



ccTLD .it
Dispute resolution

Legal Guidelines
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0 Foreword

This guide (hereinafter Legal Guidelines) aims to provide the user and Registrars (hereinafter REG) with instructions and useful information regarding the Rules of assignment and management of domain names in the ccTLD .it (hereinafter Rules) and the Dispute Resolution Rules in the ccTLD .it (hereinafter Dispute Rules) and also with forms for relevant operations.

0.1 Revisions

Versions of this document following 3.0 are considered revisions.

0.2 Glossary

Term	Definition
Registry database	Database kept by the .it Registry containing domain names assigned in the ccTLD .it.
DBAN	Database of Assigned Names (see Registry database).
ICANN	ICANN (Internet Corporation for Assigned Names and Numbers). The international not for profit organisation responsible for the assignment of IP (Internet Protocol) addresses and protocol identifiers, and the management of the Top-Level (TLD), generic(gTLD) and County Code (ccTLD) domains as well as root server systems. ICANN works to safeguard the operative stability of the Internet, promote competition, extend the representation of global communities in the Internet and develop appropriate policies by means of participation and consensus (http://www.icann.org).
Technical Guidelines	Guidelines for managing synchronous operations with ccTLD .it domain names.
Dispute Resolution Service Providers	Organizations accredited by the ccTLD .it Registry for the management of disputes concerning the re-assignment of domain names registered in the ccTLD .it in compliance with the document “Procedure for qualifying out-of-court dispute resolution Service Providers within the context of the ccTLD .it”, consultable on the Registry’s site.
PSRD	Italian acronym for Dispute Resolution Service Providers.
Registrant	The person or organization requesting registration of a domain name or that has been assigned one.
Registrar	Organization which carries out registrations of domain names on their own behalf or that of Registrants. For an organisation to become a Registrar it must pass an accreditation procedure established by the Registry.
REG	Registrar.

Registry

Organism responsible for assigning domain names and managing the primary registers and nameservers for a TLD. Delegated for this duty by ICANN.

In this document it is referred to as the Registry of the ccTLD .it, ccTLD .it Registry or .it Registry.

1 Opposition procedure

1.1 Aim

The opposition procedure is the process by which a third party can file a complaint to the Registry sustaining that the registration of a domain name by the current registrant infringes one of its rights.

Activation of opposition is a necessary condition to start the re-assignment procedure for a domain name.

Once opposition is activated the Registrant, i.e. the assignee of the domain name, cannot be modified.

The Registry does not take part in resolution of the opposition which, in the event of it not being defined amicably, can be decided through recourse to the procedures indicated in the Rules for resolving disputes.

Nevertheless, the right to appeal to the judicial authorities remains.

1.2 Introduction to the opposition procedure

To activate the opposition procedure it is necessary to send the Registry a specific complaint request, duly signed and containing:

- the sender’s details; in the case of it being sent by a representative, the request must also contain the representative’s details and must be signed by both;
- the domain name object of complaint;
- the Registrant's data as retrieved from the Database of Assigned Names (DBAN);
- the right allegedly infringed and a description of the damage incurred. By way of example, damage can arise from the fact that the domain name is identical or such as to cause confusion with a trademark, or other distinctive mark of the complainant, or that the domain name is identical to the complainant’s name and surname, etc.

The procedure can be activated also by subjects delegated by the party in question. In this case the request must be signed by both parties, or otherwise the delegated party must attach the power of attorney to the request.

The request for opposition can be sent to the Registry by ordinary post, to fax number +39 050 3153448 or by email to challenge@nic.it in .pdf or similar format.

The procedure can also be activated if the interested party sends the Registry a copy of a legal decision or notification of arbitration proceedings.

The opposition procedure may also be officially activated if the Registry, for any reason, comes to know of the existence of legal or arbitration proceedings for an assigned domain name in use in the ccTLD .it.

The opposition application forms (Attachments A1 and A2) are available below.

1.3 Registry procedure regarding an opposition request

Once it has received the complaint request, the Registry will check its formal content. If the request complies with the indications of the Article 1.2 “Introduction to the opposition

procedure” of these Legal Guidelines, the Registry will activate opposition within 10 (ten) days; otherwise the Registry will inform the complainant within 10 (ten) days that the necessary elements for starting opposition are lacking by sending a specific communication to the address shown on the petitioner’s letter.

In this case the period of 10 (ten) days is suspended for the period between the communication and the correct completion of the opposition request.

The status of opposition to the domain name does not prevent it from being visible on the internet, with the exception of the specific conditions recalled in the Rules and related Guidelines.

1.4 Registry actions regarding a valid instance of opposition request

In the event of a valid opposition request, the Registry:

- 1) adds the status of “challenged” to the domain name;
- 2) informs the Registrant by email that the opposition procedure has started, indicating:
 - o the domain name object of opposition;
 - o the details of the petitioner and the description of the infringed right;
 - o the reference articles of the Rules of assignment and management of domain names in the ccTLD .it and the Dispute Rules on the basis of which the opposition was activated;
- 3) sends the parties involved, by land mail, notice that opposition has been initiated. This notice contains:
 - o the details of the petitioner and the description of the infringed right;
 - o the reference to the possibility of using the alternative resolution procedures provided for by the Dispute Rules;
 - o the start date for the opposition procedure and for the purpose of the calculation of the terms for its renewal;
- 4) can ask the Registrar for documentation relating to the domain name registration in the ways and terms established by Article 3.1 below “Transmission to the Registry of the registration and maintenance document for a domain name object of opposition”.

The opposition petition is not attached to the start of opposition notice.

The party involved in the opposition request can avail itself of the procedure provided for in Article 2 below “Access request for data and documents relating to the registration, maintenance and opposition of a domain name in the ccTLD .it”.

1.5 Registry’s right to revoke the challenged status

The Registry has the right to revoke the challenged status if the Registrant sends the Registry, in the way provided for by section 2 of Article 1.2 “Introduction to the opposition procedure”, an explicit request to this effect subject to demonstrating, with documentary evidence, that it has the right to hold the domain name on the basis of a trademark or other distinctive mark or person’s name and the complainant offers no documentary evidence for a similar right, but bases its opposition on the simple damage incurred by the registration or assignment of the domain name to others.

The Registry, once it has examined the request and evaluated the attached documentary evidence, in the presence of valid presuppositions, shall communicate to the parties, by registered post or certified email, if available, revocation of the “challenged” status from the domain name.

1.6 Renewal of the opposition procedure

Unless the Registry has received written communication of the existence of judicial proceedings, arbitration or a re-assignment procedure for the domain name, the complainant, in order to keep the opposition procedure pending, must renew it every 180 (one hundred and eighty) days from the activation date communicated to the parties at initiation of the

opposition procedure.

The renewal request cannot be repeated more than 2 (two) times for the same domain name between the same parties.

To this end, the complainant is bound to send the Registry a specific request, duly signed, by which it expresses the wish to keep the opposition procedure for the domain name open.

Renewal of opposition can also be submitted by a representative of the interested party. In this case the request must be signed by both parties, or otherwise the delegated party must attach the power of attorney to the request.

The request for renewal can be sent to the Registry by ordinary post, to fax number +39 050 3153448 or by email to challenge@nic.it in .pdf or similar format.

Once it has received the renewal communication, the Registry will check its formal content.

If the request complies with the previous indications, the Registry considers the opposition procedure renewed, informing the complainant at the e-mail address shown in the opposition request and the Registrant at the e-mail address shown in the Registry's DBAN.

Otherwise, the Registry informs the complainant within 10 (ten) days of any discrepancies found as well as the terms within which it is bound to supplement the renewal request by sending a specific notice by email to the address shown on the opposition letter or other address communicated to the Registry.

In this case the deadline period for opposition is suspended for the period between the communication and the deadline for regularisation of the access request.

The opposition procedure renewal forms (Attachments B1 and B2) are available below.

1.7 Failure to renew the opposition procedure

The Registry considers the opposition procedure terminated due to failure to renew when it does not receive:

- within 180 (one hundred and eighty) days from the start of the opposition indicated in the DBAN;
- within 180 (one hundred and eighty) days from the date of the last renewal of the opposition, according to the indications in the communication of the Registry

the renewal of opposition procedure indicated in Article 1.6 above, "Renewal of the opposition procedure".

