

## Non Official Translation

Annex to the  
"Internet Society" Non-Governmental Organization  
Executive Director Order  
N 33L of 23 October, 2017

# POLICY OF DOMAIN NAMES REGISTRATION IN ".AM" AND ".ՀԱՅ" DOMAIN ZONES

## 1. DEFINITIONS

1. The concepts used in this policy are:

1) **"Internet Corporation for Assigned Names and Numbers" organization or "ICANN" organization**, organization that delegates generic (gTLD), country code (ccTLD) and internationalized (IDN) Top Level Domains.

2) **Registry**: "Internet Society" non-governmental organization delegated by "ICANN" organization to manage ".am" and ".huy" Top Level Domains.

3) **Registry Commercial Operator**: A commercial organization authorized by the Registry that provides Registrars with online access services to the Registry database.

4) **Registry Technical Operator (Armenia Network Information Centre-AM NIC)**: An organization authorized by the Registry, that provides the uninterrupted operability of the software-hardware (network) complex in ".am" and ".huy" domain zones as well as distributes the information required to use domain names in the Internet that are registered in the Registry database.

5) **Registrar**: A legal entity registered in the Republic of Armenia and accredited by the Registry that provides domain name registration services in ".am" and/or ".huy" Top Level Domains (makes domain names registration and renewal in Registry database) in case of a contract concluded with the Registry Commercial Operator on the provision of services as specified in the 3<sup>rd</sup> subparagraph of this paragraph.

6) **Domain name holder**: A subject competent to conclude civil law contract that has registered (renewed) in Registry database a second level domain name at ".am" or ".huy" domain zones (such as "isoc.am") or a third level domain name at ".com.am", ".co.am", ".org.am", ".net.am", ".commune.am", ".հայաստանի.հայ" domain zones (such as "isoc.com.am" or "isoc.net.am" through Registrar or through Registry in cases specified in this Policy .

7) **Registry database**: A database comprising information about domain names registered in ".am" and ".huy" top level domain zones, as well as other mandatory information required to ensure the operability of domain names.

8) **"Whois" service**: information provision on a domain name from Registry database through publicly accessible search engine.

9) **Domain name system server (DNS server)**: software-hardware (network) based system that provides the conversion of domain names into network addresses (IP addresses).

10) **Personal data:** Any personally identifiable information that allows or can allow to directly or indirectly identify the person.

## **2. GENERAL PROVISIONS**

2. This policy defines the procedure of domain names registration and renewal in Registry database as well as the procedure of registration (renewal) annulment.

3. Second level domain names of ".am" and ".huuj" domain zones and third level domain names of ".com.am", ".co.am", ".org.am", ".net.am", ".commune.am", ".huuŋuujŋp.huuj" are registered (renewed) in the Registry database.

4. Registration (renewal) of domain names in the Registry database is implemented by:

1) Registrars, the list of which is published on www.isoc.am, www.itc.am and www.amnic.net websites,

2) Registry, in cases defined by this Policy.

5. Registry registers (renews):

1) domain names included in the lists specified in the 14<sup>th</sup> and 16<sup>th</sup> paragraphs of this policy,

2) domain names to which the Registry Commercial Operator has applied to become a Domain name holder,

3) domain names to which the Registry Technical Operator has applied to become a Domain name holder,

## **3. THE NECESSARY PRECONDITION FOR DOMAIN NAME REGISTRATION**

6. For Registrars or entities acting on behalf of the Registrars the mandatory precondition for domain name registration in the Registry database is the existence of a contract on domain name registration services in ".am" or ".huuj" domain zones with the subject that is competent to conclude a civil law contract and wants to become the domain name holder of the given domain name.

7. Existence of a contract on domain names registration services is not required in case the Registrar wants to become the Domain name holder of the given domain name on the condition that the registration of the given domain name is carried out personally by Registrar.

## **4. TECHNICAL REQUIREMENTS FOR DOMAIN NAME**

8. To register a domain name in ".am" domain zone into Registry database the domain name must meet the following technical requirements:

1) the domain name must end by ".am" extension,

2) only permitted symbols must be used in domain name. The permitted symbols are:

a) Latin script small letters (a, b, c, d, e, f, g, h, i, j, k, l, m, n, o, p, q, r, s, t, u, v, w, x, y, z),

b) 0-9 digits,

c) dash: " - ,

3) dividing dot in second level domain name (the dot mentioned in ".am" extension), and dividing dots in ".com.am", ".co.am", ".org.am", ".net.am", ".commune.am" third level domains (the dot mentioned in ".am" extension and the preceding dot to ".am" extension) must be of Latin code,



12. Not subject to registration domain names list is defined taking into account the best international practice and public interest.

