



Disputes resolution in the ccTLD .it

Guidelines

Version 2.0

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0 Foreword

This guide (hereinafter Legal Guidelines) aims to provide the user, maintainers (hereinafter also MNT) and Registrars with instructions and useful information for optimal understanding of the contents of 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 indicative models for the operations referenced in them.

0.1 Revisions

Versions of this document following 2.0 are considered revisions.

0.2 Definitions

Term	Definition
Registry database	Database kept by the .it Registry where all the data regarding the domain names assigned in the ccTLD .it are kept.
DBNA	Acronym of Database of Assigned Names (see Registry database).
ICANN	ICANN (Internet Corporation for Assigned Names and Numbers) is an international no-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).
LAR	Letter of assumption of responsibility. This is a written document with which the Registrant undertakes full civil and criminal responsibility for the domain name for which assignment is requested.
Asynchronous technical Guidelines	Guidelines for managing asynchronous operations with ccTLD .it domain names.
Synchronous technical Guidelines	Guidelines for managing synchronous operations with ccTLD .it domain names.
Maintainer	Organizations which make synchronous registrations of domain names on their own behalf or that of Registrants.
MNT	Acronym for Maintainer.

PSRD	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.
Registrant	The person or organization requesting registration of a domain name or that has been assigned one.
Registrar	Organizations which make synchronous 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.
Registry	Organism responsible for assigning domain names and managing the primary registers and nameservers for a TLD. Delegated for this duty by ICANN. In the document it is called Registry of the ccTLD .it or .it Registry indiscriminately.

1 The opposition procedure

1.1 Aim

The opposition procedure is the tool by which a third party can remonstrate to the Registry that the registration of a domain name by the current registrant has infringed one of its rights. Activation of opposition is a necessary condition to start the re-assignment procedure for a domain name.

By activating opposition the Registrant, though remaining assignee of the domain name, cannot carry out the "Modification of Registrant" operation except in favour of the party introducing the procedure.

The Registry does not take part in defining the opposition which, in the event of it not being resolved amicably, can be decided through recourse to the tools shown 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 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 be signed by both;
- the domain name object of opposition;
- the Registrant's data as retrieved from the database of the assigned names (DBNA);
- 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 petitioner, or that the domain name is identical to the petitioner'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 else 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 e-mail 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 ccLTD .it.

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

1.3 Registry procedure in the event of an opposition request

Once it has received the opposition request, the Registry will check its formal content. If the request complies with the indications of Article 1.2 “Introduction to the opposition procedure” of these Guidelines, the Registry will activate opposition within 10 (ten) days; otherwise the Registry will inform the petitioner within 10 (ten) days that the necessary elements for starting opposition are lacking by sending a specific communication, sent in advance by email, 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 correction of the opposition request.

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

1.4 Registry actions in the event of 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, or a similar status in the synchronous system;
- 2) informs the Registrant by email (where there is an “e-mail” field for the “registrant” subject) that the opposition procedure has started, indicating:
 - the domain name object of opposition;
 - the details of the petitioner and the description of the infringed right;
 - 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 notice that opposition has started by land mail. This notice contains:
 - the details of the petitioner and the description of the infringed right;
 - the reference to the possibility of using the alternative resolution procedures provided for by the Dispute Rules;
 - the start date for the opposition procedure and for the purpose of the calculation of the terms for its renewal;
- 4) if the domain name is maintained by a Registrar, the Registry can ask the latter for the documentation relating to the domain name registration in the ways and terms established by Article 3.1 “Access request for data and sending the Register the registration documents for a name subjected to the opposition procedure”.

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 shall have the right to revoke the challenged status if the Registrant sends the Registry, in the manners 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, it holds the domain name on the basis of a trademark or other distinctive mark or person’s name and the petitioner offering no documentary evidence for a similar right, but basing 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, shall, in the presence of valid presuppositions, revoke the “challenged” status from the domain name and send notice of this to the parties by registered post preceded by an email.

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 petitioner, 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 in the start of opposition registered letter.

The renewal request cannot be repeated more than twice for the same domain name between the same parties.

To this end, the petitioner 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 else 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 e-mail 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 petitioner at the e-mail address shown in the opposition request and the Registrant at the e-mail address shown in the Registry’s DBNA (where present in the “e-mail” field under the “registrant” item).

Otherwise, the Registry informs the petitioner 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 e-mail 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 the petition shown in Article 2.6:

- within 180 (one hundred and eighty) days from the date of the opposition being activated;
- within 180 (one hundred and eighty) days from the date of the last renewal of the opposition.

the instance reported in article 1.6 above “Renewal of the opposition procedure”.

In this case the Registry removes the “challenged” status (or similar status in the synchronous system) from the domain name DBNA, informing the interested parties by a specific registered letter preceded by an email to the petitioner at the address shown in the opposition request or other address communicated to the Registry and to the Registrant at the address shown in the Registry’s DBNA (where present in the “e-mail” field under the “registrant”

item).