In this case the Registry removes the "challenged" status from the DBAN, informing the interested parties by means of registered letter or certified email, if available.

1.8 Resolution of opposition - effects

The Registry considers opposition resolved if one of the hypotheses provided for by Article 5.1.3 "Opposition resolved" of the Rules of assignment and management of domain names in the ccTLD .it arises.

If the opposition is resolved in favour of the Registrant, the Registry removes from the DBAN the status of "challenged" associated with the challenged domain name, informing the interested parties by means of registered letter or certified email, if available, or via email to the complainant at the address shown in the opposition request or to the address shown in the Registry DBAN.

If the procedure is resolved in favour of the complainant, the Registry removes the challenged domain name assignment from the DBAN, putting it in "inactive/*toBeReassigned*" status.

Within 10 (ten) days the Registry invites the complainant to activate the registration procedure by means of registered letter or certified email, if available.

Registration will take place according to the procedure described in the Technical Guidelines; after carrying out appropriate verification, the Registry assigns the domain name to the new Registrant, generates the AuthInfo and communicates it to the Registrar who, in turn, must send it to the Registrant.

In any case, the registration procedure must be completed within 30 (thirty) days following

receipt of the communication of invitation for registration.

If, after 30 (thirty) days, the complainant has not completed the registration procedure, the domain name becomes available for free assignment.

1.8.1 Cancellation of a domain name subject to opposition

1.8.1.1 Registrant's request

A Registrant wishing to carry out an immediate cancellation of a domain name, object of an active opposition regarding that name, must send to the Registry a formal request formatted according to the forms available on the website. The forms for domain name cancellation are shown below (attachments G1 and G2).

Each form is divided into four parts:

- The first part contains the following information:
 - domain name to be cancelled;
 - if the Registrant is an individual person, the form contains:
 - their personal and tax details;
 - if the Registrant is a subject other than an individual person, the form contains:
 - the personal and tax details of the individual person who, as legal representative of the entity assignee of the domain name, undersigns the cancellation request, and also the registered address and tax details of the Registrant;
- the second part regards Registrant's liability in the case of false declaration;
- the third part contains:
 - place and date in which the cancellation document is produced;
 - signature of person requesting cancellation;
- the fourth part regards protection and treatment of personal data.

Modification to the above mentioned forms are not allowed. The Registrant must complete all the compulsory fields regarding their "category". These are summarised in the table below.

Compilation of a cancellation request for a domain name under opposition

Data required	Cancellation request for individual persons (without VAT number)	Cancellation request for entities other than individual persons	Notes
Name and surname of applicant and signatory of the request	<i>Compulsory</i>	<i>Compulsory</i>	(1)
Place of birth	<i>Compulsory</i>	<i>Compulsory</i>	(2)
Date of birth	<i>Compulsory</i>	<i>Compulsory</i>	(3)
Abode	<i>Compulsory</i>	<i>"not applicable"</i>	(4)
Tax code/ID number	<i>Compulsory</i>	<i>Compulsory</i>	(5)
Company name	<i>"not applicable"</i>	<i>Compulsory</i>	(6)
Name and surname of legal representative	<i>"not applicable"</i>	<i>Compulsory</i>	
Registered office	<i>"not applicable"</i>	<i>Compulsory</i>	(7)
VAT number	<i>"not applicable"</i>	<i>Compulsory</i>	(8)
Signature of applicant	<i>Compulsory</i>	<i>Compulsory</i>	(9)

Notes

- (1) For individual persons who have more than one name and surname indicate all names in full. Abbreviated names and surnames, or with full stops, are invalid.
- (2) Place of birth to be completed in full, including complete name of province and/or foreign state of origin (birth).

- (3) Date of birth in (1) to be indicated in the form “DD/MM/YYYY”.
- (4) The person in (1) must indicate the complete postal address of their abode. For individual persons living outside of Italy also the foreign state must be indicated.
Italian citizens must indicate their tax code (*codice fiscale*); citizens residing in other member states of the European Economic Area (EEA), the Vatican City State, the Republic of San Marino and the Swiss Confederation, where a tax code equivalent is not available, must indicate the number of a valid identity document.
- (5) Exact and complete company name of applicant entity must be indicated (e.g. “Company name” of John Smith, John Smith & Co. Ltd., etc).
- (6) Registered office must be indicated with complete postal address (street, town, province, postal code, foreign state if applicable) of the applicant entity indicated in (6).
Indicate VAT number or numerical tax code of applicant entity. *De facto* organisations without tax code must indicate date of constitution. Organisations located in a member state of the European Economic Area (EEA), apart from Italy, in the Vatican City State, the Republic of San Marino or the Swiss Confederation equivalent data must be indicated (e.g. tax code).
- (7) The cancellation request for a domain name object of active opposition must be signed by the person indicated in (1).

For applicants (individual persons or subjects other than individual persons) belonging to a member state of the European Economic Area (EEA) apart from Italy, the Vatican City State, the Republic of San Marino or the Swiss Confederation must apply the same principles, with exception for what is foreseen by legislation in act in the single states.

1.8.1.2 Sending the Registry a cancellation request for a domain name object of an active opposition

The cancellation request for a domain name object of an active complaints procedure can be sent to the Registry by means of conventional land mail, certified email, courier service or fax to the address:

Registro .it
Istituto di Informatica e Telematica del CNR
Via Giuseppe Moruzzi, 1
I-56124 Pisa (Italy)

Faxed requests must be sent to: +39 050 570230.

Compilation of requests may be carried out on more than one page (A4 format) and with a character size and format different from that of the electronic forms on the Registry website, without altering in any way whatsoever the general format or content of the forms.

1.8.1.3 Checks on the cancellation request for a domain name object of an active opposition

All cancellation requests for a domain name object of an active opposition which contain errors, or with missing identifying data of the applicant, will be rejected by the Registry with notification negative outcome to the Registrar. This occurs when:

- The domain name in the request:
 - does not have the suffix “.it”;
 - is not registered in the Registry DBAN;
 - is not in the status of “challenged”;
 - is in one of the following statuses:
serverDeleteProhibited/serverUpdateProhibited/serverTransferProhibited,
inactive/clientHold, inactive/serverHold, pendingDelete/pendingDelete,
inactive/toBeReassigned, inactive/revoked;
- the content of the request is not legible;
- the request lacks compulsory data;
- the request does not have attached copy of a valid identity document of the applicant;
- the request is completed in a language other than Italian;
- before the signature at the bottom of the request there is no specification of the signatory’s

name and surname, or these names refer to a person other than the applicant.

1.8.1.4 Acceptance of the cancellation request for a domain name object of an active opposition

If the request received passes all the validation steps as specified in the previous paragraph, the Registry immediately cancels the domain name object of active opposition, moving the domain name immediately to the status of *inactive/toBeReassigned*. The Registry gives notification, via email, of the cancellation of the domain name to the Registrar that previously maintained the name.

2 Access request for data and documents relating to the registration, maintenance and opposition of a domain name in the ccTLD .it

Procedures and terms for access to the registration, maintenance and opposition documents regarding a domain name in the ccTLD .it maintained by a Registrar.

2.1 Essential elements of the access request

The access request must contain:

- the domain name;
- the details of the subject applying;
- the object of the request;
- the interest connected to the object of the request;

The petition can be sent to the Registry by ordinary post, to fax number +39 050 3153448 or by e-mail to richiesteaccesso@nic.it in .pdf or similar format.

A copy of a document, duly signed, identifying the interested party must be attached to the access request.

The document access application forms (Attachments C1 and C2) are available below.

2.2 Legitimate subjects

The access request must be submitted by the subject it concerns; the request can also be submitted by a delegated person. In this case, the request must be signed by the delegate and the delegator, or the delegate is bound to attach the power of attorney and the delegator's identity document to the request.

If the request is sent by a lawyer as part of judicial proceedings that the Registry is aware of, the request can be sent directly by the lawyer; otherwise the request submitted by the lawyer must have the same requisites as specified in the paragraph above.

2.3 Evaluation of the request

The request is evaluated by the Registry, which, within 10 (ten) days of receipt and having determined its formal correctness, will start the proceedings by registered letter with notification of receipt or certified email, if available.

