

PRE-OPERATIONAL TRANSFER DATE REGISTRATION RULES AND PROCEDURES

**VERSION 3.0 – POSTING DATE: OCTOBER 31, 2000
EFFECTIVE DATE: NOVEMBER 8, 2000**

1. APPLICATION OF RULES AND PROCEDURES

1.1 UBC Registrations. On December 1, 2000 (the “**Operational Transfer Date**” or “**OTD**”), CIRA will take over the control and operation of the .ca registry from the University of British Columbia (the “**UBC Registry**”). Each registrant in the UBC Registry other than those persons who become registrants of the UBC Registry on or after November 8, 2000 and before December 1, 2000 (each, a “**UBC Registrant**”) will be required to apply to CIRA, through a CIRA Certified Registrar, for a registration (“**Registration**”) in the .ca registry to be operated by CIRA (the “**CIRA Registry**”) of its domain name or subdomain name registered, whether provisionally or otherwise, in the UBC Registry prior to November 8, 2000 and in accordance with the rules and procedures of the UBC Registry (“**UBC Registration**”), in accordance with the following rules and procedures. UBC will continue to maintain all UBC Registrations in the UBC Registry until November 30, 2000. **PLEASE SEE SECTION 2.1 BELOW, “FAILURE TO REGISTER PRIOR TO OTD” FOR AN EXPLANATION OF THE CONSEQUENCES OF FAILURE TO REGISTER PRIOR TO OTD.**

1.2 NEW DOMAIN NAMES. THESE RULES AND PROCEDURES DO NOT APPLY TO THE REGISTRATION OF NEW DOMAIN NAMES THROUGH CIRA IN THE UBC REGISTRY ON AND AFTER NOVEMBER 8, 2000 OR TO THE REGISTRATION OF NEW DOMAIN NAMES IN THE CIRA REGISTRY ON AND AFTER THE OTD.

For such an application, you should refer to the Registration Rules located at

1.4 Registrants Without Domain Names. It is possible for a person, including a UBC Registrant, to register as a Registrant Without a Domain Name. This option may be preferred by a person who anticipates applying to register a large number of domain names with CIRA. For the Policy on Pre-registration as a Registrant Without a Domain Name, you should refer to Section 2.12 – 2.15 of the Registration Rules located at <http://www.cira.ca/registrars/documents.html>. Pre-registration as a Registrant Without a Domain Name does not avoid the need for UBC Registrants to apply to register in the CIRA Registry a domain name which is the subject of a UBC Registration.

2. UBC REGISTRATIONS

2.1 Failure to Register Prior to OTD. CIRA will be activating the CIRA Registry on the Operational Transfer Date and the UBC Registry will cease to function. **ACCORDINGLY, IF A UBC REGISTRANT FAILS, PRIOR TO THE OPERATIONAL TRANSFER DATE OF DECEMBER 1, 2000 TO REGISTER A DOMAIN NAME WHICH IS THE SUBJECT OF A UBC REGISTRATION, EVEN IF A TRANSITIONAL REGISTRATION REQUEST IS MADE TO CIRA PRIOR TO DECEMBER 1, 2000 IN ACCORDANCE WITH THESE RULES AND PROCEDURES THEN, ON AND AFTER DECEMBER 1, 2000, THE DOMAIN NAME FOR THIS UBC REGISTRATION WILL NOT BE INCLUDED IN THE CIRA REGISTRY AND AS SUCH, AN INTERNET USER MAY NOT BE ABLE TO SEND EMAIL OR VISIT A WEBSITE THROUGH THIS DOMAIN NAME UNTIL THE DOMAIN NAME IS RE-REGISTERED IN THE CIRA REGISTRY AND ACTIVATED BY CIRA.**

However, CIRA will reserve the domain name until January 31, 2001 for the UBC Registrant. Until January 31, 2001, a UBC Registrant may apply to CIRA, in accordance with the

JANUARY 31, 2001, THE DOMAIN NAME WILL NO LONGER BE RESERVED BY CIRA AND WILL BE MADE AVAILABLE TO OTHERS FOR REGISTRATION IN THE CIRA REGISTRY.

