SGNIC Rules’ Enforcement

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Agenda

- Role of SGNIC vs other Agencies
  - Registration/Management of Domain Names
  - Website Content & Control
  - Dispute Resolution Framework
  - Spam, Phishing, Fraud, etc
- SGNIC’s Policy Agreements
- Cases
Role of SGNIC vs other Agencies (1/5)

- Registration and Management of Domain Names
  - SGNIC, a wholly owned subsidiary under the Infocomm Development Authority (IDA)

- Website Content & Control
  - Media Development Authority (MDA)
  - All complaints/queries/feedback will be forwarded to MDA

- Dispute Resolution Framework
  - Singapore Domain Name Dispute Resolution Policy (SDRP)
  - Administered by the Singapore Mediation Council (SMC)
  - Complainants advised to lodge their cases directly with SMC

- Other Issues like fraud, phishing, spam
  - IDA, Singapore Police Force (SPF)
Role of SGNIC vs other Agencies (2/5)

- Registration and management of names
  - Joint effort by both registry & registrars to ensure policies are adhered to

- Registrar Efforts
  - First-level screening of names
  - Category eligibility e.g. .com.sg, .edu.sg
  - Verification of registrant contact details

- Registry Efforts
  - Maintains a reserved list of offensive words
  - Second-level screening of names
    - Demarcation of responsibility between SGNIC and MDA not clear-cut.
    - Agreed procedures are: If names carry potentially offensive connotations, further clarifications will be made via the registrar:
      - Background info of organisation
      - Purpose of website
      - Likely content of website
      - Reasons for choosing that particular name
Role of SGNIC vs other Agencies (3/5)

• Website content & control
  ➢ Overseen by the Media Development Authority of Singapore (MDA)
  ➢ Upon receiving complaints, contents suspected of touching on the areas below will be referred to MDA and where necessary, to other relevant regulator authorities

• Contentious areas:
  ➢ Pornography (MDA)
  ➢ Religious sensitivity (MDA)
  ➢ Race and language sensitivity (MDA)
  ➢ Sales of drugs (MOH)
  ➢ Gambling (Police)
Role of SGNIC vs other Agencies (4/5)

• Singapore Domain Name Dispute Resolution Policy (SDRP)
  ➢ Jointly developed by SGNIC and the Singapore Mediation Council (SMC)
  ➢ Currently administered by SMC

• Complaints based on 3 premises:
  ➢ Domain name is used in bad faith
  ➢ Domain name is identical or confusingly similar to a trademark of which the Registrant has no right to
  ➢ Registrant has no right or legitimate interest to the domain name

• SGNIC will follow panel decision
  ➢ Transfer name to Complainant
  ➢ Delete the name from the system
Role of SGNIC vs other Agencies (5/5)

• Spam
  ➢ IDA Spam Control Act
    ▪ Implemented in June 2007
    ▪ Framework for managing unsolicited bulk messages
    ▪ Statutory penalty = $25 per message up to a maximum of S$1 million
    ▪ So far no known fines being meted out

• Phishing, Fraud, etc
  ➢ Relevant authorities will be involved eg. Singapore Police Force (SPF), IDA, etc
  ➢ SGNIC will work with them if neccessary
SGNIC Policy Agreements

• Clauses worded into both the Registrant Agreement (RA) and the Registration Policies, Procedures and Guidelines (RPPG)
  ➢ Gives SGNIC flexibility and power

• Applicant needs to warrant that the domain name
  ➢ Does not infringe on another trademark
  ➢ Is not identical to or confusingly similar to a trademark
  ➢ Does not infringe on the rights of third parties

• Domain name can be deleted:
  ➢ Upon breach of any clause of the RA
  ➢ Upon request from a Singapore court or any regulatory or government authority
  ➢ In SGNIC’s determination, and sole & absolute opinion, that the name is contrary to law, undesirable or obtained by fraud/misrepresentation
• Fraud Case
  ➢ A few thousand names were registered by a registrant
  ➢ Registrant realised his identity was stolen and used in registration when an SDRP complaint proceeding was lodged by another party
  ➢ A formal police report on identify theft was submitted by the registrant
  ➢ SGNIC eventually deleted those names

• Content Issue
  ➢ A particular domain name held pornographic material and had links to gambling sites
  ➢ Case referred to MDA who eventually advised SGNIC to remove the name
~Q&A~