If the Registry receives irregular or incomplete requests, it will inform the applicant within 10 (ten) days of receiving the access request by registered letter or certified email, if available.

Completion of the access request must reach the Registry within the terms shown on that notice.

In this case the period of 10 (ten) days is suspended for the period between the communication and the completion of the access request.

2.4 Notification to counterparties

The Registry is bound to notify the start of access proceedings to subjects, identified or easily

identifiable, who could see their right of privacy compromised by that access request. Notification is sent by registered mail with notification of receipt, or by certified email, if available, to the addressed resulting in the records of the Registry. The counterparties can submit justified objection to the access request within 10 (ten) days of receiving notification by registered post with notification of receipt, certified email, via fax to number +39 050 3153448 or by e-mail to richiesteaccesso@nic.it in .pdf or similar format. Any objection will be evaluated by the Registry in accordance with the intents and effects of the provisions of Articles 2.6 “Exclusions to the right of access” and 2.7 “Safeguard of privacy” as well as against compliance with the provisions of law and the regulations.

2.5 Limits to access

The Registry can limit access to a document by blanking out some content if this is necessary to safeguard third parties’ right of privacy, provided that the information, once the document contents have been evaluated, is not relevant to the applicant.

2.6 Exclusions to the right of access

The Registry, subject to careful evaluation of the elements available and the specific case, can exclude access to the following types of documents:

- deeds and documents falling into the general categories identified by section 1, Article 24 of Law No. 241/90;
- deeds and documents from which damage can be caused to relevant interests identified by letters a), b), and e) of section 6, Article 24 of Law No. 241/90;
- documents regarding the private life or privacy of individual persons, legal entities, groups, firms and associations, with particular reference to correspondence, health, professional, financial, industrial and commercial interests of which they are concrete owners, even if the related data have been provided to the administration of the same subjects to which they refer, when their knowledge could cause grievous irreparable damage to the subjects to which the information in the documents refers or the subjects giving the information have stressed that the information is subject to particular forms of safeguard based on the provisions of law.

2.7 Safeguard of privacy

The Registry in any case guarantees the applicants access to documents the knowledge of which is necessary to safeguard or defend their own legal interests.

In the case of documents containing sensitive legal data, access is permitted within the limits of the strictly indispensable and, in the case of data revealing the state of health and sexual life, within the terms provided for by Article 60, Legislative Decree No. 196 of 30 June 2003. In every situation where it can be presumed that access could cause damage in relation to the cases provided for by Article 2.6 above, the Registry evaluates whether the interest or right by which the interested party exercises access has equal or greater weight than the safeguard of the privacy of the elements contained in the document.

The foregoing does not, in any case, prejudice the principle by which conflicts between the right of access and third parties’ privacy must be resolved giving access, aimed at the care or defence of one’s own interests, precedence over the privacy requirement, within the limits that it is necessary for the defence of a legally relevant interest.

2.8 Applicant’s obligations

In signing the request the applicant undertakes not to make use of the documents received and the personal data contained therein for purposes other than those strictly indicated in the request and not to divulge said data and contents. The applicant also assumes all responsibility regarding the incorrect use of the personal data communicated to it. In all cases it is obliged to

indemnify the Registry from all liability of costs or nuisance for any action by third parties or the Registrant in relation to the request itself and events connected or consequent to it. With the request the applicant also gives consent for the transmission to the interested counterparties of the personal data contained in it as well as the reasons for the request.

2.9 Availability and access to documents and information regarding domain names

If the Registrar receives a request for access to documentation concerning domain names maintained by it, it is bound to send this request to the Registry by e-mail in .pdf or similar format to “richiesteaccesso@nic.it” or by fax to the number +39 050 3153448 within a maximum of 5 (five) working days from receiving said request for access. The access request must also be sent to the Registry by land mail.

In this case the Registrar must transmit to the Registry, by the above-stated deadline and in the same ways, the written domain name registration document in accordance with the Registry/Registrar contract, and as specified in the Rules for the assignment of domain names in the ccTLD .it, and using the procedures indicated in the Technical Guidelines (see also following Article 3.1). The Registry, having evaluated the request of the third party, can ask the Registrar for further documentation for the purpose of fulfilling the third party’s request in the ways and times established in paragraph 1 of Article 3.2 “Transmission to the Registry of the registration and maintenance document for a domain name upon a specific request of the Registry” of this document.

After receiving communication as mentioned above the Registry will apply the provisions of Article 2 “Access request for data and documents relating to the registration, maintenance and opposition of a domain name in the ccTLD .it” of these Legal Guidelines.

If the request for access to documents is received directly, the Registry will proceed to apply the provisions of Article 2 “Access request for data and documents relating to the registration, maintenance and opposition of a domain name in the ccTLD .it” and Article 3 “Acquisition of documents relating to the registration, maintenance and opposition for a domain name” of these Legal Guidelines.

3 Acquisition of documents relating to the registration, maintenance and opposition for a domain name

Without prejudice to the provisions of Article 2 “Access request for data and documents relating to the registration, maintenance and opposition of a domain name in the ccTLD .it” the following articles apply in the case of access to documents regarding domain names maintained by a Registrar:

3.1 Transmission to the Registry of the registration and maintenance document for a domain name object of opposition

In the case of opposition being validly initiated, the Registrar is bound, subject to request sent by the Registry to the e-mail addresses shown in the contract, to transmit the written domain name registration document by e-mail within a maximum of 10 (ten) working days from when the request was made. This document should be drawn up in accordance with the Registry/Registrar contract, with the contents of the Rules for assignment and management of domain names in the ccTLD .it and in the manners and terms contained in the Technical Guidelines. The documentation must include a copy of the registration form and a concomitant confirmation sent to the Registrant in accordance with Italian decree 206/2005, Consumer Code, or with Directive 2000/31/EC (“Electronic Commerce Directive”).

This documentation must also be accompanied by a declaration, in compliance with the Presidential Decree (DPR) 445/2000, signed in original, or with digital signature, by the Registrar’s legal representative, or person delegated by it, attesting that the document’s integrity or the information contained in it has not been altered.

3.2 Transmission to the Registry of the registration and maintenance document for a domain name upon a specific request of the Registry

Besides the cases mentioned in the article above, if the Registry requests the Registrar, at the email addresses indicated by the Registrar in the contract, to document in writing, or in the forms foreseen by the Italian Digital Administration Code, the domain name registration and any other operation concerning the maintenance of the domain name, the Registrar is bound to transmit the documentation in question to the Registry with utmost diligence, and in any case within the term of 10 (ten) working days from the request, in accordance with the terms specified in the previous article 3.1.

The documents must be sent to the Registry by email, in .pdf or similar format to the email address “written-doc@nic.it” or by fax to the number +39 050 570230 and the original must then be sent by land mail.

4 Alternative methods for dispute resolution

4.1 Arbitration

4.1.1 Aim

The parties can settle disputes relating to the assignment of domain names by an informal arbitration procedure in the manners shown below and on the basis of the regulations contained in the Dispute Rules.

4.1.2 Pre-requisites

The arbitration procedure can only be activated by the consent of both parties involved in the dispute over the assignment of the domain name. Consent to the arbitration procedure can be expressed either at the registration of the domain name or with a subsequent deed.

The forms for consent to the arbitration procedure (Attachments D1 and D2) and revocation of the arbitration clause (Attachments E1 and E2) are available below.

4.1.3 Introduction to the arbitration procedure

The procedure is activated on the initiative of a party by sending a specific communication to the counterparty, the chosen arbitrator and the Registry. The application must contain the elements provided for by Article 2.3 of the Dispute Rules “Composition of the Arbitration Board”.

The arbitrator that is intended for appointment must be chosen in the list of arbitrator as of Article 2.2 of the Dispute Rules “List of Arbitrators” available on the Registry’s website, <http://www.nic.it>.

It is advisable, in the case of a request for arbitration, to open a simultaneous domain name opposition procedure, as specified in Article 5 of the Rules for assignment and management of domain names, given that in this case the name cannot be transferred to another Registrant.

The arbitrator appointment letter forms (Attachments F1 and F2) are available below.