- 2.2 Canadian Presence Requirements.** UBC Registrants are deemed to satisfy the Canadian Presence Requirements for Registrants, but only with respect to a request by the UBC Registrant to register a domain name which is the subject of a UBC Registration registered in the UBC Registry prior to November 8, 2000.
- 2.3 Selection of a CIRA Certified Registrar.** The UBC Registrant must select a CIRA Certified Registrar who will act on its behalf in submitting a request for registration of a domain name which is the subject of a UBC Registration (“**a Transitional Registration Request**”) to CIRA. A Transitional Registration Request cannot be submitted directly by the UBC Registrant to CIRA, but must be made through an active CIRA Certified Registrar. For a list of active CIRA Certified Registrars, please visit <http://www.cira.ca/cira/public?LANGUE=en®IS=o>. Registrars may have different contractual provisions, provide different services, have different geographical focuses, function in different languages and have different payment and other terms and conditions. Each UBC Registrant should consider which Registrar is most suitable for the needs of the UBC Registrant.
- 2.4 Submission of a Transitional Registration Request by Registrar.** Once a UBC Registrant has selected a Registrar, the Registrar will be responsible for preparing and transmitting to CIRA a Transitional Registration Request based on information provided by the Applicant to the Registrar. The UBC Registrant will have to provide all relevant information to the Registrar and the Registrar will have to provide all relevant information to CIRA in order to complete the Transitional Registration Request to CIRA.

- (i) the number of years selected in the Transitional Registration Request; plus
 - (ii) the period of time from the month and date of registration with CIRA of the domain name until the month and date of the next anniversary date of the original date of registration in the UBC Registry; plus
 - (iii) the number of days until the corresponding date in the month following such anniversary date (provided that if there is no corresponding date in the month following such anniversary date, the period shall expire on the last day of such month following); but
- (b) shall not exceed 10 years from the date of registration in the CIRA Registry.

For example, if a UBC Registrant through its Registrar selects a one (1) year registration period with CIRA, and the month and date of the UBC Registrant's UBC Registration is July 15, then when CIRA registers the domain name which is the subject of the UBC Registration on December 1, 2000, the new registration period will extend to and expire on August 15, 2002. If the anniversary date was August 31, the new registration period will extend to and expire on September 30, 2002.

The registration fee payable by the UBC Registrant's Registrar to CIRA for the processing of a Transitional Registration Request will be calculated in accordance with the Fee Schedule (located at <http://www.cira.ca/registrars/documents.html>) and will be based on the annual registration fee plus a prorated amount for the period extended in accordance with this Section 2.5, plus any applicable taxes.

Registrars must allow UBC Registrants to select a registration period of from one (1) to ten (10) years. The following rules must be followed by Registrars in dealing with UBC Registrants.

On or after November 8, 2000, if a UBC Registrant either selects a registration period of more than one (1) year or is charged by its Registrar on the basis of a registration period of more than one (1) year, then the Registrar must request registration of the domain name for the full period requested by the UBC Registrant (or for which it was charged) plus the additional pro-rated period referred to above and pay to CIRA the applicable Registration Fee for the full registration period selected or paid for by a UBC Registrant plus the pro-rated period referred to above at the time specified in Section 2.8 (d) of these Rules and Procedures.

With respect to Transitional Registration Requests made before November 8, 2000, if a UBC Registrant either selected a registration period of more than one (1) year or was charged by its Registrar on the basis of a registration period of more than one year then, on or before July 1, 2001, the Registrar shall renew the Registration that was the subject of the Transitional Registration Request for the balance of the registration period selected by the UBC Registrant or for which the UBC Registrant was charged, and the Registrar shall pay to CIRA the applicable renewal fee in accordance with the Fee Schedule (located at <http://www.cira.ca/registrars/documents.html>) plus all applicable taxes.