13. Not subject to registration domain names list at least includes vulgar names and phrases formed by them.

## 6. RESTRICTIONS RELATED TO DOMAIN NAMES REGISTRATION

14. Registry defines domain names list that include domain names to which domain name holders may become only state bodies defined by the Constitution of the Republic of Armenia (hereinafter: **Governmental domain names list**). Governmental domain names list, among other names, includes: "armenia.am", "armenia.com.am", "armenian.com.am", "armenia.co.am", "armenian.co.am", "armenia.org.am", "armenian.org.am", "armenia.net.am", "armenian.net.am", "հայաստան.հայ", "հայ.հայ", "հայկաիկան.հայ" domain names.

15. «.commune.am» and «.համայնք.հայ» third level domain name holders may become only the communities of the Republic of Armenia.

16. To meet its service needs, Registry defines a list of domain names to which domain name holder can become only the Registry (hereinafter: **List of domain names for Registry needs**). The number of domain names included in the List of domain names for Registry needs must not exceed the reasonable limit. The list of domain names for Registry needs includes, among other names, second level domain names with a single symbol in ".am" and ".hay" extension preceding label with reservation set out in the 55<sup>th</sup> paragraph of this policy. The list of domain names for Registry needs is published on [www.isoc.am](http://www.isoc.am), [www.itc.am](http://www.itc.am) և [www.amnic.net](http://www.amnic.net) websites.

## 7. DOMAIN NAME REGISTRATION

17. Domain name registration is the entry of a domain name and information ensuring the operability of domain name as specified in the 18<sup>th</sup> paragraph of this policy in the Registry database.

18. To ensure a domain name operability, along with the entry of the domain name the following information is entered in the Registry database:

1) the first name, the last name, registered address or place of residence, postal code of the physical entity who wants to become the domain name holder of the given domain name,

2) the name, location (legal address), postal code of the non-physical entity that is competent to conclude a civil law contract and wants to become the domain name holder of the given domain name, the organizational-legal form in case of being legal entity, the legal status in case of being other subject,

3) the administrative, technical and financial contacts data (first name, last name, e-mail address, telephone number) of the subject that is competent to conclude a civil law contract and wants to become the domain name holder of the given domain name. Moreover, in case of being a physical entity who wants to become the domain name holder of the given domain name, the data of that physical entity shall be entered, if the latter hasn't authorized another person (persons) to act as his/her administrative, technical and financial contact as defined by law,

4) at least two, maximum six names of Domain name system server,

5) the term of domain name usage which cannot be entered for a term of less than one year.

19. Domain name is considered registered in the Registry database from the moment of entry of domain name and information ensuring domain name operability as specified in the 18<sup>th</sup> paragraph of this policy.

**20.** Domain name registration is a one-time operation.

**21.** From the moment of domain name registration, the Domain name holder obtains the right of limited use of that domain name during the domain name registration period taking into account the terms and restrictions set out in this policy. Domain name registration cannot be interpreted as the Domain name holder's acquisition of property right or any other right over that domain name not specified in this policy. Moreover the domain name cannot be used:

- 1) for the purpose of distributing pornographic materials,
- 2) for the purpose of distributing materials against the protection of state borders of the Republic of Armenia, internal stability, national security and (or) against the Republic of Armenia,
- 3) for the purpose of distributing materials of containing calls to commit a crime,
- 4) for the purpose of distributing spam,
- 5) for the purpose of sale of such products or services the circulation or free circulation of which is prohibited by the legislation of the Republic of Armenia (with exception of cases, when the Domain name holder has the allowance to sell such products or provide services),
- 6) for the purpose of distributing materials prohibited by the legislation of the Republic of Armenia,
- 7) for the purpose of implementing trafficking or supporting its implementation in any way.

