

Regulations Governing the Database of Assigned Names (DBNA), Policy WHOIS and access to data relating to legitimate applicants

Registro .it/IIT-CNR - “.it” ccTLD

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1. Relevant Regulatory Framework

The Registro .it, responsible for the assignment and management of domain names for the Italian ccTLD at the Institute for Informatics and Telematics of the CNR in Pisa, is bringing the governance of data in the Database of Assigned Names (DBNA) into line with the strict harmonisation between European and national law and internal sector-specific regulations:

- **Primary Cybersecurity Standard:** Italian Legislative Decree no. 138 of 4 September 2024 (transposing EU Directive 2022/2555 - NIS 2), with particular reference to Article no. 29 ("Domain Name Registration Database"), paragraphs 3, 4 and 5.
- **Protection of Personal Data:** Regulation (EU) 2016/679 (GDPR) and Italian Legislative Decree no. 196/2003 and subsequent amendments and additions (Italian Privacy Code), to safeguard the fundamental rights and freedoms of natural persons whose data are processed.
- **Policy of the Registro .it on the Whois service:** the technical and contractual framework governing public disclosure, query limits and the transparency of registrant data via the WHOIS service(<https://www.nic.it/doc/politica-whois>).
- **Regulations on the Assignment and Management of the .it ccTLD:** specifically, Article no. 5.2 ("Access to data and documents relating to the registration, maintenance and opposition to a domain name") and Article 6 ("Verification of subjective requirements").
- **Legal Guidelines on Dispute Resolution:** in particular Section 1 ("Opposition procedure") and Section 2 ("Request for access to data and documents...") together with the relevant Annexes ("[Model application form for access by natural persons](#)" and "[Model application form for access by entities other than natural persons](#)").
- **Technical Guidelines:** in particular Section 3.8.3 ("Procedure for the detection, reporting and correction of inaccurate data"), with the aim of ensuring that the domain name registration database contains accurate and complete information.

2. Publication and Policy on the WHOIS Service (Article no. 29, paragraph 4, of the Italian Legislative Decree no. 138/2024)

Pursuant to Article no. 29, paragraph 4 of Italian Legislative Decree no. 138/2024, Registro .it ensures the publication of and public access to registration data that does not constitute personal data, making the information in the DBNA available via the WHOIS protocol (online at <https://www.nic.it> and via the WHOIS protocol at whois.nic.it, port 43). The Whois Policy of the Registro sets out the rules on data visibility to safeguard transparency and confidentiality:

2.1. Basic Rules on Visibility

- **Legal entities, Companies and Organisations:** All the organisation's identifying details (business name or company name, registered office, official contact details) are freely and fully accessible in the public database. Direct contact details of individuals (e.g. legal representatives or named technical contacts) who have not consented to their disclosure are not included in the public listing.
- **Individuals and Sole Traders:** Personal details (first name, last name, home address, email address and telephone number) are hidden by default in public WHOIS responses. Only the following are displayed: the domain name, the domain status (e.g. OK, active, challenged), the lifecycle dates (assignment, renewal, expiry), the authoritative nameservers and the sponsoring Registrar. The data subject may choose at any time to make their personal details public by giving their specific and express informed consent via their Registrar.

- **Technical Restrictions and Anti-Abuse Measures:** In order to prevent unlawful web scraping and mass data extraction, and to mitigate service disruptions caused by a high volume of requests, the Registro employs technical rate-limiting mechanisms that temporarily block the calling IP address if the permitted request thresholds are exceeded, as well as interactive CAPTCHA checks for queries made via the website.