4.1.4 Implementation of the Arbitration Board’s decision

The Registry, having received notice of the decision from the Board, will implement it within 5 (five) working days by means of a specific communication to the parties.

4.2 Procedure for domain name re-assignment.

4.2.1 Objective

The domain name re-assignment procedure is a tool prepared by the Registry for dispute resolution regarding domain names in the ccTLD .it.

The procedure answers the criteria adopted by at International level by ICAAN and EURID respectively for domain names registered respectively in gTLD and ccTLD .eu and is governed by the regulations contained in the Dispute Rules. The proceedings are managed by special organisations, referred to as Dispute Resolution Service Providers (PSRD), which have lists of experts that verify, within the debate between parties and in compliance with the provisions of the Dispute Rules, the ownership of the domain name.

4.2.2 Aim

The re-assignment procedure aims to transfer the assignment of the domain name to the person who has the right to it if the complainant proves that the Registrant is not entitled to its use or legal availability and that the domain name was registered and maintained in *mala fide*.

4.2.3 Pre-requisites for the introduction of the procedure

A necessary condition for validly introducing the re-assignment procedure is that the domain name has previously been an object of opposition by the same subject that intends to introduce the re-assignment procedure.

The re-assignment procedure can only be initiated by subjects belonging to a member state of the European Economic Area (EEA), the Vatican City State, the Republic of San Marino or the Swiss Confederation.

It can also be started on one's own behalf and on behalf of individuals or corporate bodies not belonging to the European Economic Area (EEA), the Vatican City State, the Republic of San Marino or the Swiss Confederation, providing that the autonomous entitlement of the complainant is shown by documentary evidence.

4.2.4 Check on the rights to the domain name

The conditions for obtaining the re-assignment of a domain name are on the one hand, that the complainant has a right to it and, on the other hand, that the Registrant has no right or entitlement to the domain name and that it was registered and maintained in *mala fide*.

Under the first profile and intending to activate a procedure of-assignment, it is necessary to verify if one can demonstrate ownership of one's right to the domain name that one intends to submit to this procedure (e.g. intellectual or industrial property rights, such as trademarks, copyright, right of name and trade name, company, logo and one's own name and surname) as well as the circumstances of *mala fide* by which the Registrant may have registered and maintained the domain name in question.

4.2.5 Choice of Dispute Resolution Service Provider

Choice of PSRD lies with whoever activated the opposition on the domain name. The list of PSRDs accredited with the Registry is available on the Registry's website at <http://www.nic.it>. Each PSRD has its own website which indicates, as well as the decisions already made, the fees and list of experts involved in decisions on re-assignment procedures.

4.2.6 Preparation of the complaint

To introduce a re-assignment procedure, it is necessary to send the complaint to the chosen PSRD.

The complaint must be submitted in hard and soft copy and must contain all the elements indicated in Article 4.2 and following articles of the Dispute Rules highlighting the right at the basis of the petitioner's reasons.

4.2.7 Indication of the number of experts

The complainant can choose whether the question is dealt with by one expert or a Board of three experts. If one expert is chosen, this expert shall be the official PSRD expert chosen from among those accredited by the PSRD. If a Board of three experts has been chosen, the parties indicate 3 (three) experts from those registered on the list of experts of the designated

PSRD.

4.2.8 Sending the complaint

The complainant must send the complaint in duplicate hard copy and in electronic format (in one of the following formats: RTF, TXT, DOC, PDF or HTML) to the chosen PSRD. Where possible the transmitted complaint should be accompanied by every document or other evidence supporting the complaint.

The PSRD activates the procedure when it receives:

- payment for the amount due for the type of procedure chosen by the complainant;
- the original and a copy of the complaint signed by the petitioner or its representative, with a copy of the notice sent to the Registry to open the opposition to the domain name, supporting documents in duplicate and, if the complaint is signed by a representative, the power of attorney;
- a copy of the complaint in electronic format.

4.2.9 Initiation of the Procedure

The re-assignment procedure is considered to be initiated when the respondent is informed of the complaint sent to it by the PSRD. The Registrant has the right to submit an answer to the PSRD conducting the re-assignment procedure.

The receipt of the complaint by the PSRD is also communicated by email to the Registry, which has the duty to check that the parties in the re-assignment procedure and the opposition procedure coincide. If there is any incongruence, the Registry immediately informs the chosen PSRD of the error.

4.2.10 Formal irregularities – check of the complaint by the PSRD

If the PSRD finds deficiencies or irregularities, it must inform the complainant by email. In this event the procedure shall be considered initiated when all the irregularities have been remedied.

4.2.11 Sending the complaint to the respondent

The PSRD follows the procedure provided for by the Dispute Rules to guarantee cross-examination. In this regard the PSRD sends a copy of the complaint and the related attachments to the Registrant by registered post with return receipt or by certified email, if available.

The defendant has 25 (twenty-five) days from when the PSRD was informed of the complaint to submit its answer to the PSRD.

4.2.12 Drawing up the respondent's response

The Dispute Rules do not impose a specific model for the respondent's response, which can thus be drawn up in free form provided it contains all the elements provided for in Article 4.6 of the aforementioned Rules "Start of the procedure and response of the defendant".

In this regard the respondent must indicate the reasons by which they maintain, for the case in question, that the pre-requisites for re-assigning the domain name do not exist; in particular they must indicate their own rights and entitlement to the domain name, the elements from which the *bona fide* in registering and maintaining the domain name can be inferred as well as the lack of rights on the complainant's part over the domain name object of the re-assignment procedure.

4.2.13 Attachments to the respondent's response

The response must have attached in duplicate hard copy the documents the respondent maintains it must produce to confirm what was stated in its defence. If the respondent is represented by someone holding power of attorney, it is also necessary to send the original of

the power of attorney. The signature for the power of attorney need not be authenticated.

4.2.14 Sending the respondent's response

The respondent must send the response and documents in duplicate to the PSRD by registered post with return receipt or by certified email, if available. The response alone must also be sent to the PSRD by e-mail in RTF, TXT, DOC, PDF or HTML format, and, as far as possible, complete with the documents attached to it.

4.2.15 Terms of the respondent's response

The terms for the response reaching the PSRD are mandatory on penalty of forfeiture. A response arriving later than the 25th (twenty-fifth) day after the Registrant receiving the complaint will not be taken into consideration by the PSRD.

The response is considered to have arrived within the terms if at least the copy in electronic format has reached the e-mail address indicated by the PSRD in time.

4.2.16 PSRD activities

Once the response has been received, the PSRD transmits it to the complainant and proceeds to appoint the expert or the Board which will decide if the domain name object of opposition should be transferred to the complainant or not. The PSRD proceeds with this appointment in any case once the term for submitting the defendant's answer has passed fruitlessly.

The PSRD keeps the parties informed of the procedure by e-mail. The complainant and the respondent are informed of the counterparty's pleas and any of its requests, the name of the expert (or experts) designated for the decision and the time for completion of the procedure. Every PSRD communication by e-mail to the parties must also be always sent to the Registry.

4.2.17 Registry's role

The Registry does not participate in the re-assignment procedure but, as a technical body, it is called upon to implement the rulings of the Board within the limits and in compliance with the contents of the Dispute Rules.

4.2.18 Implementation of the decision

The decision issued by the Board must be drawn up in Italian and sent to the Registry in text format at the e-mail address "dispute-resolution@nic.it".

If the Board decides on the re-assignment of the domain name, the Registry informs the parties and the PSRD, by registered post or certified email if available, of the term for implementing the procedure, inviting the Registrant to proceed with registering the domain name which must take place within thirty days of the decision being made for the parties.

In this case the Registry, after 30 (thirty) days have lapsed from receipt of the decision without the assignee making recourse to the provisions of Article 4.2.19 below "Interruption of the procedure as a result of recourse to ordinary judicial authority" removes the domain name from the DBAN and puts the domain name in the status of *inactive/toBeReassigned*.

For re-assignment the Registry must receive from the new Registrant the registration request, drawn up according to the forms available in the Technical Guidelines. After carrying out suitable controls the Registry assigns the domain name to the new Registrant, generates the AuthInfo which is communicated to the Registrar, who, in turn, sends it to the Registrant.

