



## DBNA and WHOIS Policy

Version 2.2

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## 0. Document revisions

Changes from version 2.1 of 25 October 2019:

- Section 4: sole proprietorships and freelancers have been included among those who have the possibility to consent to the publication of data in the Whois service

## 1. General principles

This document neither annuls nor modifies in any way whatsoever the information on the treatment of data which, in accordance with the law in effect at the time, is given in relation to the various activities of the Registro. It is an additional note strictly for operating purposes.

The policy of the Registro .it regarding the publication of data relative to the assignment of domain names within the ccTLD.it follows the technical regulations specified by international bodies for this specific sector. It is understood that this is in conformity with Italian and European legislation regarding the protection of personal data, and with the practices adopted by other ccTLDs. The personal data are therefore treated in conformity with the applicable Italian and EU regulations.

This document may be subject to revision in order to respect legislation that may come into effect. This is with respect to new European legislation, specifically Regulation (EU) 2016/679 of the European Parliament and Council of 27 April 2016 regarding the personal data protection of natural persons and the free circulation of these data, and which abrogates Directive 95/46/CE (general regulation regarding data protection). This also takes into account the regulation regarding the transfer of data outside of the European Union and the relevant national laws in effect at the time.

For the registration and maintenance of domain names, the Registro .it requests data from the Registrant and, by means of the Registrar, conserves data also relative to the administrative and technical contacts, respectively defined as admin and tech. In particular, the Registro requests the data regarding first name and surname of a person or the registered name of a legal subject, postal address, telephone number, fax number, e-mail address, tax code and/or VAT number, nationality (for natural persons), the category of Registrant, and consent for publication of the data supplied. Some of this information can be modified by the Registrar when assigning a domain name to the Registrant.

The Registrant is the natural person or organisation that has full responsibility as regards the assigned domain name. Assignment of the domain name to the Registrant is carried out respecting the procedures foreseen by the Regulations of assignment and management of domain names of ccTLD.it (<http://www.registro.it>). The Registrant is the only subject responsible for the request to register and use the domain name. A domain name can be assigned to the Registrant only after the Registrant has supplied their data to the Registrar, has accepted the conditions and responsibility established for registration of a domain name within ccTLD.it following the terms and conditions in the current Regulations and has accepted the obligations with which they have been charged. Fiduciary registration is not permitted, unless within the context of a trust. This is respecting the limits relative to this legal institution foreseen by Italian law and by the Hague Convention of 1985, the latter being in effect as from 1989.

The data acquired by the Registro .it during the process of registration and maintenance of domain names are recorded in a database, defined as Data Base of Assigned Names (in Italian, DBNA), which contains all the information relative to domain names assigned under ccTLD.it.

The Registro .it, by means of the WHOIS service, and in the manner described hereafter, displays the association “domain name – name of Registrant” as well as the association with the admin and tech contacts. This association enables identification of details necessary for operation of the domain name, and of the overall system.

## 2. Data controller and data processor

With reference to collecting and transferring data of interested parties involved in activities connected with the management of the Registro .it, the CNR, through the IIT-Registry, is Data Controller and the Registrar is the external Data Processor.

In accordance with Art. 28 of Regulation (EU) 2016/679, through the contract between the Institute of Informatics and Telematics of the CNR - Registro .it and the Registrar, regarding the registration and maintenance of domain names within the ccTLD.it, the Registrar is nominated as Data Processor in relation to the following activities:

- 1) collection of essential data for registration of a domain name, respecting the technical rules RFC1591, ICP-1, ICP-2 and ICP-3, which regard the Registrant, the administrative and technical contacts that are necessary to ensure operation of the domain name, and obtaining consent to data treatment given by interested parties and recording this in the DBNA;
- 2) collection and maintenance of the data necessary for the functioning of the domain name and for the completion of management operations regarding the domain name, as specified in the Regulations of assignment and management of domain names within ccTLD.it.

