

# Terms and conditions and rules for registering .se-domain names with .SE

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(If there is deviation in this document from the Terms and Conditions for the registration of the top-level .se, the Terms and Conditions shall prevail).

.SE's operations, including the administration and management of top-level .se domain names, are governed by the Swedish Top-Level Domain Act (2006:24). The Swedish Post and Telecom Agency (PTS) is the designated supervisory authority.

## Who qualifies for registration?

Registration applications for the top-level .se domain are open to all physical and legal entities that have a civil or corporate registration number or that can be identified through the registry in another database compiled by a government agency or by an organization with a task similar to that of government agency. For foreign persons and legal entities, special rules apply.

When registering new domain names, .SE applies the "first come, first served" principle, meaning that domain names are allocated in the order in which applications are received by .SE. There are no possibilities of priority registration or reservation of domain names.

The prevailing Terms and Conditions for the registration of the top-level .se as of June 3, 2013, [https://www.iis.se/docs/Registreringsvillkor\\_eng.pdf](https://www.iis.se/docs/Registreringsvillkor_eng.pdf), include all rules and prerequisites that must be fulfilled to have a domain name registered with .SE.

## What names can be registered?

All applications containing available domain names that have been correctly completed are registered in advance without review. Potential disputes are subsequently resolved through Alternative Dispute Resolutions, ADR (refer below).

### Formal prerequisites

Any domain name can be registered under .se, provided that it is available, is not on .SE's list of barred or reserved domain names (refer below) and does not contravene Swedish legislation. .SE does not review whether or not the domain name under application constitutes trademark violation or another form of violation of rights, or otherwise breaches laws, statutes, represents disorderly conduct or incites aggravation. The applicant is responsible for ensuring this.

### Technical prerequisites

A domain name under the top-level .se domain can only encompass ASCII characters, meaning the letters a-z, the numbers 0-9 and hyphens. The domain name must begin and end with a letter or number, and may not only comprise hyphens. The domain name cannot

start with xn--, which is a prefix reserved for internationalized domain names (IDN's). IDN's that contain characters other than the aforementioned are recoded to a format adapted to the domain-name system (see below). A .se domain name must contain at least two and not more than 63 characters.

The availability of domain names can be checked using a tool at .SE's website. To register a .se domain name, a .SE registrar must be used. The registrar provides the customer with information regarding the costs associated with registration and registration instructions. The registrar also often offers other Internet-related services, packaged with the domain name service.

## **Other forms of domain names**

A domain name with .SE may take unconventional forms; they may be IDN domain names.

### **IDN domain names**

IDN is the acronym for internationalized domain names and refers to domain names comprising characters beyond the domain name system's character list, which only encompasses the characters a-z, 0-9 and hyphens.

.SE allows a predefined number of characters, which, in addition to the characters found in the Swedish language, also contain the characters found in the official Swedish minority languages: Finnish, Meänkieli (a Finnish dialect spoken in the Torne River valley region), Lappish, Romany and Yiddish. The predefined number of characters means that written characters included in the other Nordic languages can also be used in .se domain names.

To handle characters beyond the domain name system's character list, a recoding method is used. .SE provides a conversion tool that can be used to convert an IDN to a domain name that is DNS adapted and vice versa. However, the conversion tool does not accept any characters other than those accepted by .SE.

.SE does not check to ensure that the ACE-coded domain name stated in the application matches the domain name chosen by the holder. That is a matter to be addressed by the holder and the registrar.

### **DNSSEC**

.SE's DNSSEC service is a supplement offered by many registrars. The aim of the service is to enable the domain name holder to secure their domains using DNSSEC.

DNS Security Extensions (DNSSEC) provides a safer method for Internet address lookups of, for example websites and email. As opposed to the conventional domain name system (DNS), lookups using DNSSEC are cryptographically signed, which makes it possible to ensure that responses to DNS requests derive from the correct name server and that the content was not altered during transmission.

For the average user, the application of DNSSEC reduces the risk of being deceived when for example conducting bank transactions or shopping online, since it becomes easier for the user to establish that they are in fact communicating with the correct bank or store rather

than with an imposter. However, it is important to note that DNSSEC does not prevent all forms of fraud. The service is only designed to prevent attacks in which the attacker manipulates responses to DNS requests to achieve their objectives.

### **What names cannot be registered?**

A domain name must be unique and cannot be registered if it is identical to a previously registered domain name under the top-level .se domain.