1.8 Resolution of opposition - effects

The Registry considers opposition resolved if one of the hypotheses provided for by point 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 the “challenged” flag from the challenged domain name, informing the interested parties by a specific registered letter preceded by an email to the petitioner at the address shown in the opposition request or other address communicated to the Registry and to the Registrant at the address shown in the Registry’s DBNA (where present in the “e-mail” field under the “registrant” item).

If the procedure is resolved in favour of the petitioner via a “Modification of Registrant” operation which is not performed through an agreement between the parties, the Registry removes the challenged domain name assignment from the DBNA putting it in “TO-BE-REASSIGNED” status and an equivalent status in the synchronous system.

Within 10 (ten) days the Registry invites the petitioner to activate the registration procedure by sending a specific registered letter preceded by an email sent to the address shown in the opposition letter or to another address communicated to the Registry.

The registration procedure will take place using different methods depending on whether the asynchronous or synchronous system is used because in the first case the Registry must receive a letter of assumption of responsibility while in the second case the Registry must receive from the new registrant the registration form available in article 3.1.6 of the synchronous system technical guidelines, along with the unequivocal ID of the Registrant (ContactId); after performing suitable controls the Registry assigns the domain name to the new Registrant, generates the authInfo which communicates to the Registrar that, in turn, sends 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 petitioner has not completed the registration procedure, the domain name becomes available for free assignment.

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 kept by a Maintainer and 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 petition can also be submitted by a person delegated by it. In this case, the request must be signed by the representative and the delegator, or the representative 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 petition can be sent directly by the lawyer; otherwise the petition submitted by the lawyer must have the same requisites as of the paragraph above.

2.3 Evaluation of the requests

The requests are evaluated by the Registry, which, within 10 (ten) days of receiving the petition and having determined its formal correctness, will start the proceedings by registered letter with notification of receipt preceded by an e-mail to the e-mail address or a fax to any number shown on the petition.

If the Registry receives irregular or incomplete requests, it will inform the applicant within 10 (ten) days of receiving the access petition by registered letter preceded by an e-mail to the e-mail address or a fax to any number shown on the request.

The corrected 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 correction 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 to the address in the deeds of the Registry.

The counterparties can submit justified objection to the access request within 10 (ten) days of receiving notification by ordinary post, to fax 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 "Exclusion 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 that 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

conferring 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 look after 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 2.6above, 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 petition the applicant undertakes not to make use of the documents obtained and the personal data contained therein for purposes other than those strictly indicated in the petition and not to divulge said data and contents. The applicant also assumes all responsibility for 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 petition 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 Request to the Registrar for access to documents and information for domain names maintained by a Registrar

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 050+39,050 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 prepared pursuant to the Rules for the assignment of the domain name in the ccTLD .it using the procedures indicated in article 3.12.1.1 of the synchronous system technical Guidelines, accompanied by a declaration signed by the Registrar's legal representative or by a person delegated by same, which certifies that the document and information contained therein has not been changed and is complete.

The Registry, having evaluated the request, 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 "Procedures for transmitting to the Registry the domain name registration and maintenance in other cases".

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

If the request for access to documents is received directly by the Registry, the provisions of the section 2 "Access request for data and documents relating to the registration, maintenance and opposition of a domain name in the ccTLD .it" and section 3 "Acquisition of documents relating to the registration, maintenance and opposition for a domain name maintained by a

Registrar” of these Guidelines apply.

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

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 started for a domain name maintained by a Registrar, the latter 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 contents of the Rules for assignment and management of domain names in the ccTLD it and in the manners and terms contained in Article 3.12.1.1 of the Synchronous Technical Guidelines for the assignment and management of domain names in ccTLD .it and accompanied by an original declaration signed 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.

The document in question can be forwarded by email in .pdf or similar format to the email address “richiesteaccesso@nic.it” or by fax to the number +39 050 3153448 and the original must then be sent by land mail.

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 as of the article above, if the Registry requests the Registrar to document in writing 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 of the request. The request in question shall be sent to the Registry at the e-mail addresses indicated by the Registry in the contract.

The documents, accompanied by an original declaration signed 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 may be sent to the Registry by email, in .pdf or similar format to the email address “richiesteaccesso@nic.it” or by fax to the number +39 050 3153448 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 registered letter addressed to the counterparty, the chosen arbitrator and the Registry. The application must contain the elements provided for by point 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 point 2.2 of the Dispute Rules “List of Arbitrators” available at the Registry's website, <http://www.nic.it>.

It is advisable, in the case of a request for arbitration, to open a parallel domain name opposition procedure shown in Article 5 of the Rules for assignment and management of domain names as in that 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 through a specific registered letter addressed 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 to prevent and fight cornering of 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, called Dispute Resolution Service Providers (PSRD), which have lists of experts that check, in the parties’ debate 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 claimant 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 from the European Union. It can also be started on one’s own behalf and on behalf of individuals or corporate bodies not belonging to the European Union 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 one hand, that the petitioner 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 re-assignment, it is necessary to check 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 PSRD accredited with the Registry is available on the Registry's website at <http://www.nic.it>. Each PSRD has its own website where, as well as the decisions already made, the fees and list of experts who are referred the decisions on re-assignment procedures are shown.