By virtue of the abovementioned agreement, the Registrar is not permitted to carry out any other treatment of personal data controlled by the Registro .it.

With the undersigning of the Registro/Registrar contract, the Registrar declares that they possess the expertise, capacity and reliability to ensure full respect of the regulations in force regarding data treatment, including the profile relative to security as specified in Art. 28 of Regulation (EU) 2016/679.

### **3. Information and acquisition of consent regarding data treatment for registration of the domain name and for visibility on the Internet**

In conformity with that indicated in Parag 23, “Data treatment and role of the Registrar”, of the current Registro/Registrar contract, published on the Registro .it website (<http://www.registro.it>), the data of interested parties regarding registration and maintenance of domain names are collected by the Registrar. The Registrar must supply the Registrant with the information relative to the system of data treatment and purposes of the treatment, and obtain, if the Registrant is a natural person, a sole proprietorship or freelancer, their consent, on the basis of the indications supplied by the Registro .it by means of the Regulations of assignment and management of domain names under ccTLD.it. The giving of consent must be explicit for each single data treatment and must be communicated to the Registro .it in written form in the ways and terms specified in Parag. 14 “Obligations of documentation”, of the current Registro/Registrar contract and by the Regulations of the ccTLD.it, and in accordance with the Regulation (EU) 2016/679, art 7.

In accordance with Regulation (EU) 2016/679, art. 1, art. 4 c.1 and Recital 14, the protection of personal data applies to natural persons, Legal persons, bodies or associations are no longer considered to be interested parties and therefore these categories of subject no longer possess the right to receive the information and the request for consent.

In particular paragraph 14, “Obligations of documentation”, of the abovementioned Registro/Registrar contract states: Without prejudice to any further obligations deriving from specific laws, the abovementioned documentation must be sent in writing to the Registro, or alternatively in the forms in accordance with the Digital Administration Code, Legislative Decree March 7, 2005, n.82. “In writing” means any form of “mechanical reproduction” which complies with article 2712 of the Italian Civil Code, including an analogue copy of an electronic document. It must also be accompanied by a declaration pursuant to Decree December 28, 2000, n.445 signed in the original, or digitally signed by the legal representative of the Registrar, or a person delegated by the Registrar, attesting conformity *to the original, and must not contain any alterations, thus ensuring the completeness of the document and the information contained*. With reference to the extract above, it is not sufficient to send the Registro a re-elaboration of the registration produced by the Registrar. In this regard, on the Registro website ([www.registro.it](http://www.registro.it)) there is an example of the ways in which it is possible to give the Registro the required documentation, in writing or equivalent forms, with attachment of the declaration form in accordance with Decree 445/2000. For non-SEE countries, the requirement is a declaration accompanied by a legalization by a notary public or other qualified public official, with an Apostille or consular legalization. Exception is made for situations governed by bilateral or multilateral agreements. If the documentation sent does not meet the requirements specified above, the Registrar assumes each and every responsibility regarding the subject making the request and waives the IIT-Registry of any responsibility or injury in this regard. Failure to send the Registro complete registration documentation regarding the e-mail communication to the Registrant, together with self-certification in accordance with Decree 445/2000, or with Apostille, or consular legalization, legitimizes the Registro to immediately apply the sanction in accordance with the Registro/Registrar Agreement. For this purpose, the Registrar shall waive the IIT-Registry of any responsibility or injury with regard to actions of third parties deriving from or connected with the application of this sanction.

## 4. Tools for the expression of the consent

Consent for data treatment, required for the registration of a domain name and data publication, is obtained in the following way:

1. Registration form, in accordance with specifications in the Regulations of assignment and management of domain names in the ccTLD .it: in the registration form, the Registrar requires the Registrant to read the information, provided for the purposes of registration and maintenance of a domain name. The expression of consent is required and optional for natural persons, sole proprietorships or freelancers for the purposes of public visibility of the personal data mentioned above.
2. EPP transaction: by means of a specific EPP transaction, when entrusted to do so by a client and subject to prior communication of the information notice, the Registrars write in the DBNA the data acquired using the above mentioned registration form and the expression of consent to public visibility of data regarding registrant and contact (admin and tech) objects.