If the Board decides against re-assignment, the Registry communicates the decision to the parties and the PSRD by registered post with return receipt or certified email, if available, with the notice that the opposition must be considered terminated and that consequently the Registry will remove the "challenged" status from the domain name object of the opposition procedure.

4.2.19 Interruption of the procedure as a result of recourse to ordinary judicial authority

The losing party in the re-assignment procedure can resort to judicial authority or, if the

conditions for it exist, to arbitration to obtain a judgement on the domain name's ownership. In this event, the losing party, within 15 (fifteen) days of being notified of the Board's decision, may interrupt the implementation procedure by sending a specific communication to the Registry stating that legal proceedings over the domain name object of opposition have been started; the losing party is bound to produce a photocopy of the notification of the correctly served writ of summons within 10 (ten) days of sending this communication. In the event of the writ of summons having to be served abroad, on explicit reasoned request of the interested party, the term for producing a copy of notification of this writ is extended to 30 (thirty) days.

4.2.20 Complaint to the judiciary

Introduction of legal proceedings interrupts the re-assignment procedure at whatever stage it has reached.

4.2.21 Closure of the procedure – Times and modalities

Reasons for closing the procedure can be revealed by the office or submitted by the parties or Registry to the PSRD.

If the reason for closure is proved in writing or confirmed by both parties, the Board (which, if not yet appointed, is appointed for this purpose without delay by the PSRD) declares the closure of the procedure within 10 (ten) days.

On the other hand, if the reason for closure is not proved by documents or not confirmed by both parties, the PSRD immediately informs both of this. The parties have a term of 10 (ten) days from this communication to object to the closure.

If no party objects to this term, the procedure is declared closed within 5 (five) days.

If there is prompt objection, the Board decides within 5 (five) days of the term's deadline. If the objection is invalid, the procedure is declared closed. If the objection is valid, the Board orders the proceedings to continue. In this case, the terms for the decision start from the date when the Board declares the judgement can continue.

4.2.22 Re-proposal of a procedure

In the presence of new elements, whatever the outcome of the re-assignment procedure, it is possible to re-propose a re-assignment procedure between the same parties and for the same domain name.

4.2.23 Procedure - timescales

Activation of the procedure: the PSRD communicates the start of the procedure to the complainant, the respondent and the Registry **within 4 (four) days** of receiving payment for the costs to be borne by the complainant. The procedure is initiated when the respondent is informed of the complaint.

Respondent's answer: the respondent can send their answer and documents to the PSRD **within 25 (twenty-five) days** of receiving the complaint. The reply and documents must be sent to the PSRD in duplicate hard copy. Moreover, the response alone must also be sent by e-mail.

Decision: the Board makes its decision **within 15 (fifteen) days** of it being formed, **or within the greater term** in cases provided for by Article 4.15 of the Dispute Rules.

Notice of the decision to the parties: the PSRD communicates the decision to the complainant, the respondent and the Registry **within 4 (four) days** of receiving the Board's decision.

Implementation of the decision: if the Board has ordered the transfer of the domain name object of complaint, the Registry immediately informs the complainant, respondent and PSRD of the date when it intends to implement the decision; if the Board dismisses the re-assignment, the Registry removes the status of "challenged" from the domain name **within 4 (four) days** of the Board's communication to the Registry.

5 ATTACHMENTS

Form: complaint application - subjects other than individual persons

AI Registro del ccTLD .it
Istituto di Informatica e Telematica del CNR
Via Giuseppe Moruzzi, 1
I-56124 Pisa (Italy)

Re: request to activate the complaint procedure for the domain name “_____it”, to the intents and effects of the provisions of Article 5 of the Rules for assignment and management of domain names in the ccTLD .it.

The undersigned (*name surname*), born in (*place of birth and [province or foreign country]*) on (*date of birth*), tax code (*tax identification number*), appointed to represent the organisation called (*trade name or full company name of the complainant organisation*) with legal representative/holder (*name surname*), VAT number (*VAT number*) with registered office at (*registered office [street/square, location, post code, province or foreign country]*) and e-mail address (*user@domain*) (*insert certified email address if available*) requests the activation of the opposition procedure against the domain name “_____it” currently assigned to (*name surname / trade name or full company name of the assignee organisation*) (*abode / registered office [street/square, location, post code, province or foreign country]*) in that the current assignment of the domain name infringes:

- a right to a name;
- a registered trade mark;
- a right to one’s own trade / company name;
- a right to one’s own firm;
- a right to one’s own mark;
- other right (specify in detail the type and nature of the infringed right)

.....;
in this regard a detailed description of the infringed right and the damage suffered is shown below:
.....
.....
.....

Consequently the Registry of the ccTLD .it is asked to:

- add the status of “challenged” to the domain name “_____it”;
- give the Registrant notice of the start of complaint procedure within ten days of receiving this;

The undersigned:

- is fully aware that the Registry can bring a civil action and, if it is the case, a criminal action against it in the event of a false declaration;
- undertakes to indemnify the Registry from all liability of costs or nuisance for any action by third parties or the Registrant in relation to this request and events connected or consequent to it.

Place, date.....

Signed
First name and surname

(Signature)

“Pursuant to article 13, parag.1, of Legislative Decree No. 196 of 30 June 2003 regarding the protection of personal information, the personal data supplied by applicants will be kept on the premises of the Istituto di Informatica e Telematica for the aims strictly associated with the operation of opposition to the domain name and will be stored in a database of the IIT of the CNR for the carrying out of operations relative to the same request as well as for other purposes of law, and, if that is the case, for the safeguard of rights. The process owner is the Consiglio Nazionale delle Ricerche through the IIT – Registry.

The data will be communicated to the interested counterparty or counterparties and third parties where prescribed by law, the provisions of the rules or EU law, or, if that is the case, for the purposes of safeguarding rights.

Supplying these data to the Istituto di Informatica e Telematica of the CNR is compulsory for assessment of the application to access the personal data of the domain name assignee. The person concerned possesses all the rights as specified in art. 7 of the above mentioned Legislative Decree. The data controller is the Director of the Istituto di Informatica e Telematica.”

Form: complaint application - individual persons

Al Registro del ccTLD .it
Istituto di Informatica e Telematica del CNR
Via Giuseppe Moruzzi, 1
I-56124 Pisa (Italy)

Re: request to activate the complaint procedure for the domain name “_____ .it”, to the intents and effects of the provisions of Article 5 of the Rules for assignment and management of domain names in the ccTLD .it.

The undersigned (*first name surname*), born in (*place of birth and [province or foreign country]*) on (*date of birth*), resident in (*address of abode [street/square, location, post code province or foreign country]*) tax code or identity document number (*tax identification number*) and e-mail address (*user@domain*) hereby requests the activation of the opposition procedure against the domain name “_____ .it” currently assigned to _____ (*name surname / trade name or full company name of the assignee organisation*) (*abode / registered office [street/square, location, post code, province or foreign country]*) in that the current assignment of the domain name infringes:

- a right to a name;
- a registered trade mark;
- other right (specify in detail the type and nature of the infringed right);

in this regard a detailed description of the infringed right and the damage suffered is shown below

.....

Consequently the Registry of the ccTLD .it is asked to:

- add the status of “challenged” to the domain name “_____ .it”;
- give the Registrant notice of the start of complaint procedure within ten days of receiving this;

The undersigned:

- is fully aware that the Registry can bring a civil action and, if it is the case, a criminal action against it in the event of a false declaration;
- undertakes to indemnify the Registry from all liability of costs or nuisance for any action by third parties or the Registrant in relation to this request and events connected or consequent to it.

Place, date.....

Signed
First name and surname

(Signature)

“Pursuant to article 13, parag.1, of Legislative Decree No. 196 of 30 June 2003 regarding the protection of personal information, the personal data supplied by applicants will be kept on the premises of the Istituto di Informatica e Telematica for the aims strictly associated with the operation of opposition to the domain name and will be stored in a database of the IIT of the CNR for the carrying out of operations relative to the same request as well as for other purposes of law, and, if that is the case, for the safeguard of rights. The process owner is the Consiglio Nazionale delle Ricerche through the IIT – Registry.

The data will be communicated to the interested counterparty or counterparties and third parties where prescribed by law, the provisions of the rules or EU law, or, if that is the case, for the purposes of safeguarding rights.