As of April 2, 2003, .SE implemented new rules for the registration of domain names under the top level .se domain. In conjunction with the transition to the new rules, it was decided that certain domain names would be barred or reserved for specific purposes.

The list of barred and reserved domain names is the result of opinions received in conjunction with the period in which comments were requested on the new rules. Prior to 2003, .SE applied preregistration testing and predefined the names for which users could apply. After 2003, .SE instead applies post-registration testing and has barred or reserved a limited number of names and permits all others.

Barred domain names are entirely exempted from registration, while the reserved domain names are reserved for authorized applicant and can, in most cases, be registered following separate testing. You can find information regarding the domain name categories that are barred and reserved, and the reasons thereof, on .SE's website or by contacting .SE's customer service.

### **How are domain names registered?**

All new domain name registrations are conducted through .SE's registrars. Registrars are also responsible for invoicing the domain holders. The applications are processed automatically in the order in which they are received by .SE from the registrars. When the application has been processed, .SE notifies the registrar.

### **In the event of an error**

If, for any reason, the domain name that is registered was not as it was expected, for example, due to being misspelled, the domain holder may be able to amend this by contacting the Registrar's customer service.

### **How much does this cost?**

Each registrar independently determines and informs the domain holder of the cost associated with the registration of domain names and any other services that are packaged with the domain name.

### **Renewing domain names**

The holding of domain names is reviewed on an annual basis, but some registrars also offer multi-year payments. If .SE doesn't receive the payment within a certain given time, the registration of the domain name will cease.

## **Change of holder**

Applications for change of holder are conducted through selected registrar. The registrar helps the customer to prepare an application and subsequently passes the application on to .SE.

When applying for change of holder for a domain name, written consent signed by the registered holder or the authorized signatory for the registered holder is required. Written consent is submitted on a form prepared by .SE.

When the application has been correctly completed, the registrar provides the holder with a confirmation of application on behalf of .SE. An agreement is considered finalized when the holder receives the confirmation.

Change of holder means that the domain name is deregistered from the original holder when the application has been processed.

## **Deregistration and transfer**

### **Deregistration requested by the holder**

A holder can request the deregistration of the domain name, in which case .SE will first deactivate the domain name and subsequently deregister the domain name on the date falling 60 days after the date on which the domain name was deactivated. Already in conjunction with the deactivation, the email addresses and websites related to the domain name will stop functioning.

Holders who are not interested in retaining their domain name can choose to cancel it through their registrar.

### **Deregistration or transfer as a result from a dispute resolution decision**

.SE also holds the right to deregister or transfer a domain name following a decision of an ADR proceeding if this is the outcome that the claimant requested. The procedural rules for “alternative dispute resolution regarding domain names in the top-level domain .se” is available at [www.iis.se](http://www.iis.se). Also refer to the Dispute resolution section below.

### **Deregistration or transfer due to a legally binding judgment**

The deregistration or transfer can be conducted on the request of an entity that can produce a legally binding judgment, in which it is stated that the domain name shall be deregistered or transferred. In such cases, the deregistration or transfer is conducted immediately by .SE.

### **Policy for deregistration on the request of a third party**

It is not .SE's responsibility to independently determine if there is reason to deregister or block a domain due to its content or its use. .SE will inform those who request the deregistration of a domain name about the authorities that actually work with the content and use domain names and how said party shall go about contacting such authorities as the Swedish Data Inspection Board, the Swedish Police, Sweden's IT Incident Centre CERT-SE or the operator's abuse department.

.SE may independently report improper use if detected.

.SE may also cooperate with certain selected authorities for cases in which a domain name may need to be deactivated during the authority's investigation, as a result of a formal decision and with clear guidelines as to the terms and conditions of such actions.

Abuse of DNS, among other forms, can occasionally be used as the motive and basis for a deregistration demand. .SE has analyzed the problem based on its perspective and found that it does not currently need to take any particular actions against this. There are certain key reasons in support of .SE:

- We do not make any rapid updates (dynamically). New zone files are posted every second hour.
- We have a deactivation period for domains that are deregistered, which are not immediately made available to the market.
- We have a long TTL (24 hours).
- We do not permit domain tasting.
- Our whois management limits the possibility of the aforementioned.

## Dispute resolution

Alternative Dispute Resolution, ADR, is available for those who aren't satisfied with a registration to object to the allocation of a domain name retrospectively, in a simple manner, without having to go to court.

Already in 2003, in conjunction with the changes concerning the regulation of domain name allocation, new and simplified dispute resolution regulations were created. Since July 2006, the Swedish Top-Level Domain Act (2006:24) also applies, which requires the existence of a functioning dispute resolution system.