A request for modification of consent regarding visibility on the Internet can be made:

- 1) In the first place to the Registrar, who must promptly grant the request;
- 2) Alternatively, directly to the Registro, by means of specific application.

## 5. WHOIS look-up service

In compliance with international protocols used for domain names, the Registro .it provides a WHOIS look-up facility. Using this service, typing a domain name registered under ccTLD.it brings up information regarding the domain name. The information relative to the registrations are in the DBNA, in conformity with the following.

The information includes data relative to:

1. Registrant;
2. Administrative (admin) and technical (tech) contacts;
3. Registrar;
4. Technical and service information.

The WHOIS service can be queried:

1. From the command line (visualization via query on port 43);
2. Via Web, using the website Registro .it. In this case, the query uses a CAPTCHA system.

The Whois service via Web returns a wider set of information than can be queried from the command line. However, in both cases, the data visualized depend on whether or not consent has been given to publication of data and their visibility on the Internet that is by the Registrant and admin and tech contacts.

If consent is given by all the subjects referenced in the domain name, the query displays the following data:

### 5.1 Public visualization from the command line (port 43)

Querying the WHOIS service on port 43, through the appropriate client, displays the following.

In the case of consent from all the subjects referenced in the domain name, the query will make the data public as described below.

Domain: *esempio.it*  
Status: *ok*  
Signed: *yes*  
Created: *2019-06-03 14:58:49*  
Last Update: *2019-06-03 14:58:50*  
Expire Date: *2020-06-03*

Registrant  
Organization: *Archimede Pitagorico*  
Address: *Via Caspio, 9*  
*Roma*  
*00100*  
*RM*  
*IT*

Created: 2019-06-03 14:31:37  
Last Update: 2019-06-03 14:31:37

#### Admin Contact

Name: Archimede Pitagorico  
Organization: Archimede Pitagorico  
Address: Via Caspio, 9  
Roma  
00100  
RM  
IT

Created: 2019-06-03 14:31:37  
Last Update: 2019-06-03 14:31:37

#### Technical Contacts

Name: Alex Zeta  
Organization: ZZZ S.p.A.  
Address: Via Napoleone, 99  
Roma  
00100  
RM  
IT

Created: 2013-02-24 11:47:19  
Last Update: 2018-01-17 17:25:01

#### Registrar

Organization: ZZZ S.p.A.  
Name: ZZZ-REG  
Web: <https://www.zzzreg.it>  
DNSSEC: yes

#### Nameservers

*dns1.esempio.it*  
*dns2.esempio.it*

## 5.2 Public visualization via Web

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Querying the Whois service using the Registro .it website displays the following.

Also, in this case all the subjects referenced in the domain name gave their consent to the publication of the data.

The fields in **bold** are available only through this visualization mode.

## Domain

Domain: *esempio.it*  
Status: *ok*  
Signed: *yes*  
Created: *Jun-3-2019 14.58.49 CET*  
Expire: *Jun-3-2020 CET*  
Last Update: *Jun-3-2019 14.58.50 CET*

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## Registrant

Organization: Archimede Pitagorico  
Address: Via Caspio, 9

00100 - Roma (RM)  
it  
**Nationality:** it  
**Phone:** +39.06776511  
**Fax:** +39.06776512  
**E-Mail:** archimede@esempio.it  
Created: Jun-3-2019 14.31.37 CET  
Last Update: Jun-3-2019 14.31.37 CET