Supplying these data to the Istituto di Informatica e Telematica of the CNR is compulsory for assessment of the application to access the personal data of the domain name assignee. The person concerned possesses all the rights as specified in art. 7 of the above mentioned Legislative Decree. The data controller is the Director of the Istituto di Informatica e Telematica.”

Form: complaint renewal - subjects other than individual persons

Al Registro del ccTLD .it
Istituto di Informatica e Telematica del CNR
Via Giuseppe Moruzzi, 1
I-56124 Pisa (Italy)

Re: request to renew the opposition for the domain name “_____ .it”, to the intents and effects of the provisions of Article 5.1.3 of the Rules for assignment and management of domain names in the ccTLD .it.

The undersigned (*first name surname*), born in (*place of birth and [province or foreign country]*) on (*date of birth*), tax code (*tax identification number*), appointed to represent the organisation called (*trade name or full company name of the petitioning organisation*) with legal representative/holder (*name surname*), VAT number (*VAT number*) with registered office at (*registered office [street/square, location, post code, province or foreign country]*) and e-mail address (*user@domain*) (*insert certified email address if available*) requests the opposition procedure against the domain name “_____ .it” to be renewed

The undersigned:

- undertakes to indemnify the Registry from all liability of costs or nuisance for any action by third parties or the Registrant in relation to this request and events connected or consequent to it.

Place, date.....

Signed
First name and surname

(Signature)

“Pursuant to article 13, parag.1, of Legislative Decree No. 196 of 30 June 2003 regarding the protection of personal information, the personal data supplied by applicants will be kept on the premises of the Istituto di Informatica e Telematica for the aims strictly associated with the operation of renewing opposition to the domain name and will be stored in a database of the IIT of the CNR for the carrying out of operations relative to the same request as well as for other purposes of law, and, if that is the case, for the safeguard of rights. The process owner is the Consiglio Nazionale delle Ricerche through the IIT – Registry.

The data will be communicated to the interested counterparty or counterparties and third parties where prescribed by law, the provisions of the rules or EU law, or, if that is the case, for the purposes of safeguarding rights.

Supplying these data to the Istituto di Informatica e Telematica of the CNR is compulsory for assessment of the application to access the personal data of the domain name assignee. The person concerned possesses all the rights as specified in art. 7 of the above mentioned Legislative Decree. The data controller is the Director of the Istituto di Informatica e Telematica.”

Form: complaint renewal - individual persons

Al Registro del ccTLD .it
Istituto di Informatica e Telematica del CNR
Via Giuseppe Moruzzi, 1
I-56124 Pisa (Italy)

Re: request to renew the complaint for the domain name “_____ .it”, to the intents and effects of the provisions of Article 5.1.3 of the Rules for assignment and management of domain names in the ccTLD .it.

The undersigned (*first name surname*), born in (*place of birth and [province or foreign country]*) on (*date of birth*) resident in (*address of abode [street/square, locality, post code, province or foreign country]*), e-mail address (*user@domain*), requests the renewal of the opposition procedure to the domain name “_____ .it”.

The undersigned:

- is fully aware that the Registry can bring a civil action and, if it is the case, a criminal action against it in the event of a false declaration;

Place, date

Signed
First name and surname

(Signature)

“Pursuant to article 13, parag.1, of Legislative Decree No. 196 of 30 June 2003 regarding the protection of personal information, the personal data supplied by applicants will be kept on the premises of the Istituto di Informatica e Telematica for the aims strictly associated with the operation of renewing opposition to the domain name and will be stored in a database of the IIT of the CNR for the carrying out of operations relative to the same request as well as for other purposes of law, and, if that is the case, for the safeguard of rights. The process owner is the Consiglio Nazionale delle Ricerche through the IIT – Registry.

The data will be communicated to the interested counterparty or counterparties and third parties where prescribed by law, the provisions of the rules or EU law, or, if that is the case, for the purposes of safeguarding rights.

Supplying these data to the Istituto di Informatica e Telematica of the CNR is compulsory for assessment of the application to access the personal data of the domain name assignee. The person concerned possesses all the rights as specified in art. 7 of the above mentioned Legislative Decree. The data controller is the Director of the Istituto di Informatica e Telematica.”

Form: application for access to data and documents - subjects other than individual persons

AI Registro del ccTLD .it
Istituto di Informatica e Telematica del CNR
Law Department
Via Giuseppe Moruzzi, 1
I-56124 Pisa (Italy)

Re: Request to access documents relating to the assignment and maintenance of the domain name
“_____ .it”

The undersigned (*first name surname*), born in (*place of birth and [province or foreign country]*) on (*date of birth*), tax code (*tax identification number*), appointed to represent the organisation called (*trade name or full company name of the petitioning organisation*) with legal representative/holder (*first name surname*), VAT number (*VAT number or numerical tax code*) with registered office at (*registered office [street/square, location, post code, province or foreign country]*) and e-mail address (*user@domain*) (*insert certified email address if available*)

REQUESTS

- the Registry of the ccTLD .it to communicate the data referring to the Registrant of the domain name “_____ .it” as shown in the whois database of the Registry;
- a copy of the following documents:

for the following reasons:

(specify the direct, concrete and current interest connected to the object of the request):

.....
.....
.....

and requests that the above be sent to the following address:

(indicate the postal address, the fax number and e-mail address where you wish to receive the documents)

.....
.....

The undersigned undertakes not to make use of the personal data requested for purposes other than those strictly indicated on the request form and not to divulge the afore-mentioned data. The undersigned also assumes all responsibility for the incorrect use of the personal data communicated to it. In all cases the undersigned is obliged to indemnify the Registry from all liability of costs or nuisance for any action by third parties or the Registrant in relation to this request and events connected or consequent to it.

The undersigned:

- is fully aware that the Registry can bring a civil action and, if it is the case, a criminal action against it in the event of a false declaration;
- undertakes to indemnify the Registry from all liability of costs or nuisance for any action by third parties or the Registrant in relation to this request and events connected or consequent to it.

Attach photocopy of own identity document: (*type of document, number, and issuing authority*).

Place, date

Signed
First name and surname

(Signature)

information, the personal data supplied by applicants will be kept on the premises of the Istituto di Informatica e Telematica for the aims strictly associated with the operation of accessing personal data and will be stored in a database of the IIT of the CNR for the carrying out of operations relative to the same request as well as for other purposes of law, and, if that is the case, for the safeguard of rights. The process owner is the Consiglio Nazionale delle Ricerche through the IIT – Registry.

The data will be communicated to the interested counterparty or counterparties and third parties where prescribed by law, the provisions of the rules or EU law, or, if that is the case, for the purposes of safeguarding rights.

Supplying these data to the Istituto di Informatica e Telematica of the CNR is compulsory for assessment of the application to access the personal data of the domain name assignee. The person concerned possesses all the rights as specified in art. 7 of the above mentioned Legislative Decree. The data controller is the Director of the Istituto di Informatica e Telematica.”

Form: application for access to data and documents - individual persons

Al Registro del ccTLD .it
Istituto di Informatica e Telematica del CNR
Law Department
Via Giuseppe Moruzzi, 1
I-56124 Pisa (Italy)

Re: request to access the Registrant’s data for the domain name _____ .it.

The undersigned (*first name surname*), born in (*place of birth and [province or foreign country]*) on (*date of birth*) resident in (*address of abode [street/square, locality, post code, province or foreign country]*), e-mail address (*user@domain*)

REQUESTS

- the Registry of the ccTLD .it to communicate the data of the Registrant of the domain name “_____ .it” as shown in the whois database of the Registry;
- a copy of the following documents:

for the following reasons:

(specify the direct, concrete and current interest connected to the object of the request):

.....
.....

and requests that the above be sent to the following address:

(indicate the postal address, the fax number and e-mail address where you wish to receive the documents)

.....
.....

The undersigned undertakes not to make use of the personal data requested for purposes other than those strictly indicated on the request form and not to divulge the afore-mentioned data. The undersigned also assumes all responsibility for the incorrect use of the personal data communicated to it. In all cases the undersigned is obliged to indemnify the Registry from all liability of costs or nuisance for any action by third parties or the Registrant in relation to this request and events connected or consequent to it.