## **8. REFUSAL TO DOMAIN NAME REGISTRATION**

**22.** Domain name registration in the Registry database is refused by the Registry, if:

- 1) the given domain name is already registered in the Registry database with exception of the case specified in the 23<sup>rd</sup> paragraph of this policy,
- 2) the domain name in ".am" domain zone does not correspond to the technical requirements specified in this policy,
- 3) the domain name in ".huyj" domain zone does not correspond to the technical requirements specified in this policy,
- 4) the domain name is included in Not subject to registration domain names list,
- 5) a subject not being a state body defined by the Constitution of the Republic of Armenia and being competent to conclude a civil law contract wants to become a Domain name holder of a domain included in the list of Governmental domain names,
- 6) other subject competent to conclude a civil law contract wants to become a Domain name holder of a domain included in the list of Domain names for Registry needs,
- 7) information about the physical entity who wants to become a Domain name holder of a given domain name as specified in the 1<sup>st</sup> subparagraph of 18<sup>th</sup> paragraph of this policy is not entered or incompletely entered into Registry database,
- 8) information about the non-physical entity competent to conclude a civil law contract that wants to become a Domain name holder of a given domain name as specified in the 2<sup>nd</sup> subparagraph of 18<sup>th</sup> paragraph of this policy is not entered or incompletely entered in the Registry database,
- 9) information specified in the 3<sup>rd</sup>-5<sup>th</sup> subparagraphs of 18<sup>th</sup> paragraph of this policy is not entered or incompletely entered in the Registry database,
- 10) a subject not being a community of the Republic of Armenia competent to conclude a civil law contract wants to become a Domain name holder of ".commune.am" or ".համայնք.հայ" third level domain names,

**23.** The domain name registration is not subject to refusal on the basis that the given domain name is already registered in the Registry database, if the domain name registration is carried out on the initiative of the Domain name holder for the purpose to change the Domain name holder.

## **9. DOMAIN NAME PRESERVATION PERIOD IN THE REGISTRY DATABASE**

**24.** The domain name preservation period registered in the Registry Database (hereinafter, **Preservation period**) shall be determined by the total amount of the date of use of the given domain name entered in the Registry database and additional period defined to maintain the domain name in the Registry database. The additional period of domain name preservation in the Registry database (hereinafter: **Additional period**) is 45 days.

**25.** In case of annulment of domain name registration (renewal) on the basis defined in this policy the given domain name is removed prematurely from the Registry database (Preservation period is terminated).

## **10. DOMAIN NAME RENEWAL**

**26.** Domain name renewal in the Registry database is the entry of a new term of use of a registered domain name. The new term of use of a registered domain name in the Registry database cannot be entered for less than one year term.

**27.** Domain name renewal is carried out if the Domain name holder of the given domain name wants to continue using the given domain name.

**28.** Domain name renewal is carried out during Preservation period.

**29.** In case of renewal of a domain name until the additional period the new term of use of a domain name is calculated from the first day of the Additional period.

**30.** In case of renewal of a domain name during Additional period until the moment of domain name renewal:

- 1) the registered domain name is not translated into IP addresses
- 2) information about domain name becomes unavailable when using "Whois" service, if the domain name renewal is carried out during the last 15 days of the Additional period.

**31.** In case of not renewal of the given domain name until the end of the Preservation period the registered domain name is removed from Registry database and becomes a domain name free for registration taking into account the restrictions set out in this policy.

**32.** Domain name renewal is a one-time operation.

## **11. DOMAIN NAME REGISTRATION ON INITIATIVE OF THE DOMAIN NAME HOLDER FOR THE PURPOSE TO CHANGE THE DOMAIN NAME HOLDER**

**33.** For the purpose to change the Domain name holder the new registration of the given domain name that is registered in the Registry database is carried out on the initiative of the Domain name holder of the given domain name during the domain name usage period.

**34.** In order to make a new registration of a domain name on the initiative of the Domain name holder for the purpose to change the Domain name holder, in addition to the contract on domain name registration services provision in ".am" or ".huj" domain zones concluded with the subject competent to conclude a civil law contract that wants to become a Domain name holder of the given domain name, the mandatory preconditions are:

1) the signed application of the Domain name holder of the given domain name about the change of the Domain name holder in the Registry database,

2) the signed application about the intention to become the Domain name holder of the given domain name by the subject that wants to become the Domain name holder of the given domain name competent to conclude a civil law contract,

3) the rescission of the contract on the provision of registration services of that domain name concluded with the Domain name holder of the given domain name.

**35.** The new registration of a domain name on the initiative of the Domain name holder for the purpose to change the Domain name holder is carried out by the Registrar that has registered (renewal) that domain name in the Registry database.