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## Administrative Contact

Name: Archimede Pitagorico  
Organization: Archimede Pitagorico  
Address: Via Caspio, 9  
00100 - Roma (RM)  
it  
**Phone:** +39.06776511  
**Fax:** +39.06776512  
**E-Mail:** archimede@esempio.it  
Created: Jun-3-2019 14.31.37 CET  
Last update: Jun-3-2019 14.31.37 CET

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## Technical Contacts

Name: Alex Zeta  
Organization: ZZZ S.p.A.  
Address: Via Napoleone, 99  
00100 - Roma (RM)  
it  
**Phone:** +39.06986341  
**Fax:** +39.06986342  
**E-Mail:** tech@zzzreg.it  
Created: Feb-24-2013 11.47.19 CET  
Last update: Jan-17-2018 17.25.01 CET

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## Registrar

Organization: ZZZ S.p.A.  
Name: ZZZ-REG  
Web: <https://www.zzzreg.it>  
DNSSEC: yes

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## Nameservers

dns1.esempio.it  
dns2.esempio.it

In the event of failure to consent to the publication of data by all the subjects referenced in the domain name (registrant, admin and tech), the query displays only the following data (e.g. query on port 43):

Domain: *esempio.it*  
Status: *ok*  
Signed: *yes*  
Created: *2019-06-03 14:58:49*  
Last Update: *2019-06-03 14:58:50*  
Expire Date: *2020-06-03*

Registrant  
Organization: *hidden*

Admin Contact  
Name: *hidden*  
Organization: *hidden*

Technical Contacts  
Name: *hidden*  
Organization: *hidden*

Registrar  
Organization: *ZZZ S.p.A.*  
Name: *ZZZ-REG*  
Web: <https://www.zzzreg.it>  
DNSSEC: *yes*

Nameservers  
*dns1.esempio.it*  
*dns2.esempio.it*

In this case, the data brought up by the command line query (port43) and via Web are the same.

## 6. Access to documents relative to registration and maintenance of a domain name in ccTLD.it

Third parties, for legitimate reasons, may obtain documentation relative to registration and maintenance of a ccTLD.it domain name, in accordance with the Regulations of assignment and management of domain names and specified in the Guidelines for Dispute Resolution, which indicate terms and operating conditions.

The request for access pursuant to law no. 241 of 1990 must be made to the Registro .it . The Registro website displays a set of forms in this regard.

The Registro .it will communicate to the counterpart, via registered mail with return receipt or equivalent form, the initiation of the access procedure. If the counterpart does not give the Registro justified opposition to the access request, within 10 (ten) working days from receipt of the request, the Registro will proceed to transmit the data requested to the interested party

## 7. Rights regarding the database of assigned names (DBNA)

The domain names assigned in the ccTLD .it are inserted and maintained in the database referred to as Database of Assigned Names (in Italian DBNA).

The IIT-Registry is owner of all rights regarding intellectual property of a patrimonial nature or not, also sui generis, in relation to the constitution and maintenance of the DBNA.

The DBNA is safeguarded in various ways as follows:

1. copyright in conformity with Law 22 April 1941, n. 633 and with the Berne Convention and its respective modifications, specifically regarding legislation pertinent to software and databases;
2. sui generis rights regarding databases;
3. for natural and legal persons by Article 7 of the Italian Civil Code (right to name);
4. natural persons, sole proprietorships and freelancers by the Regulation (EU) 2016/679.



Access to third parties of information taken from the DBNA:

- 1) is purely for consultation, with no permanent or temporary transport operations of the totality or part of the content to any other support;
- 2) attributes no rights whatsoever to third parties regarding the database or the data contained therein;
- 3) does not permit third parties to reuse, including in any re-elaborated form, the data extraction or copy of the data in total or in part, for any purpose whatsoever, without authorization of the maker of the database.

The Registro .it will adopt each and every safeguard as a guarantee of its exclusive rights and, in the case of third party rights regarding personal data in the database, can include recourse to legal action. A specific disclaimer is displayed whenever the WHOIS service is accessed (via either web or port 43).