At ADR, there are 13 impartial dispute resolvers who reach their decisions independently based on the prevailing regulations and the standards that have been developed. All dispute resolvers are experienced attorneys and are knowledgeable in intellectual property law. They have no association with .SE (other than that the organization functions as an administrative unit). Dispute resolution is aimed at resolving certain types of conflicts in which the claimant in the ADR case either requests that one or several domain names be transferred to them or that they be deregistered. Only disputes of a relatively uncomplicated nature can be resolved through ADR.

## Circumstances for dispute resolution

For users requesting a dispute resolution to achieve a successful outcome in their case, said user must prove that three circumstances, or requisites, are fulfilled.

- The claimant must prove that the domain name is **identical or similar** with
  - A trademark
  - A registered trademark
  - A family name

- An artist's name (unless the name refers to someone long since deceased)
- The title of another person's protected literary or artistic work
- A name that is protected under the Ordinance on Certain Official Designations in Swedish (1976:100)
- A geographic designation or designation of origin that is protected under the Council Regulation (EC) No 510/2006
- A geographic designation that is protected under the Council Regulation (EC) No 110/2008
- A geographic designation that is protected by the European Council's Regulation (EU) 1234/2007, or
- The name of a government authority that is listed in the registry that Statistics Sweden must maintain under the Swedish Code of Statutes SFS 2007:755 (Government Agencies Register Ordinance), or its generally accepted abbreviation,

which has its legal basis in Sweden, and to which the party that has requested a dispute resolution can use as precedent,

- The domain name has been registered or used in **bad faith**, and
- The holder is not entitled to or does not have any **legitimate interest** in the domain name.

A domain name shall be deemed to have been registered or used in **bad faith**, particularly if it is proven that

- the domain owner is utilizing or plans to utilize the good reputation, market position or characteristic feature of the petitioner to attract traffic to his/her own website or to increase revenue in this manner,
- the domain owner's registration of the domain name prevents or makes it difficult for the petitioner to register his/her brand (or other right on which the petitioner bases his/her application) as domain name,
- the domain name is being used or planned to be used to disrupt the petitioner's operations, or
- the domain name has been registered with a view to a sale to the petitioner.

The enumeration is exemplified, in assessing bad faith; an overall assessment of relevant factors is made.

A holder is deemed to be entitled to have a **legitimate interest** in the domain name, particularly if it is proven that

- the domain owner owns a registered brand (or other right) that is identical or similar to the domain name,
- the domain name is being used or has been registered to be used in its linguistic meaning,
- the domain name is being used or has been registered to be used in commercial or private operations that do not infringe on the petitioner's rights, or
- the domain name is older than the brand (or other right) on which the petitioner bases his/her application.

The enumeration is exemplified, in assessing legitimate interest; an overall assessment of relevant factors is made.

The cost of an ADR process depends on the applicant (private individual or company), the number of dispute resolvers and the number of domain names being disputed.

Half of the fee that a party paid for an ADR process is reimbursed if the party prevails in the case. The costs of any (legal) representation are not covered. If the applicant withdraws their application, the full (excluding the administrative fee) or half of the fee will be reimbursed, depending on whether the withdrawal was made before or after the case was transferred to the dispute resolver. Further information regarding ADR can be found at SE's website, [www.iis.se/domaner/atf](http://www.iis.se/domaner/atf).

### **Management of personal information**

.SE manages personal information in accordance with the Swedish Personal Data Act (1998:204) and the Top-level Domains Act. The Top-level Domains Act states that .SE has both a right and an obligation to manage certain personal information. Management of personal information may also be performed by a party authorized by .SE should such management be necessary to fulfill .SE's obligations according to the Terms and Conditions of Registration and the Top-level Domains Act.

The purpose of the management of personal information is to enable .SE to provide and operate the domain name registry under the top level domain .se and to fulfill those obligations .SE has according to the Terms and Conditions of Registration and the Top-level Domains Act. The information may be coordinated with other registers for the above purposes and in order to maintain a high level of customer care and registry management.

A person whose information is registered with .SE is, in accordance with the Personal Data Act, entitled to receive, once per calendar year at no cost, details of the personal information managed by .SE concerning that person. A written request must be submitted to .SE, signed by the person making the request.

A person whose information is registered with the .SEs, in accordance with the Personal Data Act, entitled to request .SE to correct personal information which is incorrect or otherwise not managed in accordance with the Personal Data Act.