.GE Domain Registration and Administration Rules

as approved by Caucasus Online on 15 March 2018 and enters into force on 15 April 2018

## General Provisions

* 1. Caucasus Online LLC (a company registered in accordance with Georgian laws, with the following registration number: 211380833, hereinafter “Caucasus Online”) administers the Top-Level .GE Domain, manages the Registry of domain names, organizes registration of domain names in compliance with its constituent documents, the present .GE Domain Registration and Administration Rules (hereinafter the “Domain Regulation” or “Regulation”), Georgian legislation, the agreement executed with ICANN and standards generally recongnized in this field.
	2. The present Domain Regulation replaces in full the requirements stipulated under the “Terms and Conditions for GE domain registration” applicable to the .GE domain registration.
	3. The present Domain Regulation applies to all .GE domain names, including the domain names registered on the basis of the document provided in Article 1.2. (“Terms and Conditions for GE domain registration”).
	4. Domain Regulation serves as standard conditions, which regulates the legal relations between Caucasus Online (as an Administrator) and Registrars (including Caucasus Online as a Registrar), as well as between Registrars and Registrants, including their existing rights and performance of the obligations.
	5. The present Domain Regulation prevails over any conditions set forth by the Registrar for Registrants.
	6. The list of Registrars is published at the following webpage of Caucasus Online: [www.nic.ge](http://www.nic.ge).
	7. The purpose of Domain Regulation is to ensure the high-quality and safe functioning of the domain names system in order to promote the use of internet, as a resource of an important social function.

## Definitions and interpretation

* 1. **Administrator** – refers to Caucasus online to the extent that it administers the .GE Top-Level Domain and manages domain names registry.
	2. **Top Level Domain (TLD)** - refers to .GE domain, recognized by Georgia.
	3. **Sub-domain** - refers to mark or a combination of marks to the left of the Top-level domain, which is separated with dot.
	4. **ASCII-** refers to a U.S. standard code of information exchange.
	5. **Authorization Code** - refers to a password that establishes connection between registered domain names and Registrants.
	6. **Suspension** - means when connection between Domain Name and granted Name Server is temporarily suspended, stopped.
	7. **Domain Name** - (domain) refers to an identification mark and is composed of:
		1. The Top-level Domain and the Sub-domain of Second-level domain located to the left and demarcated with a dot (for example, [--].ge); or
		2. On the left side, the Top-level and Generic-type Domains, that are demarcated with a dot (for example, [--].com.ge).
	8. **Availability** - implies that the provision with Name Server meets e-requirements of the Name Server, given to a Domain Name.
	9. **IP Addresses** - refer to a combination of numbers that simultaneously identify computer (or other software using Internet Protocol).
	10. **Name Server** - denotes a computer, that keeps and sends notifications related to the Domain Name and relevant IP Addresses in the generally applied data communication network.
	11. **Registrant** – means a person, under whose name a Domain Name is registered.
	12. **General Domain** - refers to the domain names with the following endings: .org.ge; .com.ge; .edu.ge; .pvt.ge; .net.ge, .shool.ge.
	13. **Registrar** - refers to a legal entity, which provides the Registration Service to Registrants under the Registration Agreement.
	14. **Registration Service** includes the following services provided to Registrants according to Registrants’ applications:
		1. Domain Name registration;
		2. Cancellation of registration;
		3. Registration update;
		4. Change of a Registrar;
		5. Contact information update;
		6. Administration of the Name Server recordings;
		7. Update of Registrant;
	15. **Administrative Contact Person** – refers to a natural person, who is not entitled to delegate the authority determined under this Domain Regulation. The Administrative Contact Person is authorized to sign and present applications regarding the Domain Name on behalf of and in the name of Registrant, to receive and send any information in relation to Domain Names.
	16. **Technical Contact Person**– refers to a natural person, who adds, changes or removes the Name Server recordings of Domain Names on behalf of Registrant and carries out other technical works for Registrant.
	17. **Registration** – means creation of relevant registration records in the Domain Names Registry on the basis of Registrants’ application and payment of respective fee. As a result of which, respective Domain Name is registered under the name of Registrant.
	18. **Registration Agreement** – refers to an agreement for the provision of Registration Service signed between the Administrator and Registrar.
	19. **Regulation** - refers to a ‘Regulation on providing services in the field of e-communication and protection of consumers’ rights’, approved by the Resolution #3 of Georgian National Communication Commission, dated March 17, 2016.
	20. **API**- means application programming interface, a set of procedures, functions protocols, which is used to develop a computer program or to communicate with other systems.
	21. **EPP protocol-** means extensible provisioning protocol which is designed for the Registrars and Registry to administer a domain name (register, renew registration, amend, delete, transfer registration) and/or for other elements.
	22. **WHOIS Service**- means a service which allows information about the Domain Name and Registrars to be transmitted in the public data communication network.
	23. **WIPO -** means World Intellectual Property Organization/
	24. **ICANN -** means Internet Corporation for Assigned Names and Numbers.