The undersigned:

- is fully aware that the Registry can bring a civil action and, if it is the case, a criminal action against it in the event of a false declaration;
- undertakes to indemnify the Registry from all liability of costs or nuisance for any action by third parties or the Registrant in relation to this request and events connected or consequent to it.

Attach photocopy of own identity document: (*type of document, number, and issuing authority*).

Place, date

Signed
First name and surname

(Signature)

“Pursuant to article 13, parag.1, of Legislative Decree No. 196 of 30 June 2003 regarding the protection of personal information, the personal data supplied by applicants will be kept on the premises of the Istituto di Informatica e Telematica for the aims strictly associated with the operation of accessing personal data and will be stored in a database of the IIT of the CNR for the carrying out of operations relative to the same request as well as for other purposes of law, and, if that is the case, for the safeguard of rights. The process owner is the Consiglio Nazionale delle Ricerche through the IIT – Registry.

The data will be communicated to the interested counterparty or counterparties and third parties where prescribed by law, the provisions of the rules or EU law, or, if that is the case, for the purposes of safeguarding rights.

Supplying these data to the Istituto di Informatica e Telematica of the CNR is compulsory for assessment of the application to access the personal data of the domain name assignee. The person concerned possesses all the rights as specified in art. 7 of the above mentioned Legislative Decree. The data controller is the Director of the Istituto di Informatica e Telematica.”

Form: application of the arbitration clause - subjects other than individual persons

Al Registro del ccTLD .it
Istituto di Informatica e Telematica del CNR
Via Giuseppe Moruzzi, 1
I-56124 Pisa (Italy)

Re: application of the arbitration clause to the intents and effects of the provisions of article 2 of the Rules for dispute resolution in the ccTLD .it.

The undersigned (*first name surname*), born in (*place of birth and [province or foreign country]*) on (*date of birth*), tax code (*tax identification number*), appointed to represent the organisation called (*trade name or full company name of the petitioning organisation*) with legal representative/holder (*name surname*), VAT number (*VAT number*) with registered office at (*registered office [street/square, location, post code, province or foreign country]*), email address (*user@domain*) (*insert certified email address if available*) undertakes to allocate disputes connected to the registration and assignment of the domain name “_____ .it” to informal arbitration as provided for in article 2 of the “Rules for dispute resolution in the ccTLD .it”.

Place, date.....

Signed
First name and surname

(Legible signature)

“Pursuant to article 13, parag.1, of Legislative Decree No. 196 of 30 June 2003 regarding the protection of personal information, the personal data supplied by applicants will be kept on the premises of the Istituto di Informatica e Telematica for the aims strictly associated with application of the arbitration clause and will be stored in a database of the IIT of the CNR for the carrying out of operations relative to the same request as well as for other purposes of law, and, if that is the case, for the safeguard of rights. The process owner is the Consiglio Nazionale delle Ricerche through the IIT – Registry.

The person concerned possesses all the rights as specified in art. 7 of the above mentioned Legislative Decree. The data controller is the Director of the Istituto di Informatica e Telematica.”

Form: application of the arbitration clause - individual persons

Al Registro del ccTLD .it
Istituto di Informatica e Telematica del CNR
Via Giuseppe Moruzzi, 1
I-56124 Pisa (Italy)

Re: application of the arbitration clause to the intents and effects of the provisions of article 2 of the Rules for dispute resolution in the ccTLD .it.

The undersigned (*first name surname*), born in (*place of birth and [province or foreign state]*) on (*date of birth*), residing in (*address of abode, street/square, location, post code, province*), tax code (*tax identification number*), email address (*user@domain*) hereby undertakes to allocate disputes connected to the registration and assignment of the domain name “_____ .it” to informal arbitration as provided for in article 2 of the “Rules for dispute resolution in the ccTLD .it”.

Place, date

Signed
First name and surname

(Legible signature)

*“Pursuant to article 13, parag.1, of Legislative Decree No. 196 of 30 June 2003 regarding the protection of personal information, the personal data supplied by applicants will be kept on the premises of the Istituto di Informatica e Telematica for the aims strictly associated with application of the arbitration clause and will be stored in a database of the IIT of the CNR for the carrying out of operations relative to the same request as well as for other purposes of law, and, if that is the case, for the safeguard of rights. The process owner is the Consiglio Nazionale delle Ricerche through the IIT – Registry.
The person concerned possesses all the rights as specified in art. 7 of the above mentioned Legislative Decree. The data controller is the Director of the Istituto di Informatica e Telematica.”*

Form: revocation of the arbitration clause - subjects other than individual persons

Al Registro del ccTLD .it
Istituto di Informatica e Telematica del CNR
Via Giuseppe Moruzzi, 1
I-56124 Pisa (Italy)

Re: revocation of the arbitration clause for the domain name “_____ .it”.

The undersigned (**first name surname**), born in (*place of birth and [province or foreign state]*) on (*date of birth*), tax code (*tax identification number*), appointed to represent the organisation called (*trade name or full company name of the petitioning organisation*) with legal representative/holder (*name surname*), VAT number (*VAT number*) with registered office at (*registered office [street/square, location, post code, province or foreign state]*), email address (*user@domain*) (*insert certified email address if available*), assignee of the domain name “_____ .it” revokes application of arbitration clause previously signed.

The undersigned:

- declares it has no knowledge of any dispute regarding the domain name in the subject;
- is fully aware that the Registry can bring a civil action and, if it is the case, a criminal action against it in the event of a false declaration;
- undertakes to indemnify the Registry from all liability of costs or nuisance for any action by third parties or the Registrant in relation to this revocation and events connected or consequent to it.

Place, date

Signed
First name and surname

(Legible signature)

“Pursuant to article 13, parag.1, of Legislative Decree No. 196 of 30 June 2003 regarding the protection of personal information, the personal data supplied by applicants will be kept on the premises of the Istituto di Informatica e Telematica for the aims strictly associated with revocation of the arbitration clause and will be stored in a database of the IIT of the CNR for the carrying out of operations relative to the same request as well as for other purposes of law, and, if that is the case, for the safeguard of rights. The process owner is the Consiglio Nazionale delle Ricerche through the IIT – Registry.

The person concerned possesses all the rights as specified in art. 7 of the above mentioned Legislative Decree. The data controller is the Director of the Istituto di Informatica e Telematica.”

Form: revocation of the arbitration clause - individual persons

Al Registro del ccTLD .it
Istituto di Informatica e Telematica del CNR
Via Giuseppe Moruzzi, 1
I-56124 Pisa (Italy)

Re: revocation of the arbitration clause for the domain name “_____ .it”.

The undersigned (*name surname*) born in (*place of birth and [province or foreign state]*) on (*date of birth*) resident in (*postal address [street/square, locality, post code, province or foreign state]*) tax code (*tax identification number*), email address (*user@domain*), assignee of the domain name “_____ .it” revokes application of the arbitration clause previously signed.

The undersigned:

- declares it has no knowledge of any dispute regarding the domain name in the subject;
- is fully aware that the Registry can bring a civil action and, if it is the case, a criminal action against it in the event of a false declaration;
- undertakes to indemnify the Registry from all liability of costs or nuisance for any action by third parties or the Registrant in relation to this revocation and events connected or consequent to it.

Place, date

Signed
First name and surname

(Legible signature)

“Pursuant to article 13, parag.1, of Legislative Decree No. 196 of 30 June 2003 regarding the protection of personal information, the personal data supplied by applicants will be kept on the premises of the Istituto di Informatica e Telematica for the aims strictly associated with revocation of the arbitration clause and will be stored in a database of the IIT of the CNR for the carrying out of operations relative to the same request as well as for other purposes of law, and, if that is the case, for the safeguard of rights. The process owner is the Consiglio Nazionale delle Ricerche through the IIT – Registry.

The person concerned possesses all the rights as specified in art. 7 of the above mentioned Legislative Decree. The data controller is the Director of the Istituto di Informatica e Telematica.”

Form: appointment of arbitrator - subjects other than individual persons

Address of chosen arbitrator

Address of counterparty
and c.c.

