain name to be transferred to you or be deregistered). Note that deregistration means cancellation of the domain name. The domain name will not be blocked for future registration, it will be available for registration again after a period of approximately 60 days.
- Enter the legal grounds and facts invoked in support of the petition. Describe the actions taken by you and the domain holder. It is important that you describe the circumstances in as much detail as possible since the argument that you present in your petition is what the arbitrator will take into consideration and base the decision upon.
To prevail in an ADR proceeding, **all of the three conditions below must be met:**
 - The domain name is identical or similar to a name in which you have rights that are legally recognized in Sweden (such as a trademark, a company name, or a family name); and

- the domain name has been registered or used in bad faith; and
- the domain holder has no rights or justified interests in the domain name.

Examples of bad faith, rights or justified interests are available at <https://internetstiftelsen.se/app/uploads/2019/02/instructions-pertaining-to-adr-paragraph-7.pdf>

- Enclose evidence. It is important that the Petition includes information about the evidence being presented and what you intend to prove by presenting it. Examples of evidence may be a copy of the registration certificate from the Swedish Companies Registration Office or a copy of the trademark registration certificate, printed screen shots from the domain holder's and your own website, as well as evidence of any communications with the domain holder. Make sure all evidence is in written form. Links, sounds or movies are not permitted.
- Make sure that the correct fee has been paid and that you have indicated the domain name(s) to which the payment pertains. Remember to pay the full fee in accordance with the "Arbitrators and costs" guidance available at <https://internetstiftelsen.se/en/dispute-resolution/arbitrators-and-costs/>, even if you want an accelerated proceeding if the domain holder fails to respond to the petition.
- Read carefully Paragraph 7 of .SE Policy <https://internetstiftelsen.se/app/uploads/2019/02/registreringsvillkor-se-eng.pdf> and the .SE Procedural Rules <https://internetstiftelsen.se/app/uploads/2019/02/procedural-rules-adr.pdf> and subsequently check the box if you accept.
- Read the Integrity policy for the alternative dispute resolution proceedings https://www.iis.se/docs/IIS-integrity-policy-for-ADR_eng.pdf and subsequently check the box if you accept.
- Sign the Petition and enter the date, location, title and your name in block letters.

How do I submit the Petition?

In order to facilitate the electronic submission of a petition, please download and complete the [Model Petition](#) and send it for submission as an email attachment (together with the annexes) to domain.disputes@wipo.int.

For ADR queries, please contact the WIPO Arbitration and Mediation Center at +41 (0)22 338 8247 or email arbiter.mail@wipo.int