2.6 Validation of Transitional Registration Requests. Transitional Registration Requests will be validated according to the following criteria before being processed:

- (a) Transitional Registration Requests can only be made by active CIRA Certified Registrars and must conform to CIRA's Technical and Security Policies and

Registrar (the “**CIRA Deposit Account**”) to cover any fees associated with the processing of a Transitional Registration Request and any applicable taxes;

- (d) the domain name specified in the Transitional Registration Request must be the subject of a UBC Registration existing in the UBC Registry prior to November 8, 2000; and
- (e) the information regarding the UBC Registrant’s name and the administrative contact email address specified in the Transitional Registration Request must match the information in the UBC Registry.

The failure to meet any of these conditions will result in the Transitional Registration Request being rejected and cancelled by CIRA. The UBC Registrant’s Registrar will be advised of this by CIRA by email. No fee will be payable by the UBC Registrant’s Registrar in such event.

2.7 Responsibility for Selected Domain Name. It is the UBC Registrant’s responsibility to ensure that the UBC Registrant has the right to use the domain name which is the subject of the Transitional Registration Request and that the registration or use of the domain name to which the Transitional Registration Request relates does not violate any third party intellectual property rights or other rights, does not defame any person and does not contravene any applicable laws including Canadian federal, provincial and territorial human rights legislation and the *Criminal Code* (Canada), R.S.C. 1985, c.C-46, as amended from time to time.

2.8 Processing of Transitional Registration Requests. Transitional Registration Requests will be processed as follows:

Transitional Registration Request or have failed the validation test. The Registrar must notify the UBC Registrant that the Transitional Registration Request has been rejected and cancelled. If the UBC Registrant wishes to re-apply to register the selected domain name with CIRA, the UBC Registrant will then be required to submit, through its Registrar, a new Transitional Registration Request in accordance with these Rules and Procedures.

- (c) If the domain name selected or the UBC Registrant information provided in the Transitional Registration Request does not match the Registrant information from the UBC Registry, then CIRA will advise the UBC Registrant's Registrar who submitted the Transitional Registration Request that the Transitional Registration Request has been rejected and cancelled. The Registrar must notify the UBC Registrant that the Transitional Registration Request has been rejected and cancelled. If the UBC Registrant wishes to re-apply to register the selected domain name with CIRA, the UBC Registrant will then be required to submit, through its Registrar, a new Transitional Registration Request in accordance with these Rules and Procedures.
- (d) If the Transitional Registration Request is complete and has been validated in accordance with the above procedures, CIRA will advise the Registrar that the domain name has been reserved and the Registrar's balance in the CIRA Deposit Account will be debited the applicable fee (the "**Registration Fee**") in accordance with the Fee Schedule (located at <http://www.cira.ca/registrars/documents.html>) plus any applicable taxes.

2.9 Confirmation by UBC Registrant. A UBC Registrant who is registering a domain name with CIRA for the first time will be required to confirm the Transitional Registration Request

User Account and Private Password confidential and to prevent any unauthorized use or misuse of this User Account and Private Password.

- (b) For UBC Registrants whose Registrars elect to communicate with CIRA using automated web based forms using SSL and XML, if the Transitional Registration Request submitted by the UBC Registrant's Registrar is complete and has been validated in accordance with the above procedures, the UBC Registrant's Registrar will advise the UBC Registrant through the Registrar's website that the registered domain name has been reserved. CIRA will communicate the User Account and a temporary Private Password to the UBC Registrant's Registrar, who will then communicate such User Account and temporary Private Password to the UBC Registrant. The UBC Registrant's Registrar must keep such information strictly confidential and must not use or disclose such information. The UBC Registrant must take all steps to keep its User Account and temporary Private Password confidential and to prevent any unauthorized use or misuse of this User Account and temporary Private Password. The temporary Private Password will be cancelled and replaced later by CIRA in accordance with Section 2.10.