## Domain name registration

### Requirements for Applications

* + 1. For the purpose of registering a Domain Name, any natural person or legal entity of legal capacity is allowed to submit an application through Registrars, whose identity is verifiable and who is eligibl to submit all necessary documentation and information stipulated under this Regulation, if so required. The number of Domain Names to be granted to each Registrant is not limited.
		2. The registration process for Domain Names is carried out by Registrant through Registrar, based on the applications for registration of Domain Names with the same order, as the applications are submitted to Caucasus Online or other Registrars.

### Mandatory Requirements for Domain Name Registration

* + 1. Requirements set for Domain Names:
* A Domain Name may incude only digits (0-9), hyphens and latin letters.
* There is no difference between capital and small letters in Domain Names;
* A Domain Name shall not start or end with a hyphen.
* Domain name should be composed of at least 2 and maximum – 63 symbols.
	+ 1. The identifying signs of those symbols which are not compatible with ASCII, are not registered as a Domain Name.
		2. A Domain Name is not registered if it is identical to other duly registered Domain Name.
		3. Certain Domain Names are blocked and are not subject to registration. The list of blocked Domain Names is determined unilaterally by Administrator, pursuant to Georgian laws. (including the prohibition of distribution of banned products).

### General Domains

* + 1. Only the following sub-domains can be registered under a General Domain, satisfying the following requirements:

a) A Domain Name with an ending of .com.ge- is eligible to be registered in the name of any natural person or legal entity;

b) A Domain Name with an ending of .edu.ge (generic) is eligible to be registered in the name of general education institutions/schools and high education universities;

c) A Domain Name with an ending of .org.ge is eligible to be registered only in the name of non-commercial organizations;

d) A Domain Name with an ending of .net.ge is eligible to be registered only in the name of the organizations representing the network providers or their activities are related to electronic communications;

e) A Domain Name with an ending of .pvt.ge is eligible to be registered only in the name of private persons.

f) A Domain Name with an ending of .school ge is eligible to be registered only in the name of general education institutions/schools;

* + 1. The necessary requirements set for the registration of Domain Names, provided in Article 3.2. of the present Regulation applies to the registration of Generic-type Domain Names.
		2. A Sub-Domain Registrant shall submit to Registrar the document confirming that the requirement set for the respective ending of Domain Name, as envisaged in Article 3.3.1. is met.

