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## Sunrise Policy

dotBERLIN GmbH & Co. KG ("Registry") will provide a mandatory phase for the preferential registration for domain name(s) in the .berlin namespace. This phase is called .berlin Sunrise phase and will be executed in cooperation with authorized ICANN accredited Registrars ("Registrars") and the Trademark Clearinghouse ("TMCH").

This Sunrise policy will apply to all applications submitted to the Registry during the .berlin Sunrise phase through Registrars. All applications must both meet the requirements of TMCH (<http://trademark-clearinghouse.com>) and of the .berlin Registration Policy (<http://policy.nic.berlin>).

During the .berlin Sunrise phase only applications for domain names may be accepted, verified and approved which are identical with registered trademarks, marks protected by statute or treaty, or court validated marks (together "trademarks") as well as any other marks that constitute Intellectual Property (IP) rights in accordance with the Registry's policies and that meet the eligibility requirements of the TMCH.

During the .berlin Sunrise all domain names are allocated on the "first come, first served" basis.

If applicants who have verified their mark application successfully with the TMCH want to register an identical domain name(s) they are obliged to forward the corresponding SMD file ("Signed Mark Data") to a Registrar in order to complete the registration.

If the applicant meets all necessary requirements the desired domain name(s) will be directly registered and charged by the Registrar.

Applications for .berlin domain name(s) where there is no "identical match" between the trademark and the domain name(s) will be rejected by the TMCH. In this case there is no refund of any fees that the Registry has charged to the Registrar.

Domain name(s) which are registered during the .berlin Sunrise phase can be subject a dispute procedure under the BERLIN Sunrise Dispute Resolution Policy ("SDRP"). This does not affect other legal protection mechanisms and/or other dispute resolution procedures.

Due to requirements of ICANN domain name(s) which are registered during the .berlin Sunrise may possibly not resolve and be used with DNS services before the end of the .berlin Sunrise.