2.2. Binding Data Collection Requirements and Contractual Obligations

The process of collecting and continuously maintaining data on applicants and assignees (Registrants) is governed by the principle of shared responsibility and operational coordination between the Registro and the Registrar, in accordance with the provisions of the Registro/Registrar Agreement (in particular Articles no. 13, 23 and 24), the Regulations for the Assignment and Management of the .it ccTLD and the relevant Technical and Legal Guidelines:

- **Completeness and accuracy of personal details:** At the time of registration and when updating the details, the Registrar is required to collect, via appropriate interfaces and in accordance with the technical specifications in force, the full set of the Registrant's identification details (first name, last name or company name, registered office/address, tax code/VAT number, email and telephone contact details).
- **Duty of care and promptness:** It is the Registrar's contractual obligation to ensure that any personal or technical changes notified by the assignee are promptly incorporated into the Assigned Names Database (Database dei Nomi Assegnati, DBNA), thereby maintaining the consistency and quality of the information throughout the entire lifecycle of the domain name.
- **Referral to the technical and operational provisions:** The data flows relating to the transmission, formal validation and synchronisation of registration data via the EPP (Extensible Provisioning Protocol) are set out in detail in the Technical Guidelines of Registro .it, to which reference should be made for information on format and interoperability requirements.

3. Regulations Governing Access to Confidential Data by “Legitimate Requesters” (Article no. 29, paragraph 5, of Italian Legislative Decree no. 138/2024 and Sect. 2, Legal Guidelines)

Access to personal data that has been redacted in public WHOIS responses is not permitted via open access. Pursuant to Article no. 29, paragraphs 4 and 5 of Italian Legislative Decree no. 138/2024 (transposition of the NIS 2 Directive) and in accordance with Section 2 of the Legal Guidelines of Registro .it, the disclosure of non-public data is granted exclusively in response to a reasoned and duly substantiated request submitted by a third party with a legally protected interest.

Furthermore, as the body responsible for managing the ccTLD and subject to the principles governing administrative action, Registro .it is required to comply with Italian Law no. 241 of 7 August 1990 concerning access to administrative documents.

Upon receipt of an application, the Registro carries out a preliminary check of the title and subject matter of the application, channelling the preliminary investigation through the relevant regulatory channel:

- NIS 2 Procedure (Italian Legislative Decree no. 138/2024): applied to legitimate and documented requests relating to network and information security, the prevention and combating of cyber abuse, or the protection of specific rights in accordance with sector-specific regulations, subject to a binding deadline for processing within 72 hours of receipt.
- Standard procedure for access to documents (Italian Law no. 241/1990 and Italian Presidential Decree no. 184/2006): applied to applications based on a direct, specific and current interest corresponding to a legally protected situation and linked to the administrative document requested, examined in accordance with the

procedural time-limits and safeguards laid down in the General Law on Administrative Procedure (including notification to any interested parties and the relevant standard time-limits for conclusion).

3.1. Categories of Eligible Applicants (Article no. 2.2, Legal Guidelines)

The following are entitled to access personal details and redacted contact details:

- **1. Judicial Authorities and Judicial Police Bodies:** for institutional purposes relating to the prevention, investigation or prosecution of criminal offences;
- **2. Independent and Sector-Specific Administrative Authorities:** (e.g. ACN, the Data Protection Authority, AGCOM, AGCM) for the purposes of carrying out their respective statutory duties;
- **3. CSIRT Italia and cybersecurity accredited teams:** for the analysis, containment and mitigation of cyber incidents, network security threats, phishing attacks or the spread of malware;
- **4 Holders of industrial or intellectual property rights:** (registered trade marks, patents, copyright) which allege an infringement arising from the registration or use of the domain name;
- **5. Third parties who have suffered harm:** who need to take action to protect their rights through the courts or out of court (e.g. online defamation, unfair competition, cyber fraud, identity theft), either directly or through a solicitor or representative acting under a power of attorney;
- **6. Opposing parties:** who have lodged an objection or intend to do so, and wish to initiate a reallocation procedure with a Dispute Resolution Service Provider (DRSP).