## General Requirements for the Registrant

* + 1. Registrant is obliged to disclose the following information in the Domain Name registration application form:
1. The domain name intended to be registered;
2. Domain names of that Name Server, that will provide its service to the Domain Name. The IP Address of such Name Server.
3. The Registrant’s full name (in case of legal entity, the corporate name), contact e-mail address, contact telephone number, actual address (country, town, street, state (if any)).
4. An Administrative Contact Person’s full name, e-mail address, telephone number, actual address (country, town, street, state (if any)).
5. A Technical Contact Person’s full name, e-mail address, telephone number, actual address (country, town, street, state (if any)).
	* 1. The Administrator is entitled to request from Registrars or/and Registrants the following information about the Administrative Contact Person and Technical Contact Person: personal number, the country which issued ID card, or in the absence of personal number –date of birth and country of citizenship, scanned version of ID card, in case of legal entity – identification number, registered address, country of registration, copy of certificate of registration. If Registrar/Registrant submits incomplete information, Administrator reserves its right to request the Registrar or Registrant additional relevant data. If the requested data are not provided within 7 (seven) working days, the Administrator is authorized to suspend the functioning of Domain Name.
		2. While registering a Domain Name, as set forth in Article 6.3.6.2. the Registrant undertakes to fulfill the Domain Regulation in good faith before Administrator and Registrar, agreeing and confirming that:
			1. Entire information, provided in the application form is correct and true;
			2. The Registrant intends and is entitled to use the Domain Name specified in the application;
			3. The registration and use of Domain Name, to the extent that it is known to Registrant, does not violate any legal acts or third parties’ rights;
			4. Caucasus Online (as an Administrator and Registrar) and Registrar are authorized to process the Registrant’s personal data in accordance with and for that purpose, as it is envisaged in Articles 9.1-9.4. of the Domain Regulation.
			5. The Registrant’s application regarding an intention of registration, as envisaged in Articles 5.3.5-5.3.7 will be replaced with effective judgments of court or arbitral tribunal.
		3. The Registrant is obliged to reimburse incurred costs to the Registrar and Administrator or/and pay requested compensation (including within the frame of civil, administrative or criminal law disputes), including in the events when third parties’ rights are violated by use of Domain Name. The payments shall be made by transferring the amount to registration account.

## Registration Services

* 1. Registrars provide registrants with the registration service on the basis of the agreement executed between the parties in an electronic form. The Domain Regulation represents an integral part of the agreement signed between the Registrant and Registrar.
	2. If the Registration Agreement with Administrator is terminated, the Registrant selects a new Registrar, as envisaged in Article 7.
	3. The Registrar provides the Registration Service in the following manner:

###  Registration of Domain Name

* + - 1. The Registrar receives the Domain Name registration application form in an electronic form.
			2. The Domain Name is considered as registered from the moment when the registration service fee is transferred to the Registrar’s bank account.
			3. Once the Domain Name is registered, the Domain Name is deemed as occupied/taken and Registrar or/and Administrator is no longer authorized to accept or approve the application for the same Domain Name. The Domain Name is activated once the Registrant presents it to the Name Server Registrar.

### Registration updates

* + - 1. The Administrator updates the Domain Name registration in the name of the Registrant for a following registration period provided that, the Registrant paid the registration renewal/update fee in advance, which is specified in the agreement signed between the Registrar and Registrant.
			2. If the Registrant has expressed its direct consent in the Service Agreement with the Registrar, the Registrar is authorized to proceed with the Domain Name registration on behalf of and in the name of Registrant for the following registration period, without any prior payment of registration fee by Registrant. The Registrar refuses to continue the Domain Name registration if the Registrant expresses different intention within 15 (fifteen) days of receiving a notification from the Registrar by email on further extension of the registration period.
			3. The Registrar is obliged to inform the Administrator about cancellation or update/renewal of the Domain Name within 15 (fifteen) days prior to the expiry date of Domain Name registration. If the notification is not sent in the specified time-frames, the Domain Name registration is deemed as updated for the payment purposes between the Administrator and Registrar.

### Contact information update

In case of any amendments are made to sub-paragraphs: a) and e) of Article 4.1.1. the Registrar sends Registrant’s application to the Administrator.

### Changes in the Name Server recordings

* + - 1. The Registrar entitles Registrant, Administrative Contact Person or Technical Contact Employee to add, amend or remove the recordings of Name Server , or to carry out these operations by Registrar upon the request of the named persons. The Registrar is authorized to independently amend or remove recordings of Name Server, and/or to request the same from the Registrant, Administrative Contact Person or Technical Contact Person if the recordings hinder or are likely to obstruct the functioning system of Domain Name or if it is so required for the termination of Domain Name.