- (c) Within 168 hours (7 days) of the time and date of the email message from CIRA, or the time and date of being advised by its Registrar of the UBC Registrant's User Account and Private Password, as the case may be, (the "**Seven Day Period**"), and any extension thereof approved by CIRA in accordance with Section 2.9(i), the UBC Registrant will be requested to go to the secure web page identified in the email from CIRA or accessed via a web-based link from the Registrar's website, use the User Account to identify itself, and confirm its identity with the Private Password. The

- (iii) either download a copy of the Registrant Agreement (including the Rules and Procedures) or request CIRA to email to it a copy of the Registrant Agreement (including the Rules and Procedures related thereto);
- (iv) accept and agree to the Registrant Agreement (including the Rules and Procedures); and
- (v) in the case of a UBC Registrant who reads, accepts and agrees to the French language version of the Registrant Agreement (including the Rules and Procedures), confirm that the English language version of the Registrant Agreement (including the Rules and Procedures) will govern in the event of an inconsistency between the English and French versions.

Copies of these documents are located at
<http://www.cira.ca/registrars/documents.html>.

- (d) **If, for any reason, the UBC Registrant fails to complete the confirmation procedure set out in Section 2.9(c) within the Seven Day Period or any extension thereof approved by CIRA, then the Transitional Registration Request will be rejected and cancelled with no further notice to the Registrar or the UBC Registrant by CIRA. The User Account and Private Password will expire at the end of the Seven Day Period or any extension thereof approved by CIRA. The Registrar will be credited for the amount of the Registration Fee prior to the Operational Transfer Date, but after the Operational Transfer Date, there will be a fee payable by the Registrar for a failure by a UBC Registrant to complete the confirmation procedure, in accordance with the Fee Schedule (located at**

USER MAY NOT BE ABLE TO SEND EMAIL OR VISIT A WEBSITE THROUGH THIS DOMAIN NAME UNTIL THIS DOMAIN NAME IS RE-REGISTERED IN THE CIRA REGISTRY AND ACTIVATED BY CIRA. PLEASE SEE SECTION 2.1 ABOVE. THE REQUESTED DOMAIN NAME WILL ONLY BE RESERVED BY CIRA UNTIL JANUARY 31, 2001 IN ACCORDANCE WITH SECTION 2.1, AND THEREAFTER WILL BE MADE AVAILABLE TO OTHERS FOR REGISTRATION WITH CIRA.

- (e) If the UBC Registrant complies with this confirmation procedure within the Seven Day Period or any extension thereof approved by CIRA, CIRA will advise the UBC Registrant's Registrar and the UBC Registrant by email that the Transitional Registration Request is confirmed and that the requested domain name should be activated within 24 hours of the date and time of CIRA's email. The Registrar's balance in the CIRA Deposit Account will be debited the applicable fee in accordance with in the Fee Schedule (located at <http://www.cira.ca/registrars/documents.html>) plus any applicable taxes.
- (f) Part of the confirmation procedure requires the UBC Registrant to confirm the information provided by its Registrar to CIRA in the Transitional Registration Request. If the information provided by the UBC Registrant's Registrar in the Transitional Registration Request is not correct, the UBC Registrant should select the CONFIRM LATER option on this web page, contact its Registrar and make any modifications to the information through its Registrar within the Seven Day Period or any extension thereof approved by CIRA. Once the modifications have been made, the UBC Registrant must complete the confirmation steps set out in Section 2.9(c)

the end of the Seven Day Period or any extension thereof approved by CIRA with no further notice to the Registrar or the UBC Registrant by CIRA.

- (h) CIRA will use reasonable efforts to give notice to the UBC Registrant and the UBC Registrant's Registrar if the UBC Registrant has not complied with this confirmation procedure within the first 144 hours (6 days) of the Seven Day Period.
- (i) Should the UBC Registrant be unable to complete the confirmation procedure set out in Section 2.9(c) within the Seven Day Period, the UBC Registrant should contact its Registrar who may request a 168 hour (7 day) extension to the Seven Day Period from CIRA. Such an extension may be granted only once and only if the UBC Registrant does not have any other such extension currently in effect. CIRA reserves the right to refuse extensions in its discretion. If a 168 hour (7 day) extension is granted by CIRA or if CIRA refuses a request for an extension, CIRA will advise the Registrar and the UBC Registrant by email.
- (j) If the domain name selected in the Transitional Registration Request is registered, CIRA will advise the Registrant's Registrar and the UBC Registrant by email. The UBC Registrant is responsible for verifying the accuracy of the new registration by visiting the CIRA website at <http://www.cira.ca>. If there is any inaccuracy or error in the domain name registration, such as the length of the registration period, or if the UBC Registrant believes the registration was effected without authorization, the UBC Registrant should contact its Registrar within 48 hours of the date and time of the email from CIRA.

