

# CIRA POLICIES, RULES, AND PROCEDURES

## To Be Released Domain Name Registration Policy, Rules, and Procedures

(Version 1.3)

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**To Be Released Domain Name Registration Policy:** CIRA may offer for registration “TBR Domain Names” under special rules and procedures to be determined by CIRA at its absolute discretion.

- To Be Released Domain Name Registration Rules - definitions:** “TBR Domain Names” shall mean any name that CIRA, at its complete and sole discretion, deems to be a TBR Domain Name and that has been published on the TBR Domain Name list (the “List” at [http://ro.cira.ca/tbrlist\\_p](http://ro.cira.ca/tbrlist_p)). CIRA will use reasonable commercial efforts to update the List on a regular basis, at its complete discretion. Domain names that are automatically cancelled due to a failure to renew the registration and domain name registrations that are cancelled pursuant to certain CIRA policies, rules, and procedures which explicitly state that the cancelled Domain Names will be released via the TBR process, shall, unless CIRA, at its complete discretion determines otherwise, be deemed to be TBR Domain Names and be published on the List. TBR Domain Names on the List may be available for registration during a TBR Session (as that term is defined below).
- To Be Released Domain Name Registration Rules - procedures:** CIRA will accept a network connection and process an eligible request (collectively, the “Request”) for the registration of an available TBR Domain Name according to procedures, as set out herein, designed to respect CIRA’s policies and rules including, but not limited to, the policies, rules, and procedures for domain name registrations (all of CIRA’s policies, rules, and procedures are available at [http://www.cira.ca/en/cat\\_Registrar.html](http://www.cira.ca/en/cat_Registrar.html) and will collectively be referred to as “PRP”). If there is a conflict between the To Be Released Domain Name Registration Policy, Rules, and Procedures and the other CIRA policies, rules, and procedures, the To Be Released Domain Name Registration Policy, Rules, and Procedure takes precedence.
- To Be Released Domain Name Registration Rules – TBR Domain Name Availability:** CIRA will use reasonable commercial efforts to make TBR Domain Names, that have been published on the List for approximately 60 hours, available for registration at a specified time, as defined in the CIRA Programming Guide (the “TBR Session”). TBR Domain Names may or may not be available for the entire duration of a TBR Session. If TBR Domain Names that were available during the TBR Session are not registered during the relevant TBR Session, those TBR Domain Names will lose the status of TBR. CIRA will use reasonable commercial efforts to make the Domain Names available for registration in accordance with CIRA policies, rules, and procedures. CIRA will use reasonable commercial efforts to run TBR Sessions at regular intervals. CIRA may change the interval, and the times associated with the TBR Session, with 48 hours notice, at its complete discretion, at any time.

**4. To Be Released Domain Name Registration Rules – Registrar Obligations:**

It is the obligation of the Registrar to:

- (a) submit the Request on behalf of an existing CIRA Registrant;
- (b) initiate the Request in good faith;
- (c) submit a Request for TBR Domain Names only; and
- (d) refrain from abusing CIRA’s network or systems (“Abuse” is further defined in the CIRA Programming Guide at [http://www.cira.ca/en/cat\\_Registrar.html](http://www.cira.ca/en/cat_Registrar.html)).

**5. To Be Released Domain Name Registration Rules – CIRA cancellation/rejection of a Request:** If at any time in the course of validating or processing a Request, it appears to CIRA, in its sole discretion, that:

- (a) the Request does not comply with any of the applicable policies, rules or procedures;
- (b) even if the Request complies, processing the Request would contravene applicable policies, rules, or procedures;
- (c) a Registrar or Registrars Abuse, as defined in the CIRA Programming Guide at [http://www.cira.ca/en/cat\\_Registrar.html](http://www.cira.ca/en/cat_Registrar.html), CIRA’s network or systems; or
- (d) a Request should not be processed even if the Request complies and does not contravene applicable policies, rules, or procedures,

CIRA may reject and/or cancel the Request. CIRA will use reasonable commercial efforts to provide an error message to the Registrar indicating that the Request has been cancelled and/or rejected.