###  Change of Registrar

* + - 1. The Registrant is entitled to change Registrar;
			2. The Registrant requests an authorization code (auth code) from the Administrator in existing Registrar’s system in an electronic form;
			3. The Registrant generates a request for Registrar’s change in the new Registrar system and refers to the authorization code in the relevant field;
			4. The Registrar transfers the code to the Administrator via EPP protocol;
			5. The Administrator checks the request and accuracy of the authorization code in an electronic form;
			6. The existing Registrar is obliged to send an email to the Registrant informing about the upcoming change of the domain Registrar;
			7. If none of the parties raise claim for the change before the Administrator, the Administrator changes the Registrar in the Domain Name, presenting a relevant application for a new Registrar.
			8. Only new Registrar is authorized to request fee for the Registrar’s change.
			9. In the event of the Registrar’s change, the Registrant is not authorized to demand the registration fee paid in advance to the existing Registrar.

### Transfer of Domain Name

* + - 1. Once the Domain Name is transferred, a transferor Registrant shall be replaced by transferee (new) Registrant.
			2. Once the Domain Name is transferred, the Registrar sends an application signed by the transferee Registrant to the Administrator, that clearly reflects the Registrant’s intention/will to register the Domain Name registered in its name. This application should include the data pointed out in Article 4.1.1. The application shall be deemed as having no legal force if it is sent until any legal dispute over the Domain Name is pending before the court or arbitral tribunal.
			3. The application should include the consent signed by the transferor Registrant to the concession of Domain Name in favor of the transferee Registrant, in accordance with Article 4 of the Domain Regulation. Any decision made by dispute resolution committees, court or arbitral tribunal with regard to the transfer of Domain Name to the transferee Registrant substitutes such consent.
			4. After receiving the transferee Registrant’s application and transferor Registrant’s consent, the Administrator shall send a letter to the transferor Registrant’s email address regarding confirmation of the transfer of Domain Name, except for the case when the Domain Name is transferred based on the judgment rendered by court or arbitral tribunal or if the Registrant’s direct intention for transferring the Domain Name is ascertained in advance knew about the registrant’s intention over the domain name transfer in advance.
			5. The Administrator should promptly inform the operators of transferor and transferee Registrants of the Domain Name transfer or refusal for such transfer. The relevant Registrar is obliged to timely send this information to the transferor or transferee Registrant.

## Unregistered Domain Name, suspension, cancelation of registration and removal

* 1. Administrator or/and Registrar is authorized to refuse to register the Domain Name or to suspend it when significant/major grounds exist, including as follows:
		1. If no application for the Domain Name registration, transfer or consent, containing full information was sent to the Administrator under the Domain Regulation.
		2. If no identity of the Registrant or Registrant’s representative is ascertained in accordance with the Domain Regulation.
		3. If registration requirements for the Sub-domain registration under the Generic-type domain are not met;
		4. If the Registrant breaches the Domain Regulation or/and governing laws and fails to eliminate it within the time-frame provided in the notification sent to an Administrative Contact Person by the Registrar;
		5. If a relevant due claim is sent to the Administrator by a competent governmental agency;
		6. If the Domain Name is blocked or occupied;
		7. If a decision rendered by court or arbitral tribunal in relation to the Registrant takes effect;
	2. If the Administrator cancels the suspension of the Domain Name promptly after the causing ground is eradicated.
	3. Administrator is authorized to cancel the registration of Domain Name after 30 (thirty) days will pass from its suspension day if the ground for suspension is not eradicated within this term.
	4. The Administrator should inform the Domain Name Registrar of Domain Name suspension, cancellation of suspension and cancellation of registration within 3 (three) working days from the date of its termination. The Registrar should immediately send this information to the Domain Name Registrant. The Administrator is authorized to send the domain name-related additional changes directly to the Registrant. If the latter initiates suspension, cancellation of suspension or cancellation of registration, the Registrar is obliged to notify the Administrator.

## Rights and Obligations of the Registry and Registrar

## Requirements set for the Registrar

* + 1. In order for a person the be granted the Registrar’s functions under the Registration Agreement, an individual should meet the following requirements:
1. should represent a legal entity registered in accordance with the Georgian legislation and shall remain registered as such for at least a year prior to the execution Registration Agreement;
2. should confirm that has duly-qualified employees to manage the registration process;
3. should own an official webpage capable of registering Domain Names and manage the registered Domain Names’ registry. A Registrar company should represent an owner of a similar webpage Domain Name;
4. The Registrar’s webpage should provide online payments, at least via visa or/and master cards;
5. Should be able to fulfill the conditions and commitments envisaged in the Registration Agreement. The Registration Agreement is published on the Administrator’s webpage.
6. the website should be functioning according to EEP Protocol.
7. should represent a Penetration Test certificate for cyber safety, certifying that website security is in conformity with international standards.
	* 1. An interested candidate is obliged to mention an Administrative Contact Person as well as Technical Contact Person in the application for registration. The requirements provided in Article 4.1.1. of the present Regulation are apply to the Administrative Contact Person and Technical Contact Person.
		2. An interested candidate should present a filled-out registration form and pay one-time registration fee in the amount of 500-GEL, that is not subject to reimbursement. The Administrator is obliged to examine the application within 30 days from its receipt and notify the candidate of its acceptance or rejection. If accepted, the candidate signs a Registration Agreement.

### Administrator Activities in the process of domain name registration

* + 1. Administrator is obliged to publish on the webpage nic.ge the following information regarding the Registrant and Domain Name registered in its name: the Registrant’s full name (in case of legal entity, the corporate name), contact e-mail address, contact phone number, actual address (country, town, street, state (if any) and zip code as well as Administrative Contact Person’s and Technical Contact Person’s full names and e-mail addresses, actual addresses (country, town, street, state (if any)), zip codes, name of Name Server, Registrar’s full name, the registration date of Domain Name, the date of last amendments to the registered data, the expiry date of Domain Name registration and domain status. The Domain Name registration and expiration dates, as well as the termination and cancellation dates of Domain Name.
		2. A Registrant is able to submit request to the Administrator through Registrar for not to publish and keep covered the Registrant’s information provided in Article 3.4.1. on the webpage maximum within 1 year and to publish the name and contact information of only that Registrar, who provides the Registration Service to Registrant. The Administrator is entitled to impose additional fees for this service.
		3. Provided that Caucasus Online carries out the operations of informative or technical nature throughout the Domain Name registration process and is responsible for only the obligations established by Georgian legislation, including the Regulation, Caucasus Online is not held liable before any third parties regarding whether the Domain Name registration or Domain Name itself constitutes or its deliberate usage violates third parties’ rights, including the intellectual property rights. Caucasus Online reserves its right to block the functioning process of Domain Name, in the event of breach of the requirements established by Georgian laws or /and the Regulation by Registrars or/and Registrants.

## Processing and protecting the personal data

* 1. Any information on a natural person represents personal data that are presented to the Administrator or/and Registrar in relation to the Domain Name registration. For the purposes of the ‘Law of Georgia on protection of personal data’, The Administrator and Registrar represent the personal data processing authorities and process the personal data in the following way:
		1. Personal data (name, personal number, birth date, ID card number, etc) in order to ascertain the representative authority of the Registrant and Registrant’s Technical Contact Person and Administrative Contact person;
		2. Names and contact information of Registrant and Administrative and Technical Contact persons (telephone number, post address, e-mail, etc) for the purposes of domain registry system functioning and information exchange;
		3. Names and e-mails of Registrant and Administrative and Technical Contact Persons to be published on the internet;
		4. All personal data required for the registration of Domain Name, or other operations of Administrator’s capacity;
		5. All personal data necessary for managing legal disputes over domains in courts.
		6. All personal data necessary to follow the legislation, standards, instruction or usual practice mandatory regulations, applying to the Administrator, necessary for protection of violated or controversial rights by means of court or outside the court.
	2. 9.1.2 The Registrar, by means of whom Registrant applied for registration of a Domain Name or Registrar’s change, should provide processing personal information for the purposes envisaged in Article #9.1.1. The personal data provided in Article 9.1.2. should be processed by the aforementioned Registrar for the purpose of transferring the information.
	3. The administrator is authorized to prepare lists (for example, list of registrants) on the basis of the processed data, if observing goals envisaged in the article 9.1.
	4. The Administrator is authorized to process third parties’ personal data presented by the Registrant only in certain cases, as defined by the law.
	5. The Registrant, Administrative Contact Person and Technical Contact Person are allowed by the Administrator and Registrar (by means of whom the registrant applied for the Domain Name registration or Registrar’s change) to anytime request information on his personal data, processed by Administrator and Registrar.

## Amendments to the Domain Regulation

* + 1. The Administrator is authorized to unilaterally change the registration fee by notifying Registrar at least 2 (two) months earlier and publishing the changes on the Administrator’s website.
		2. The Registrar should inform Registrant about the amendments in the Domain Regulation no later than 1 (one) month before the amendments take effect.
		3. If the aforementioned changes are not acceptable for the Registrant, the latter is authorized to cancel the Domain Name registration or transfer it according to the Article 9.2.2.
		4. If the Registrant fails to apply the right stressed in Article 10.2.4. it shall be deemed as if the Registrant gave consent to the amendments made in the documents listed in Article 10.2.1.

##  Recovery of Damages

* 1. If the Administrator or/and Registrar has no intention, their responsibility towards the damage suffered by the Registrant is determined as the registration fee for 1 Domain Name, specified in the Administrator’s registration price list, which applies to direct damages.
	2. Neither Administrator nor Registrar are held liable for any lost income (income that has not been received), for decreased sales or other indirect damages.
	3. The demand for damage recovery has legal effect, if such request is made within 90 (ninety) days from the moment when a claimant was notified of or should have been informed about the grounds for claim.

## Dispute Resolution

* 1. Any disputes between the Registrant and third parties, concerning the Domain Name registration and its usage should be resolved through negotiations. Should the parties fail to reach an agreement, the dispute will be settled by Georgian courts in accordance with Georgian legislation.
	2. In the event that the .GE Domain Name is registered the Registrant agrees to be bound by the Uniform Domain Name Dispute Resolution Policy “UDRP” (including the UDRP Rules and Supplemental Rules) which is incorporated herein by reference and made a part hereof. The version of the UDRP Policy currently in effect can be found at: www.icann.org/resources/pages/policy-2012-02-25-en html.”
	3. All relations between the Administrator, Registrar and Registrant and Domain Regulation are governed by Georgian laws.

## Final provisions

* 1. The Registrant and its representative, including Administrative Contact Person shall ensure the provision of any information and documentation needed for Registrar and Administrator, in order to control/supervise the accuracy of identity and representative authority, and shall ensure the availability of making respective copies.
	2. The Administrator is authorized to request the legalization of the documents issued in foreign countries or a legalization certificate (apostille) to be enclosed to them if an international agreement does not provide otherwise.
	3. In case of foreign-language documents, the Administrator is entitled to demand the document to be translated into Georgian. The translation should be made by a certified translator or the signature of translator shall be certified by notary.
	4. The Administrator is entitled to assume the authenticity, legality and validity of the documents submitted by the Registrant. The Administrator is authorized to make copies of the presented documents and keep notifications, applications and complaints presented in an electronic form and use the data for the purposes of evidence.
	5. Neither Administrator nor Registrar should accept a document or application referring to existence of representative authority and the intention/will of Registrant containing therein is suspicious, or the document with vague authenticity. If requested by the Administrator or Registrar, the Registrant or its representative is obliged to appear before Administrator or at the Registrar’s legal address for the clarification purposes and provide explanations as well as documents.
	6. The Administrator and Registrar are authorized to demand ID cards and documents confirming the representative authority to be certified by notary.
	7. The Registrant is obliged to notify Registrar, if the document ascertaining the representative authority, including the certified document confirming the representative authority will be annulled or declared void.
	8. This Domain Regulation in concluded in Georgian and English versions both having equal legal force.[[1]](#footnote-2)

# Transitional Provision

* 1. The present Domain Regulation enters into force on 15 April 2018 and applies to all .GE domain names, including the domain names registered before the date of entry into force, on the basis of the Terms and Conditions for GE domain registration.
1. Whereas, this Domain Regulation constitutes integral part of the registration agreement to be concluded between the Registrant and Registrar, in order the WIPO Arbitration and Mediation Center to hear disputes based on the registration agreements, such registration agreement and any part of it shall be in English. [↑](#footnote-ref-2)