

# Quick summary of the survey - How to handle ineligible names -

APTLD Meeting  
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# *Contents*

- Background
- Observation
- Answers to each question

## *Background (1)*

- .JP has 2 categories
  - 3rd level registration
    - EXAMPLE.CO.JP for companies registered in Japan
    - EXAMPLE.AC.JP for universities registered in Japan
    - ....
  - 2nd level registration
    - EXAMPLE.JP for any organization and individual in Japan
- Eligibility
  - Local presence (postal address in Japan) plus:
    - 3rd level
      - Legal status that can be proven by official documents
    - 2nd level
      - None

## *Background (2)*

- About 10% of the 350,000 domain names registered on the 3rd level may be in-eligible
- Ineligible registrations are sometimes challenged
  - By those who
    - want to register THE domain name
    - accessed the web-pages with the domain name as a user and found the web-pages were managed by ineligible registrant (e.g., EXAMPLE.CO.JP sites managed by non-company)
    - want to challenge the flaw of the domain name registration
    - ...

## Background (3)

- Cancellation has an impact on the registrant and others, and so requires costly process
  - Domain names used in daily lives
    - Cancellation may cause big confusion and deficit not only to the registrants but also to the Internet users who access the domain name
  - Persistent effort to contact the registrants are made (usually in vain) before actual cancellation of the domain name registration
    - E-mails
    - Postal mails
    - Phone calls
    - Delivery-certified postal mails
    - Content-certified postal mails
    - Door-to-door visits

Complicated situation :  
ineligible registrants use  
domain names for  
services to the public

# Survey Overview

- APTLD
  - Questionnaire circulated on April 20, 2006
  - 10 responded so far
- CENTR
  - Questionnaire posted on April 24, 2006
  - 16 responded so far
- Total
  - 24 respondents
  - (2 ccTLDs responded to both APTLD and CENTR)

*(Disclaimer)*

*Due to some ambiguity of the questionnaire and responses, interpretation of some answers may not be accurate. This report may be corrected or revised through further consultation with respondents.*

# Observation

## *Observation (1)*

- Eligibility (=restriction) for domain name registration is defined in many respondent ccTLDs
- Typical requirements
  - Local presence
  - Organizational type (e.g. CO.JP is for corporations in Japan)
- Method of eligibility check varies by ccTLD
  - How : by documentary proof or online data
  - Who : registry or registrar
  - When : before and/or after registration

## *Observation (2)*

- Even when the registration rules are changed, names registered under the old rules remain being registered
- In most of the respondent ccTLDs, actual revocation is rarely implemented
- Some ccTLDs offer certain period for remedy; the others revoke registration without consent of the registrants
- In most respondent ccTLDs, domain names with incorrect Whois data are subject to revocation

## *Observation (3)*

- Many respondents have dispute resolution mechanism for revocation due to ineligibility
- Asia-Pacific ccTLDs and European ccTLDs may have some difference
  - AP ccTLDs tend to employ closer check to examine the eligibility
  - AP ccTLDs tend to be more cautious about actually revoking the names
  - There is a tendency among European ccTLDs that not the registrars, but the registries control all the eligibility checks

# Answers to Questionnaire

1. What are your TLD's registration requirements? (local presence, trade-mark ownership, legally-registered organization, etc.)
  - No restriction : 6
  - With restriction : 18
    - Including the cases where not all but some categories in the ccTLD have restriction
    - Example
      - Local presence of the registrant
      - Local presence of the contact point of the registrant
      - Organizational type (for 3rd level registration)
      - Legal entity
      - Trademark owner
      - Old enough to register (for individuals)
      - Having a personal name that is the same as the domain name

## 2. Do you check eligibility before the domain names are registered?

- Yes : 11 (A 7 + C 4)
- No : 9 (A 0 + C 7)

### 2.1 What is required to prove eligibility?

- Official documents : 4
- Online data issued by public authority : 5
- Combination of documents and online data : 4

### 2.2 Who conducts the check?

- Registry : 7 (A 2 + C 5)
- Registrar : 4 (A 4 + C 0)
- Combination : 1 (A 0 + C 1)
- Both : 2 (A 1 + C 1)

- (Ax + Cy) means 'x APTLD members and y CENTR members'  
 - Annotated when significant difference between APTLD and CENTR responses is seen

### 3. Do you check eligibility of registrants after registration?

- Yes : 11
- No : 7

#### 3.1 How is the check done?

- Check all registrations regularly : 1
- Spot check/Random sampling check : 3
- Check upon third party challenges : 9

(most ccTLDs doing spot check also conduct check-upon-challenge)

#### 3.2 Who conducts THE check?

- Registry : 6
- Registrar : 1
- Both : 4

4. Do you re-examine eligibility of registrants when your registration requirements (rules and criteria) are changed?

- Yes : 0
- No : 18

4.1 Do you cancel registration which has become ineligible under new rules?

- Yes : 0
- No : 18

4.2 If the applications which had been rejected under old rules have become eligible under the new rules, how do you handle them?

- No action: 18

## 5. How is the ineligible domain name revoked?

- The registrant cancels the name with his/her consent, upon receiving notice from registry/registrar about the ineligibility. : 5 (A 4 + C 1)
- The registry revokes the name without consent of the registrant. : 9 (A 2 + C 7)

### 5.1 How many cases do you have in a year?

- 0 cases : 6
- 2-3 cases : 1
- Tiny number of cases : 1
- 21 cases : 1
- Not infrequently : 1

### 5.2 If the name is in use for email or web, do you change judgment on whether and when to cancel the registration?

- Yes : 0
- No : 14

6. Do you offer the registrant a right of correction if the registered name is found ineligible?

- Yes : 9
- No : 6

6.1 If the answer to 6 is yes, do you accept a request from the registrant for transfer of the name to another eligible entity?

- Yes : 9
- No : 3

7. Do your rules state that the name whose registration data in Whois is incorrect shall be revoked?

- Yes : 15
- No : 3

### 7.1 case examples

- 15-day period is given for the registrant to correct, if not corrected then revocation follows
- 10-day period is given for the registrant to correct, if not corrected then revocation follows
- 3-month period is given for the registrant to register a new eligible domain name and to inform its customers about the change of website before the ineligible domain name is returned

8. Do you have any process for handling disputes or challenges regarding the eligibility?

- Yes : 12 (A 6 + C 5)
- No : 6 (A 1 + C 5)

## *JP's next move? – idea as of this moment*

- More light-weight procedure will be defined for revocation due to ineligibility
- Creation of “dispute resolution policy and procedure for revocation due to ineligibility” will be discussed
- In principle, the policy “even if the rules are changed, domain names registered under old rules shall not be cancelled” will be maintained

Thank you!