4 Operational Procedure for Access and Public Disclosure

In accordance with the principle of transparency laid down in Article no. 29, paragraph 5 of Italian Legislative Decree no. 138/2024 and Italian Law no. 241/1990, the policies and procedures relating to the disclosure of data are fully available to the public. The processing procedure consists of the following coordinated stages:

- **Step 1 - Carrying out the preliminary Whois query:** The data subject may carry out a preliminary search of the Assigned Names Database using the WHOIS client (whois.nic.it) or the WHOIS interface on the website of the Registro (<https://www.nic.it>). If the domain is registered by a natural person or a person under guardianship, the personal details fields will be obscured to protect privacy, making it necessary to follow the disclosure procedure.
- **Step 2 - Verification of the existence of a legally protected interest:** The applicant must establish the existence of a statutory requirement or a direct, concrete and current legal interest (protection of trade marks or industrial property rights, legal notices, out-of-court warnings, defence in legal proceedings or judicial/administrative investigations).
- **Step 3 - Completing the official form:** The applicant completes the form provided by the Registro: (a) Direct request from the data subject/individual; (b) Request via a legal representative or authorised agent with a power of attorney or mandate. The form must include: the applicant's personal details and tax identification number, the disputed .it domain name, a detailed statement of the legal interest and the right infringed, supporting documentation attached (e.g. trademark certificates, expert reports, copies of cease-and-desist letters) and a formal declaration that the data will be used exclusively for the stated defence purposes in accordance with the GDPR and Article no. 60 of the Italian Privacy Code.
- **Step 4 - Subscription and official broadcast channels:** The application, digitally signed with a qualified signature (CADES or PAdES) or with a handwritten signature accompanied by a copy of a valid identity document, must be sent to the Registro's Legal Department via certified email (PEC) (registro@pec.nic.it - priority channel), standard email (richiesteaccesso@nic.it) or by registered post with acknowledgement of receipt (Registro .it - Istituto di Informatica e Telematica del CNR, Via Giuseppe Moruzzi 1, 56124 Pisa, Italy).

- **Step 5 - Preliminary assessment and strict deadlines for a response (within 72 hours):** Pursuant to Article no. 29, paragraph 5 of Italian Legislative Decree no. 138/2024, the Registro .it shall examine applications and respond without undue delay and, in any event, within 72 hours of receipt, notifying the applicant of: (1) Immediate acceptance, with the data stored in the DBNA being displayed; (2) Commencement of the preliminary investigation with the right to be heard (Article no. 2.4 of the Legal Guidelines), granting the Registrant concerned a reasonable period of time; or (3) Declaration of inadmissibility or reasoned rejection in the event of lack of standing or vague grounds.

4.1. Prohibition of Exploratory Requests and Penalties

Applications that are purely exploratory (fishing expeditions), those lacking a current and documented legal interest, or those that do not comply with the prescribed forms, are strictly prohibited and will be dismissed on the grounds of manifest inadmissibility. Any processing of information for commercial, promotional or statistical purposes, or for any other purpose unrelated to the protection of the right being asserted, is expressly prohibited.

5. Cooperation between the Registro and Registrars and Retrieval of External Data (Article no. 5.2 of Regolamento .it)

By virtue of the distributed model and the principle of technical subsidiarity set out in Article no. 5.2 of the Regulations on the Assignment and Management of the .it ccTLD and in Article no. 29 of Italian Legislative Decree no. 138/2024:

- **Request for production of documents:** If certain documentary elements proving the assignee's identity, titles of legal representation, or specific historical contact details are not stored directly within the Registro's central infrastructure, but are held by the sponsoring Registrar, the Registro shall transmit a formal request for production to the latter.
- **Binding terms of cooperation:** The accredited Registrar has a statutory and contractual duty to verify, validate and make the requested data available promptly within the time limits set by the regulations, ensuring full cooperation both for routine accuracy checks and in the event of access requests made by legitimate applicants.

