

EXPERTISE RULES APPENDIX III

SCHEDULE OF EXPERTISE COSTS FOR PROCEEDINGS UNDER THE NEW gTLD DISPUTE RESOLUTION PROCEDURE

ARTICLE 1

Non-Refundable Amount

- 1 The non-refundable amount for the administration of proceedings pursuant to the New gTLD Dispute Resolution Procedure is €5,000.
- 2 The Objector, when filing the Objection, shall pay an amount equal to the non-refundable amount. No Objection shall be processed unless accompanied by the requisite payment.
- 3 The Applicant, when filing the Response, shall pay an amount equal to the non-refundable amount. No Response shall be processed unless accompanied by the requisite payment.

ARTICLE 2

Administrative Expenses

The administrative expenses of the Centre for the proceedings shall be fixed by the Centre at its discretion, having regard to the tasks carried out by the Centre. The administrative expenses shall, normally, not exceed €12,000 for one expert panel proceedings and €17,000 for three expert panel proceedings, unless required otherwise by exceptional circumstances.

ARTICLE 3

Fees and Expenses of the Expert

- 1 The fees of each expert shall be calculated on the basis of the time reasonably spent by the expert on the proceedings, at an hourly rate fixed for such proceedings by the Centre. The hourly rate shall be €450 unless decided otherwise by the Centre after consultation with the expert and the parties.
- 2 The amount of reasonable expenses of the expert shall be fixed by the Centre.
- 3 Unless agreed otherwise by the members of a three-member expert panel or unless decided otherwise by the Centre, the president of the panel shall receive 40% of the total fees and each co-expert shall receive 30% of the total fees.

ARTICLE 4

Payment obligation and consolidated cases

The deposit fixed by the Centre shall be paid by each party in full. This also applies in the case of consolidated proceedings in which there is more than one Objector and/or Applicant.

ARTICLE 5

Early Termination of the Proceedings

If expertise proceedings terminate before the notification of the expert report, the Centre shall fix the costs of the expertise proceedings at its discretion, taking into account the stage attained by the proceedings and any other relevant circumstances.

ARTICLE 6

VAT

Amounts paid to the expert do not include any possible value added tax (VAT) or other taxes or charges and imposts applicable to the expert's fees. Parties have a duty to pay any such taxes or charges; however, the recovery of any such charges or taxes is a matter solely between the expert and the parties. Any ICC administrative expenses may be subject to VAT or charges of a similar nature at the prevailing rate.

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