2.10 Permanent Private Password. If CIRA provides a UBC Registrant, through its Registrar,

2.11 Registrants are Members of CIRA. CIRA is a not-for-profit corporation without share capital under the laws of Canada. Under CIRA's by-laws, membership is limited to "Registrants" (as defined in CIRA's by-laws) who shall become members of CIRA at the time of becoming a "Registrant". CIRA's by-laws provide that a "Registrant" means any person that has registered a .ca Internet domain name in accordance with CIRA's registration requirements. For greater certainty, it is only on or after December 1, 2000 when a UBC Registrant's Registration is activated as a Registration in the CIRA Registry, that a UBC Registrant becomes a "Registrant" of CIRA in accordance with CIRA's registration requirements and a member of CIRA. Under the by-laws, membership can be refused or rescinded at any time. CIRA's by-laws can be reviewed on CIRA's web site at <http://www.cira.ca>.

2.12 Restrictions. CIRA, in its sole discretion, has the right to reject and refuse to register any domain name for any reason whatsoever. A domain name registration may be suspended or cancelled by CIRA pursuant to Section 6 of the Registrant Agreement.

3. UPGRADE OF SUB-DOMAIN NAMES

3.1 Upgrade of Third and Fourth Level Domain Name Registrations.

- (a) Commencing on September 18, 2000 and continuing until January 31, 2001, a UBC Registrant may apply to CIRA, through its Registrar, for the upgrade of a third level domain name registration (such as xyz.on.ca) or a fourth level domain name registration (such as xyz.ottawa.on.ca) to a second level domain name registration (xyz.ca). A UBC Registrant who has applied to upgrade a third or fourth level domain name registration to a second level domain name registration may also apply

- (b) A UBC Registrant who wishes to request an upgrade to a second level .ca domain may do so by requesting its Registrar to submit a Request for Upgrade form to CIRA. A UBC Registrant who wishes to apply for the registration of a third or fourth level domain name may do so by requesting its Registrar to submit a Registration Request in accordance with the Registration Rules applicable to new registrations of domain names. A fee will be payable by the Registrar to CIRA for the Request for Upgrade or Registration Request in accordance with the Fee Schedule (located at <http://www.cira.ca/registrars/documents.html>) plus any applicable taxes.
- (c) Upgrade Requests will be validated, processed and confirmed in the same manner as Transitional Registration Requests pursuant to these rules and procedures. CIRA will begin to process Upgrade Requests on and after November 8, 2000. An Upgrade Request which is processed, validated and confirmed in accordance with these rules and procedures on or after November 8, 2000 and prior to December 1, 2000 will be made in UBC Registry and maintained in the UBC Registry until November 30, 2000. Such upgraded registrations will be registered and activated in the CIRA Registry, with no further action required by the UBC Registrant of the upgraded Registration. An Upgrade Request which is processed, validated and confirmed in accordance with these rules and procedures on or after December 1, 2000 will be made in the CIRA Registry.

4. GENERAL

- 4.1 Time Periods.** Whenever there is any reference in these rules and procedures to a date or time or a period of time from the date and/or time of an email from CIRA, the date and time will be conclusively established by reference to the time kept by CIRA's computer system

4.3 Independent Confirmation. In these Rules and Procedures, whenever:

- (a) a UBC Registrant is required to confirm a Transitional Registration Request made by its Registrar in accordance with Section 2.9; or
- (b) a UBC Registrant is required to confirm an Upgrade Request in accordance with Section 3.1(c) and Section 2.9;

the UBC Registrant itself or its duly authorized representatives who have the authority to bind the UBC Registrant (other than the UBC Registrant's Registrar) shall complete all such steps and procedures.