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WIPO becomes first non-Chinese entity to administer '.cn' domain name disputes

China - [Hogan Lovells](#)

- **WIPO's Arbitration and Mediation Centre has been appointed by the Cyberspace Administration of China to administer disputes under '.cn' and '.中国'**
- **The centre is the first non-Chinese entity to administer domain name disputes under the Chinese ccTLDs**
- **The CNDRP applies to '.cn' and '.中国' domain names that are identical or confusingly similar to any name in which the complainant has civil rights or interests**

The World Intellectual Property Organization (WIPO) has recently announced that its Arbitration and Mediation Centre has been appointed by the Cyberspace Administration of China (CAC) to administer domain name disputes under '.cn' and '.中国', the country-code top-level domains (ccTLDs) for China.

As brand owners are increasingly becoming the target of more cybersquatting and cyberfraud, access to domain name dispute resolution services is crucial in order to protect not only their brands, but also their consumers.

The WIPO Arbitration and Mediation Centre is one of the main providers of domain name dispute resolution services. It administers disputes under all generic top-level domains (gTLDs) as well as over 75 ccTLDs (the full list is available [here](#)). China's ccTLDs, '.cn' (one of the largest ccTLDs with approximately 22 million registered domain names) and '.中国', have now been added to the list further to the conclusion of a memorandum of understanding signed between WIPO Director General Francis Gurry and CAC Minister Zhuang Rongwen on 21 July 2019.

Since 1 August 2019, the WIPO Centre has thus become the first non-Chinese entity to administer domain name disputes under the Chinese ccTLDs. This is good news for brand owners who may find it easier to file complaints and protect their rights in the '.cn' namespace.

Francis Gurry stated:

Authenticity on the Internet is critical to ensuring the safety and expansion of e-commerce and restoring domain names to legitimate trademark and other rights owners contributes to curbing consumer deception - in a market as large as China this assumes even greater significance.

The WIPO Centre offers domain name dispute resolution services under the Uniform Domain Name Dispute Resolution Policy (UDRP), which applies to most gTLDs and approximately 40 ccTLDs (for example Colombia's '.co', Montenegro's '.me' and Tuvalu's '.tv'). But the WIPO Centre also administers disputes in the many ccTLDs that have adopted a variation of the UDRP - for example, France's '.fr', Spain's '.es' or Sweden's '.se'. CNNIC, the Chinese Registry, has also adopted a variation of the UDRP for '.cn' and '.中国' domain names disputes.

The main differences between the China ccTLD Dispute Resolution Policy (CNDRP) and the UDRP are set out below:

- **Applicability** - the CNDRP only applies to '.cn' and '.中国' domain names that have been registered for less than three years, whereas there is no such time limit under the UDRP (and under most country-specific dispute resolution policies). The timeframe was previously two years but it was recently extended to three years, which is a welcome improvement.
- **Rights covered** - the CNDRP applies to '.cn' and '.中国' domain names that are identical or confusingly similar to any name in which the complainant has civil rights or interests. The scope of the UDRP is narrower as it is limited to trademark rights.
- **Bad-faith requirement** - under the CNDRP, the complainant only needs to prove that either registration or use of the disputed domain name is in bad faith, while under the UDRP the complainant is required to prove both elements.

Further details on the differences between both policies are available on WIPO's website [here](#).

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