

Anti-Abuse Policy for “.MTR”

- Effective 1 September 2015 -

This Anti-Abuse Policy binds all registrants of .MTR domain names. The goal of the Anti-Abuse Policy is to limit significant harm to Internet users, to enable MTR, accredited registrars, or registry operator to investigate and to take action in case of malicious use of domain names and to deter registrants from engaging in illegal or fraudulent use of domain names.

Abuse is defined as any action that causes actual and substantial harm, or is a material predicate of such harm to MTR Corporation Limited (MTR) or to the public, or is illegal, illegitimate, or otherwise contrary to MTR’s policy.

MTR, its accredited registrars or the registry operator may cancel or suspend the Domain Name registration for any of the reasons provided below, including but not limited to:

(a) if the Registrant uses or allows the Domain Name to be used, or acquiesces to the Domain Name being used, in any manner or for any purpose which is illegal or which otherwise violates any law, rule, regulation, order or other legal instrument in force in HKSAR, or if there are reasonable grounds to believe that the Registrant has done or is doing so;

(b) if MTR, the registry operator or the registrar believe, on reasonable grounds, that allowing the registration of the Domain Name to continue exposes MTR or the industry to a real threat or risk (in the sense of not being trivial) that legal action will be taken against MTR or the Registrar, whether in HKSAR or in any other jurisdiction;

(c) if MTR, the registry operator or the registrar believe, on reasonable grounds, that allowing the registration of the Domain Name to continue is likely to damage or adversely affect MTR's or the industry's reputation and/or goodwill, whether in HKSAR or elsewhere;

(d) if MTR, the registry operator or the registrar believe, on reasonable grounds, that allowing the registration of the Domain Name to continue is likely to put MTR or the Registrar in conflict with any statutory obligations or the terms of a HKSAR court order;

(e) if:

(i) the Registrant breaches any of the terms of the Registration Policies, and other Published Policies or the Registration Agreement; or

(ii) the Registrant's Domain Name registration is challenged by a third party who has applied to a Dispute Resolution Service Provider (as defined in the DNDRP) for resolution of the dispute and the Registrant refuses to submit to the arbitration proceedings in accordance with the DNDRP; or

(iii) in MTR's or the Registrar's determination, registration and use of the Domain Name contravenes any of these Registration Policies, Published Policies, or the relevant Registration Agreement; or

(iv) in MTR's or the Registrar's determination, fraud was committed in the registration process for the Domain Name, any information provided by the Registrant is false or misleading, or any information which is material to the decision to register the Domain Name or to continue to provide the Registrant with domain name registration services has been concealed or omitted; or

(f) if either MTR or the Registrar decide in their sole discretion that it is undesirable or unsuitable to maintain the registration of the Domain Name; or

Notice of cancellation of a Domain Name

If any of the events stated in (a) to (f), MTR, the registrar or the registry operator shall send the Registrant a written notice, describing the reason for the proposed cancellation of the Domain Name registration. The cancellation or suspension can be done immediately. The Registrant can object but shall send to MTR, registrar or registry operator the notice to provide evidence satisfactory to MTR, registrar or registry operator that the reason for cancellation no longer exists or is not justified or such breach has been remediated. MTR, the registrar or the registry operator has the discretion to determine if the termination of suspension of the domain name is rolled back.