Al Registro del ccTLD .it
Istituto di Informatica e Telematica del CNR
Via Giuseppe Moruzzi, 1
I-56124 Pisa (Italy)

Subject: Introduction of arbitration procedure to the intents and effects of the provisions of article 2.3 of the Rules for dispute resolution in the ccTLD .it.

The undersigned (*first name surname*), born in (*place of birth and [province or foreign state]*) on (*date of birth*), tax code (*tax identification number*), appointed to represent the organisation called (*trade name or full company name of the complainant organisation*) with legal representative/holder (*name surname*), VAT number (*VAT number*) with registered office at (*registered office [street/square, location, post code, province or foreign state]*), email address (*user@domain*) (*insert certified email address if available*), appoints (*indicate the name of the chosen arbitrator*) in order to submit the decision on the assignment of the domain name “_____ .it”, which is assigned to _____, to the arbitration Board, recognising the decisions made as valid and binding.

In this regard the reasons in fact and law on which the request in the subject is based and the related conclusions are provided below.

The counterparty is hereby invited to appoint its arbitrator from the names on the list of arbitrators of the Registry's site within 10 (ten) working days following receipt of this letter.

The undersigned is fully aware that the Registry can bring a civil action and, if it is the case, a criminal action against it in the event of a false declaration.

Place, date

Signed
First name and surname

(Legible signature)

“Pursuant to article 13, parag.1, of Legislative Decree No. 196 of 30 June 2003 regarding the protection of personal information, the personal data supplied by applicants will be kept on the premises of the Istituto di Informatica e Telematica for the aims strictly associated with the operation of appointing an arbitrator and will be stored in a database of the IIT of the CNR for the carrying out of operations relative to the same request as well as for other purposes of law, and, if that is the case, for the safeguard of rights. The process owner is the Consiglio Nazionale delle Ricerche through the IIT – Registry.

The person concerned possesses all the rights as specified in art. 7 of the above mentioned Legislative Decree. The data controller is the Director of the Istituto di Informatica e Telematica.”

Form: appointment of arbitrator - individual persons

Address of chosen arbitrator

Address of counterparty
and c.c.

Al Registro del ccTLD .it
Istituto di Informatica e Telematica del CNR
Via Giuseppe Moruzzi, 1
I-56124 Pisa (Italy)

Re: Introduction of arbitration procedure to the intents and effects of the provisions of article 2.3 of the Rules for dispute resolution in the ccTLD .it.

I, the undersigned (*first name surname*), born in (*place of birth and [province or foreign state]*) on (*date of birth*), resident in (*address of abode, street/square, locality, post code, province or foreign state*), tax code (*tax identification number*), email address (*user@domain*), hereby appoint (*indicate the name of the chosen arbitrator*) in order to submit the decision on the assignment of the domain name “_____ .it”, which is assigned to _____, to the arbitration Board, recognising the decisions made as valid and binding.

In this regard the reasons in fact and law on which the request in the subject is based and the related conclusions are provided below.

The counterparty is hereby invited to appoint its arbitrator from the names on the list of arbitrators of the Registry's site within 10 (ten) working days following receipt of this letter.

The undersigned is fully aware that the Registry can bring a civil action and, if it is the case, a criminal action against it in the event of a false declaration.

Place, date

Signed
First name and surname

(Legible signature)

*“Pursuant to article 13, parag.1, of Legislative Decree No. 196 of 30 June 2003 regarding the protection of personal information, the personal data supplied by applicants will be kept on the premises of the Istituto di Informatica e Telematica for the aims strictly associated with the operation of appointing an arbitrator and will be stored in a database of the IIT of the CNR for the carrying out of operations relative to the same request as well as for other purposes of law, and, if that is the case, for the safeguard of rights. The process owner is the Consiglio Nazionale delle Ricerche through the IIT – Registry.
The person concerned possesses all the rights as specified in art. 7 of the above mentioned Legislative Decree. The data controller is the Director of the Istituto di Informatica e Telematica.”*

Form: request to cancel a domain name object of an active opposition procedure - individual persons

Al Registro .it
c/o Istituto di Informatica e Telematica del CNR
Via Giuseppe Moruzzi, 1
I-56124 Pisa (Italy)

Re: cancellation of the domain name _____ .IT with an active complaint procedure.

I, the undersigned (*first name surname*), born in (*place of birth and [province or foreign state]*) on (*date of birth*), resident in (*address of abode, [street/square, locality, post code, province or foreign state]*), tax code or identity card number (*tax code or identity card number for foreign citizens not residing in Italy*), Registrant of the domain name in question, requests cancellation of the domain name specified above.

The undersigned, in requesting cancellation of the domain name in question, in particular on their own responsibility, declares:

- that they are aware that the domain name will be moved directly into the status of “pendingDelete/pendingDelete” and into the status of “inactive/toBeReassigned” without passing through the status of “pendingDelete/redemptionPeriod”. This procedure does not enable the Registrant to reactivate the domain name through the Registrar associated with the domain name, and thereby makes it impossible to exercise a right to reconsider the cancellation.

The undersigned is fully aware that the Registry can bring a civil action and, if it is the case, a criminal action against them in the event of a false declaration and also undertakes to indemnify the Registry from all liability of costs or damage caused to third parties by the aforementioned false declaration. A valid copy of the undersigned’s identity document is attached to this request.

Place, date

Request to cancel a domain name object of an active opposition proceeding – individual persons – Version 2013-01

Signed
First name and surname

(Legible signature)

“Pursuant to article 13, parag.1, of Legislative Decree No. 196 of 30 June 2003 regarding the protection of personal information, the personal data supplied by applicants will be kept on the premises of the Istituto di Informatica e Telematica for the aims strictly associated with cancellation of the domain name in question and will be stored in a database of the IIT of the CNR for the carrying out of operations relative to the same request.

The giving of these data to the Istituto di Informatica e Telematica of the CNR is mandatory for evaluation of the cancellation request.

The person concerned possesses all the rights as specified in art. 7 of the above mentioned Legislative Decree. The data controller is the Director of the Istituto di Informatica e Telematica.”

Form: request to cancel a domain name object of an active opposition procedure - subjects other than individual persons

Al Registro .it
c/o Istituto di Informatica e Telematica del CNR
Via Giuseppe Moruzzi, 1
I-56124 Pisa (Italy)

Re: cancellation of the domain name _____ .IT with an active complaint procedure.

I, the undersigned (*first name surname*) born in (*place of birth and [province or foreign state]*) on (*date of birth*) tax code or identity card number (*tax code or identity card number for foreign citizens not residing in Italy*), legal representative of the organisation called (*company name*) VAT number (*VAT number or numerical tax code*) with registered office at (*registered office [street/square, locality, post code, province or foreign state]*) Registrant of the domain name in question, requests cancellation of the domain name specified above.

The undersigned, in requesting cancellation of the domain name in question, in particular on their own responsibility, declares:

- that they are aware that the domain name will be moved directly into the status of “pendingDelete/pendingDelete” and into the status of “inactive/toBeReassigned” without passing through the status of “pendingDelete/redemptionPeriod”. This procedure does not enable the Registrant to reactivate the domain name through the Registrar associated with the domain name, and thereby makes it impossible to exercise a right to reconsider the cancellation.

The undersigned is fully aware that the Registry can bring a civil action and, if it is the case, a criminal action against them in the event of a false declaration and also undertakes to indemnify the Registry from all liability of costs or damage caused to third parties by the aforementioned false declaration. A valid copy of the undersigned’s identity document is attached to this request.

Place, date

Request to cancel a domain name object of an active opposition proceeding –subjects other than individual persons – Version 2013-01

Signed
First name and surname

(Legible signature)

“Pursuant to article 13, parag.1, of Legislative Decree No. 196 of 30 June 2003 regarding the protection of personal information, the personal data supplied by applicants will be kept on the premises of the Istituto di Informatica e Telematica for the aims strictly associated with cancellation of the domain name in question and will be stored in a database of the IIT of the CNR for the carrying out of operations relative to the same request.

The giving of these data to the Istituto di Informatica e Telematica of the CNR is mandatory for evaluation of the cancellation request.

The person concerned possesses all the rights as specified in art. 7 of the above mentioned Legislative Decree. The data controller is the Director of the Istituto di Informatica e Telematica.”