6. Accuracy and Verification of Information in the DBNA (Article no. 29, paragraph 3 of Italian Legislative Decree no. 138/2024)

The Article no. 29, paragraph 3 of Italian Legislative Decree no. 138/2024 (NIS 2 Directive) requires domain name registries to adopt and implement policies and procedures to ensure that their databases contain accurate and complete information, by verifying the data and removing or correcting any non-compliant entries. In the .it ccTLD system, all data relating to assigned domains is stored in the DBNA. To ensure the accuracy and quality of data in accordance with the GDPR and the NIS 2 Directive, the Registro .it utilises a specific algorithmic and procedural infrastructure governed by the Technical Guidelines (version 3.3 and subsequent amendments and additions) and Articles no. 13, 23 and 24 of the Registro/Registrar Agreement.

6.1. Application Architecture: READS and DARWIN Systems

- **READS (Registry Anomalies Detection System):** A central application that constantly monitors the DBNA. Using Natural Language Processing (NLP) techniques, advanced heuristics and queries to authoritative external databases, it analyses the personal details of Registrants, detects anomalies (e.g. clearly incorrect or inconsistent tax identification numbers, non-existent addresses, fictitious names) and calculates an anomaly score. The Registro's

inspection staff validate the findings, filter out any false positives and identify the “selected Registrant” and the associated “related Registrants”.

- **DARWIN (Data Accuracy Registrar Web Interface):** A secure web platform made available to Registrars. Through DARWIN, the Registrar receives notification of any anomalies detected by READS, views the domains affected, corrects any incorrect registration details and submits the official supporting documentation (identity documents, tax registration certificates, Chamber of Commerce certificates or deed of incorporation). Validated changes are automatically reflected across all related items.

6.2. Procedural Flow and Strict Deadlines for Reclamation

To safeguard legal certainty and network security, the accuracy verification procedure is subject to strict time limits:

Procedural Phase	Operational Details and Actions Relating to Domains	Timeline
Start and Stop	The contact has been set to the serverUpdateProhibited status. The domains have been set to the serverUpdateProhibited/serverDeleteProhibited/serverTransferProhibited status. Notification sent to both the Registrar and the Registrant.	Day 0 (Start)
Registrar Management	The Registrar logs into DARWIN and can: (a) enter the personal details corrections, attaching supporting documentation, or (b) proceed with the cancellation of the domain.	75-day window
Escalation on Day 30	If the Registrar fails to respond within 30 days, the domains will be set to the inactive/serverDeleteProhibited/serverTransferProhibited/serverUpdateProhibited status: immediate revocation of the DNS delegation (website offline).	On the 30th calendar day
Deadlines	At the end of the 75-day period, if no amnesty has been granted or in the event of a final rejection, the domains will be set to the inactive/serverHold status and will be permanently deleted upon the natural expiry of their contract.	On the 75th calendar day

6.3. Checks on Subjective Requirements and Ex Officio Revocations

Pursuant to Article no. 6 of the Regulations governing the assignment and management of domain names within the .it ccTLD, the Registro is entitled to request, at any time, documentary evidence to support the declarations made by the Registrant. Failure to produce the documents or failure to meet the eligibility criteria will result in the immediate revocation of the domain name, which will be placed in the inactive/revoked status for 30 days before being permanently deleted via the Drop Time mechanism.

7. Operational Summary, Forms and Official Contact Details

Resource/Channel	Contact details/Legal reference
Registro .it institutional PEC	registro@pec.nic.it
Legal Department Email - Data Access	richiesteaccesso@nic.it
Institutional Address for Registered Post with Return Receipt	Registro .it - IIT CNR, Via Giuseppe Moruzzi 1, 56124 Pisa (Italy)
Application Form for Account Holders/Private Individuals	Appendix to the Legal Guidelines of Registro .it (official form)
Application Form via Legal Representative/Authorised Agent	Official form with explicit authorisation/power of attorney for access
Public DBNA Query (Whois/RDAP)	Client Whois: whois.nic.it Web site: https://www.nic.it

Registro.it

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Registro .it è gestito da:

