TW Registrations
Takedown Policies and Case Studies
Ian Chiang / TWNIC
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Some Facts

• When there’s anything inappropriate found on the web, some expect TWNIC to do something.
  • For the 12 years (2008-2019), a total 274 requests (official documents) from governmental agents to ask TWNIC to
    • Provide the registration (or registrant) information (238)
    • Suspend the domain (5)
    • Delete domain or remove webpages/web contents (16)
    • Take proper actions to deal with ineligibility or inaccuracy (15)
  • IP or Trademark owners ask TWNIC to take similar actions to remove the webpages (or web content), suspend/delete the domain, or change ownership of certain domain.
• But many are confused about domain name and website (web content).
• TWNIC is not INVICIBLE. That’s something TWNIC can’t do.
  • Domain name registration ✓
  • Web content regulation ✗
What TWNIC can do and can’t do

• Requests from governmental agents
  • Provide the registration (or registrant) information ✓
  • Suspend the domain ✗
  • Delete domain or remove webpages/web contents ✗
  • Take proper actions to deal with ineligibility or inaccuracy ✓

• Request from IP or Trademark owners
  • remove the webpages (or web content) ✗
  • suspend/delete the domain ✗
  • change ownership of certain domain ✗
What TWNIC can do

- TWNIC may delete or transfer a registered domain name under any of the following circumstances:
  1. When TWNIC receives written instructions from the registrant or his/her agent;
  2. When TWNIC receives a judgment rendered by a Taiwan court or a document with the same effect as a judgment rendered by a Taiwan court; or
     Note: If it is a foreign judgement ordering the cancellation or transfer of a certain domain name, the requester should file a petition with the Taiwan court for the recognition and enforcement of the foreign judgement. TWNIC will cancel or transfer the domain registration if and when TWNIC receives the Taiwan court’s judgment recognizing and permitting the enforcement of the foreign judgement.
  3. When TWNIC receives the decision rendered by a Dispute Resolution Service Provider designated by TWNIC (the "Dispute Resolution Service Provider").
Things are a bit different now!!!

- Government is slightly aware of the difference of domain name and web, and what TWNIC can do.
- Recently a law amendment is possibly the first law in Taiwan
  - Specifically to regulate the web content access or removal
  - Potentially to included TWNIC in the regulation and penalty
    - the Statute for Prevention and Control of Infectious Animal Disease
      - Article 38-3: ...service provider...should take the following measurements.
        (3) to limit the access/view or remove certain web content
      - Article 45: violation of Article 38-3 will be fined NTD 30,000-150,000
Questions?