Commission Regulation (EU) 2015/516 of 26 March 2015 amending Regulation (EC) No 874/2004 laying down public policy rules concerning the implementation and functions of the .eu Top Level Domain and the principles governing Registration (Text with EEA relevance)

COMMISSION REGULATION (EU) 2015/516

of 26 March 2015

amending Regulation (EC) No 874/2004 laying down public policy rules concerning the implementation and functions of the .eu Top Level Domain and the principles governing Registration

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 733/2002 of the European Parliament and of the Council of 22 April 2002 on the implementation of the .eu Top Level Domain[(1)], and in particular Article 5(1) thereof,

Having consulted the Registry in accordance with Article 5(1) of Regulation (EC) No 733/2002,

Whereas:

(1) The introduction of the Internationalised Domain Names (IDNs) has created risks of confusability of domain names which were registered in different scripts but which may create visual confusion. That might be due in particular to the visual resemblance between their constitutive characters (for instance, between the Cyrillic small letter ‘п’ and the Latin small letter ‘n’). To minimise such risks, the Registry should implement technical checks, which might lead to such IDNs being declared ineligible for registration. Such technical checks should be in compliance with international standards and might be updated from time to time.

(2) In order to expand the security and abuse checks around .eu domain names, it is necessary to ensure that the verification by the Registry of the validity of the registration applications takes place prior and not only subsequently to the registration. The verification should be carried out at the initiative of the Registry or pursuant to a dispute for the registration of the domain name in question.

(3) The current Registry operator of the .eu Top Level Domain (TLD) has communicated to the Commission that the domain names ‘eurethix.eu’, ‘eurethics.eu’ and ‘euthics.eu’, previously reserved by the Registry under Article 17 of Commission Regulation (EC) No 874/2004[(2)], are never going to be used and hence they should be removed from the aforementioned Article and released once the amended Regulation is published.

(4) Special characters, including characters ß (German sharp S) and ς (Greek final sigma) have not been offered when IDNs were launched under .eu. As the IDNA2008 protocol

Changes to legislation: *Commission Regulation (EU) 2015/516 is up to date with all changes known to be in force on or before 21 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

has allowed their management, it is deemed appropriate to offer them to support the official Union languages. The Annex has been updated following consultations with EU Member States, candidate countries and EEA member States in order to incorporate domain names containing these new characters.

(5) On 1 July 2013 Croatia acceded to the European Union. Accordingly, Croatia should have the possibility to register the domain names that have been reserved for Croatia according to Article 8 of Regulation (EC) No 874/2004 and its subsequent amendments.

(6) The incorporation of .eu Regulations in the Agreement on the European Economic Area allows undertakings having their registered office, central administration or principal place of business in Iceland, Norway and Liechtenstein, organisations established in Iceland, Norway and Liechtenstein and residents in Iceland, Norway and Liechtenstein to register names under the .eu TLD.

(7) The lists of names that can be reserved by Iceland, Liechtenstein and Norway respectively, so far set out in point 2 of the Annex, should be transferred to point 1 of the Annex.

(8) The former Yugoslav Republic of Macedonia, Montenegro and Serbia as candidate countries are to reserve broadly-recognised names with regard to geographical and/or geopolitical concepts which affect their political or territorial organisation, so that they can be registered at a later date.

(9) Accordingly, and in order to ensure legal clarity of the rights of the Member States and future Member States it is therefore necessary to update the lists in the Annex to Regulation (EC) No 874/2004 (as already amended), duly taking into account names containing characters that were not previously available, names which can be reserved, and names which can be registered.

(10) Regulation (EC) No 874/2004 should therefore be amended accordingly.

(11) EURid, the .eu Registry operator, has been consulted on the measures provided for in this Regulation in accordance with Regulation (EC) No 733/2002.

(12) The measures provided for in this Regulation are in accordance with the opinion of the Communications Committee[(3)],

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 874/2004 is amended as follows:

(1) in Article 3, the third paragraph is replaced by the following:

> Any verification by the Registry of the validity of registration applications shall take place prior to the registration at the initiative of the Registry or subsequently to the registration at the initiative of the Registry or pursuant to a dispute for the registration of the domain name in question.;

(2) the following Article 6a is inserted:

***Changes to legislation:** Commission Regulation (EU) 2015/516 is up to date with all changes known to be in force on or before 21 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Article 6a

Additional verification at character level

1 The Registry shall implement technical measures to minimise potential visual confusion arising from the use of the characters in all official languages referred to in Article 6(4). Those technical measures shall be part of the verification of the validity of registration applications and may result in the requested domain name being declared ineligible for registration.

2 The technical measures referred to in paragraph 1 shall be determined by the Registry, and shall be reasonable, transparent and non-discriminatory.

3 The technical measures referred to in paragraph 1 (including any amendments from time to time) shall be made publicly available by the Registry in readily accessible form, and shall become applicable upon such publication.

4 Prior to implementing the technical measures referred to in paragraph 1, or amending them from time to time, the Registry shall take account of international best practice, and shall consult with industry and obtain the consent of the Commission.;

(3) in Article 17, the second paragraph is replaced by the following:

eurid.eu, registry.eu, nic.eu, dns.eu, internic.eu, whois.eu, das.eu, coc.eu;

(4) the Annex is replaced by the text in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 March 2015.

For the Commission

The President

Jean-Claude JUNCKER

Changes to legislation: *Commission Regulation (EU) 2015/516 is up to date with all changes known to be in force on or before 21 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

ANNEX

ANNEX 1.List of names per country and the countries that can register them:AUSTRIA
BELGIUM
BULGARIA
CYPRUS
CZECH REPUBLIC
CROATIA
DENMARK
ESTONIA
FINLAND
FRANCE
GERMANY
GREECE
HUNGARY
ICELAND
IRELAND
ITALY
LATVIA
LIECHTENSTEIN
LITHUANIA
LUXEMBOURG
MALTA
NETHERLANDS
NORWAY
POLAND
PORTUGAL
ROMANIA
SLOVAKIA
SLOVENIA
SPAIN
SWEDEN
UNITED KINGDOM

2. List of names per country and the countries that can reserve them:
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA

1. southeast-region
2. arachinovo
3. baba-planina
4. belasitsa
5. berovo
6. berovsko-ezero
7. bigla-planina
8. bogdantsi
9. bogovinje
10. bosilovo

***Changes to legislation:** Commission Regulation (EU) 2015/516 is up to date with all changes known to be in force on or before 21 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

11. brvenitsa
12. bregalnitsa
13. valandovo
14. vardar-region
15. vasilevo
16. vevchani
17. vinitsa
18. vodno
19. vodocha
20. vraneshtitsa
21. vrapchishte
22. gazi-baba
23. galichitsa
24. galichnik
25. german-planina
26. globochitsa
27. golak
28. gradsko
29. gratche
30. debarsko-ezero
31. debartsa
32. demir-kapija
33. demir-hisar
34. dennadrvoto
35. deshat
36. dojran
37. dojransko-ezero
38. dolneni
39. drugovo
40. gjorche-petrov
41. ezero-mladost
42. zheden-planina