**6. To Be Released Domain Name Registration Rules – Cancellation of the TBR Session by CIRA:** If at any time during a TBR Session, it appears to CIRA, in its sole discretion, that:

- (a) a Registrar or Registrars Abuse, as defined in the CIRA Programming Guide at [http://www.cira.ca/en/cat\\_Registrar.html](http://www.cira.ca/en/cat_Registrar.html), CIRA’s network or systems
- (b) the TBR Session does not comply with any of the applicable policies, rules or procedures;
- (c) even if the TBR Session complies, processing the TBR Session would contravene applicable policies, rules, or procedures; or
- (d) a TBR Session should not proceed or be completed, even if the TBR Session complies and does not contravene applicable policies, rules, or procedures,

CIRA may cancel the TBR Session and any TBR Domain Name registrations that have been registered during or via the cancelled TBR Session. CIRA will use reasonable commercial efforts to send an email message to the Registrar that indicates that the TBR Session, any outstanding Requests, and any of the processed registrations, have been cancelled.

7. **To Be Released Domain Name Registration Rules – Fees:** the registration fee for the registration of a TBR Domain Name shall be the same as the registration fee for a domain name registration, as it is defined in the Fees Policy and Rules at [www.cira.ca/en/cat\\_Registrar.html](http://www.cira.ca/en/cat_Registrar.html) as “Registration Fee”.
8. **To Be Released Domain Name Registration Rules – CIRA extensions:** CIRA may at any time and at its complete and absolute discretion extend or shorten any of the timelines in this policy, rules, and procedures.
9. **To Be Released Domain Name Registration Rules – Registrar Sanctions:** CIRA may, in addition, to the remedies available under the Registrar Agreement, impose the following sanctions on Registrars that Abuse (as defined in the CIRA Programming Guide at [http://www.cira.ca/en/cat\\_Registrar.html](http://www.cira.ca/en/cat_Registrar.html)), CIRA’s network or systems:
  - (a) *First Abuse* – A Registrar’s TBR Session participation privileges will be suspended for a period of at least 30 days;
  - (b) *Second Abuse* – CIRA deems a second Abuse, *inter alia*, to be a disruption and abuse of the Registry Services, pursuant to the Registrar Agreement, and shall suspend the Registrar for a period of at least 30 days; and
  - (c) *Third Abuse* - CIRA deems a third Abuse, *inter alia*, to be a second disruption and abuse of the Registry Services, pursuant to the Registrar Agreement, and shall decertify the Registrar and terminate the Registrar Agreement.

### **To Be Released Domain Name Registration Procedure**

1. The Request must be made in accordance with the rules, policies, and procedures set out herein and the PRP.
2. CIRA system will validate the request (“Automatic Validation”) according to the PRP for validating requests for the registration of a domain name and the rules, policies, and procedures set out herein.
3. A Request for registration of a TBR Domain Name must be made on behalf of an existing Registrant. The Automatic Validation will reject and cancel a request for registration of a TBR Domain Name if:
  - (a) the Request does not meet the requirements of all applicable PRPs;
  - (b) there is a preceding and valid Request for the same TBR Domain Name in the CIRA system;
  - (c) the Request is made on behalf of a non-existing Registrant;
  - (d) the Request does not include a TBR Domain Name;
  - (e) the Request includes more than one TBR Domain Name;
  - (f) the Request does not include the relevant Registrant Identification Number;

- (g) The Registrar does not have sufficient funds in its deposit account for the Registration Fee; and/or
- (h) the Registrar submits requests (for registration, verification, validation, or any other purpose) at intervals which do not comply with the provisions of the CIRA Programming Guide at [http://www.cira.ca/en/cat\\_Registrar.html](http://www.cira.ca/en/cat_Registrar.html).

If any of these conditions apply, CIRA will reject and cancel the Request. CIRA will use reasonable commercial effort to display an XML, or web output (HTML) message to the Registrar, notifying it of the cancellation of the Request.

4. If the Request is validated and accepted, CIRA will register the TBR Domain Name in the name of the Registrant and debit the Registrar's deposit account for the Registration Fee.
5. If CIRA cancels a TBR Session, it may decide at its complete discretion to add some or all of the relevant cancelled TBR Domain Names to the List for a subsequent TBR Session or TBR Sessions.
6. A cancellation of a TBR Session will lead to the cancellation of all TBR Domain Names registered during the cancelled TBR Session.
7. CIRA will, as soon as possible after the cancellation of a TBR Session, using reasonable commercial effort, send an email message to the Registrars indicating the date or dates on which the TBR Domain Names of the cancelled TBR Session may be available for registration via a subsequent TBR Session.