**36.** The new registration of the domain name on the initiative of the Domain name holder for the purpose to change the Domain name holder is carried out in accordance with the 7<sup>th</sup> chapter of this policy.

**37.** If the Domain name holder of the given domain name is the Registrar, then on the initiative of the Domain name holder for the purpose to change the Domain name holder, the terms set out in the 1<sup>st</sup> and 3<sup>rd</sup> subparagraphs of the 34<sup>th</sup> paragraph do not work on the condition that the given domain name registration has been carried out personally by that Registrar.

**38.** If the subject that wants to become the Domain name holder of the given domain competent to conclude a civil law contract is the Registrar, then on the initiative of the Domain name holder for the purpose to change the Domain name holder the term set out in the 2<sup>nd</sup> subparagraph of the 34<sup>th</sup> paragraph of this policy does not work on the condition that the domain name registration is carried out personally by the Registrar. In this case the existence of the contract on domain names registration services provision in ".am" or ".huuj" domain zones with the subject competent to conclude a civil law contract is not required.

## **12. THE RESPONSIBILITY OF THE REGISTRY**

**39.** In cases of domain name registration by itself, as set out in this policy, the Registry is required to take reasonable measures to verify the authenticity of the data presented by the Domain name holder. The Registry does not carry responsibility if the authenticity of the data submitted to it was not possible to verify by reasonable efforts.

**40.** Information provided by the Domain name holder for the purpose of domain name registration (including the Personal data of administrative, financial and technical contacts of the Domain name holder as set out in this policy, Personal data of physical entity Domain name holder) must be publicly available and the Registry holds the right to publish them. Registry is not responsible for the distribution of that Personal data and its access to third parties. Personal data as defined in this paragraph will be at least included in the Registry database and will be available through the "Whois" service.

Under the contracts concluded between it and its Domain name holders each Registrar is obliged to provide that physical entity Domain name holders present their agreements on their consent to publish their Personal data (within the limits defined in this policy) as well as present written agreements of administrative, financial and technical contacts of all Domain name holders on their consent to publish their Personal data (within the limits defined in this policy).

**41.** In case of domain names registration in the Registry database is carried out by Registrars, Registry does not carry responsibility for those registrations, as well as the authenticity of data presented by the Domain name holder and is not obliged to verify the authenticity of those data.

**42.** In any case, Registry does not carry responsibility:

- 1) for Registrars actions,
- 2) for the content of materials distributed through the registered domain name.

### **13. DISPUTES RESOLUTION**

**43.** The legislation of the Republic of Armenia shall extend over this policy.

**44.** Any dispute related to this policy (including: that of domain name registration, renewal, new registration of a domain name on the initiative of the Domain name holder for the purpose to change the Domain name holder, refusal to domain name registration, annulment of domain name registration (renewal), rights, obligations and responsibilities of Registry, Registrars, Domain name holders, interpretation, breach, invalidity of the paragraphs of the following policy, etc.) must be finally resolved through arbitration, by the "Arbitration Centre of Settlement of Domain Name Disputes" foundation, in accordance with "Domain name disputes resolution arbitration rules" (hereinafter: the Rules). Registry, Registrars, Domain name holders and other entities related to this policy undertake the duty to subject to the Rules. The composition of the arbitration and the number of arbitrators shall be determined in accordance with the Rules. The location of the arbitration shall be Yerevan city, Republic of Armenia, the language of arbitration shall be Armenian. The resolution of the arbitration as set out in the Rules is final, mandatory and applicable to Registry, Registrars, Domain name holder and other entities related to this policy and if not done on a voluntary basis, may be handed over to any competent court for compulsory enforcement.

### **14. THE ANNULMENT OF DOMAIN NAME REGISTRATION (RENEWAL)**

**45.** Domain name registration (renewal) is subject to annulment by the Registry:

- 1) if it turns out that the information (or a part of it) provided by the Domain name holder for domain name registration (renewal) is fake,
- 2) if the information provided by the Domain name holder for the given domain name registration (renewal) is incomplete and the Domain name holder, in response to properly conducted request by the Registrar or Registry that has carried out the registration (renewal) of the given domain name, does not provide additional information within two months to the Registrar or Registry that has carried out the registration of the respective domain name,
- 3) if the given Domain name holder has not responded within two months to the properly conducted request of the Registrar that has carried out the registration (renewal) of the given domain name on the identification of the Domain name holder,
- 4) if the physical entity Domain name holder has requested the Registry to remove his/her Personal data from Registry database,
- 5) if at least one of the administrative, financial or technical contacts of the Domain name holder of the given domain name has requested to remove his/her Personal data from the Registry database, and the Domain name holder, in response to properly conducted request by the Registrar or Registry that has carried out the registration (renewal) of the given domain name, has not provided within two months the new corresponding contact(s) data and his/her (their) written agreement(s) on publishing his/her (their) Personal data (within the limits defined in this policy),
- 6) in exceptional cases, for breach of this policy.