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 point 4.2 and later 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 petitioner can choose whether the question is dealt with by one expert or a Board of three experts. If it chooses that the question is dealt with by one expert, this expert shall be the PSRD duty expert chosen from among those accredited by it. If it has chosen a Board of three experts, 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 petitioner 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 petitioner;
- 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 Start of the Procedure

The re-assignment procedure is considered started when the defendant knows 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 e-mail 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 petitioner by e-mail. In this event the procedure shall be considered started when all the irregularities have been remedied.

4.2.11 Sending the complaint to the defendant

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 of receipt.

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

4.2.12 Drawing up the defendant’s answer

The Dispute Rules do not impose a specific model for the defendant’s reply, which can thus be drawn up in free form provided it contains all the elements provided for in Article 4.6 of the afore-mentioned Rules “Start of the procedure and answer of the defendant”.

In this regard the defendant must indicate the reasons by which it maintains, for the case in question, that the pre-requisites for re-assigning the domain name do not exist; in particular it must indicate its 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 petitioner’s part over the domain name object of the re-assignment procedure.

4.2.13 Attachments to the defendant’s answer

The answer must have attached in duplicate hard copy the documents the defendant maintains it must produce to confirm what was stated in its defence. If the defendant 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 defendant’s answer

The defendant must send the answer and documents in duplicate to the PSRD by registered post with return of receipt. The answer 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 Term of the defendant’s reply

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

The answer 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 answer has been received, the PSRD transmits it to the petitioner and proceeds to appoint the expert or the Board which will decide if the domain name object of opposition should be transferred to the petitioner 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 petitioner and the defendant 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 the procedure completion.

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 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 15 (fifteen) 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 DBNA and puts the domain name on TO-BE-REASSIGNED or inactive/toBeReassigned.

The re-assignment procedure will take place using different methods depending on whether the asynchronous or synchronous system is used because in the first case the Registry must receive a letter of assumption of responsibility while in the second case the Registry must receive from the new registrant the registration form available in article 3.1.6 of the synchronous system technical guidelines, along with the unequivocal ID of the Registrant (ContactId); after performing suitable controls the Registry assigns the domain name to the new Registrant, generates the authInfo which communicates to the Registrar that, 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 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 occur, 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 is at.

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 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 ten days from this communication to object to the closure.

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

If there is prompt objection, the Board decides within 5 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 are-assignment procedure between the same parties and for the same domain name.

4.2.23 Procedure times

Activation of the procedure: the PSRD communicates the start of the procedure to the petitioner, the defendant and the Registry **within 4 (four) days** of receiving payment for the costs to be borne by the petitioner. The procedure starts when the defendant has knowledge of the complaint.

Defendant’s answer: the defendant can send its 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 reply 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 point 4.15 of the Dispute Rules.

Notice of the decision to the parties: the PSRD communicates the decision to the petitioner, the defendant 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 opposition, the Registry immediately informs the petitioner, defendant and PSRD of the date when in intends to implement the decision; if the Board dismisses the re-assignment, the Registry removes the “CHALLENGED” flag from the domain name **within 4 (four) days** of the Board’s communication to the Registry.

5 ATTACHMENTS

Template of the opposition application form for a subject other than an individual person

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

Subject: request to activate the opposition 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]*) 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 at (*user@domain*) 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 opposition 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”.

Template of opposition submission form for individual persons

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

Subject: request to activate the opposition 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]*) 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 at (*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 opposition 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”.

Template of opposition renewal form for a subject other than an individual person

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

Subject: 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]*) 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 at (*user@domain*) requests the opposition procedure against the domain name “_____ .it” 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”.

Template of opposition renewal form for individual persons

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

Subject: request to renew the opposition for the domain name “_____ .it”, to the intents and effects of the provisions of point 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”.

Template of application form for access to the Registrant’s data and documents for subjects other than individual persons

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

Subject: 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]) 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 numeric tax code) with registered office at (registered office [street/square, location, post code, province or foreign country]) and e-mail address at (user@domain)

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)*.

City, 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”.

Template of application form for access to data and documents for an individual person

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

Subject: 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*).

City, 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”.

Template of form for application of the arbitration clause for 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)

Subject: 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]) 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) 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”.

Template of form indicating consent to the arbitration clause for individual persons.

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

Subject: 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]*) on (*date of birth*), tax code (*tax identification number*), 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”.

Template of form for revocation of the arbitration clause for 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)

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

The undersigned (*first name surname*), born in (*place of birth and [province]*) 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*), 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”.*

Template of form for revoking the arbitration clause for individual persons.

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

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

The undersigned (name surname) born in (place of birth and [province]) on (date of birth) resident in (postal address [street/square, locality, post code, province]) 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”.

Template of form for letter of appointment of the arbitrator for 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]*) 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*), 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”.*

Template of appointment of arbitrator letter form for an individual person

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.

I, the undersigned (*first name surname*), born in (*place of birth and [province]*) on (*date of birth*), resident in (*address of abode, street/square, locality, post code, province*), 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.

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