In cases defined in 1<sup>st</sup>-5<sup>th</sup> subparagraphs of this paragraph the registered domain name is subject to annulment by the Registry within 7 working days from the moment the appropriate basis emerged.

**46.** Domain name registration (renewal) is subject to annulment by the arbitration defined in this policy

1) in cases of breach of this policy,

2) in cases defined by the legislation of the Republic of Armenia,

3) in cases defined by other legal acts adopted by the Registry,

4) if the given domain name presents itself a cause of discrimination on account of person's sex or race, or skin color, or ethnic or social origin, or genetic characteristics, or language, or religion or age, or other personal or social circumstances, or promotes calls of human dignity humiliation in other way, or is violence or war propaganda, or committing of actions criminally punishable or prohibited by acting legislation, or is blasphemy, or is otherwise contradictory to the principles of morality or is incompatible with public interest,

5) if the interested person proves that he/she has the preference right to be the Domain name holder of the given domain name by virtue of a trend name, trademark, place of origin, geographical indication or guaranteed traditional product name subject to the legal protection in accordance to the legislation of the Republic of Armenia and the given Domain name holder does not represent any equivalent argument,

6) if the interested person proves that the domain name registration under the name of the Domain name holder contradicts the customary business practice or violates the principles of consciousness, honesty, fairness, truthfulness and impartiality between the Domain name holder and the interested person or between them and the consumers or causes or may cause any confusion/delusion in the public on the activities of the interested person and the Domain name holder (including that of the products/services offered by them) and the Domain name holder does not present any reasonable counter-argument within a reasonable timeframe,

7) in other cases determined by the arbitration.

In case of annulment of domain name registration (renewal) by the arbitration defined by this policy, the domain name is removed from the Registry database.

## **15. MAKING AMENDMENTS OR ADDITIONS TO POLICY, TERMINATION OF ITS OPERATION**

**47.** Registry holds the right to make amendments and (or) additions to this policy in any time, terminate the operation of this policy, define new policy of domain name registration.

**48.** The legal act on amendments and (or) additions or the termination of this policy or defining a new policy for domain name registration, as a rule, shall enter into force 30 (thirty) days after its adoption, unless otherwise provided for by that legal act.

**49.** After the adoption of the legal act on amendments and (or) additions or the termination of this policy or defining a new policy for domain name registration, Registry shall inform Registrars in written or in e-mail within reasonable timeframe.

## **16. FINAL PROVISIONS**

**50.** The timeframe calculation set by this policy is based on Yerevan time zone (UTC +4 time zone).

**51.** Registry is guided by the transliteration table published on [www.isoc.am](http://www.isoc.am), [www.itc.am](http://www.itc.am) and [www.amnic.net](http://www.amnic.net) websites.

**52.** The e-mail received from the administrative contact of the Domain name holder is considered to be an official application sent by the Domain name holder.

**53.** A proper request sent to the Domain name holder is considered to be the request sent to the email address of the administrative contact of the Domain name holder, which has also been sent via postal address (ordered letter) to the physical entity Domain name holder's registered address or place of residence, and in the case of non-physical entity Domain name holder, to the address of location of the latter. If the physical entity Domain name holder has not authorized another person to act as his/her administrative contact, then the request shall be sent to the email address of the physical entity Domain name holder.

**54.** In case of annulment of domain name registration (renewal) Registrar does not hold the right to make a registration of the given domain name by name of the same Domain name holder, if the basis of annulment of domain name registration (renewal) have not ceased to exist.

## **17. TRANSITIONAL PROVISIONS**

**55.** Those second level domain names that contain one symbol in ".am" or ".huu" extension preceding label of which Domain name holders are other entities competent to conclude a civil law contract in the time of entry of this policy into legal force, are subject to be included in the List of domain names for Registry needs from the moment of becoming free for registration.