



Notification Number: 2004/419/E

## "Draft Ministerial Decree adopting the National Plan for Internet Domain Names under the country code corresponding to Spain"

Date received : 21/10/2004

End of Standstill : 24/01/2005

### Message

Message 002

Communication from the Commission - SG(2004) D/52081

Directive 98/34/EC

Translation of the message 001

Notification: 2004/0419/E

No abre el plazo - Nezaahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200402081.EN)

#### 1. Structured Information Line

MSG 002 IND 2004 0419 E EN 24-01-2005 21-10-2004 E NOTIF 24-01-2005

#### 2. Member State

Spain

#### 3. Department Responsible

Subdirección General de Asuntos Industriales, Energéticos, de Transportes, Comunicaciones y Medio Ambiente.

Dirección General de Coordinación del Mercado Interior y otras Políticas Comunitarias.

Secretaría de Estado de Asuntos Europeos.

C/ Padilla, 46, planta 2, despacho 6218 (28006 Madrid)

Teléfonos: 91 379 84 64, 91 379 83 87 y 91 379 83 98

Fax: 91 479 84 01

Dirección correo electrónico: d83-189e.mae.es

#### 3. Originating Department



Subdirección General de Servicios de la Sociedad de la Información. Dirección General de para el Desarrollo de la Sociedad de la Información.  
Secretaría de Estado de Telecomunicaciones y para la Sociedad de la Información. Ministerio de Industria, Turismo y Comercio.  
C/ Alcalá, 50. Madrid 28071.  
Teléfonos: 91 346 15 97/ 26 23  
Fax: 91 346 26 75

#### **4. Notification Number**

2004/0419/E - SERV40

#### **5. Title**

"Draft Ministerial Decree adopting the National Plan for Internet Domain Names under the country code corresponding to Spain"

#### **6. Products Concerned**

The draft concerns Information Society services.

#### **7. Notification Under Another Act**

-

#### **8. Main Content**

The aim of the new draft Decree adopting the National Plan for Internet Domain Names under the country code corresponding to Spain (".es") is to make a decisive step towards relaxing the standards applicable to the allocation of domain names under the (".es") suffix.

Most relevant amendments made in the new draft Plan.

In particular, the following aspects of the draft standard can be emphasised:

Significantly simplifies of the legitimacy rules required to be allocated of second-level domain names;  
Reduces the other existing limitations and prohibitions for the formation of domain names at this level;  
Establishes certain basic principles governing the system for the out-of-court settlement of disputes, which the allocation authority must develop.

Most relevant amendments for proposed in relation to second-level domain names:

The draft extends legitimacy for the allocation of domain names to any natural person or legal entity and entities without independent legal status which have interests in or links to Spain.

It also removes other current restrictions in the area of standards on the formation of domain names and greatly simplifies prohibitions applicable to the allocation of second-level domain names.

Previous measures allow prior verification tasks that must be carried out in order to grant of this type of domain name, to be reduced to a bare minimum.

The distinction between normal and special domain names in the previous Plan is removed, and a system of standard rules for the allocation of all second-level domain names is laid down.

In order to ensure adequate security and reliability, the draft maintains the rule prohibiting the transfer of domain names, thus discouraging abusive and speculative registrations, and the operative rule of the aforementioned



out-of-court dispute settlement system, the guiding principles of which are included in this Plan, and also retains the option of the allocation authority to verify on their own accord or at the request of a party that the requirements laid down in the Plan have been met.

Lastly, in order to avoid abusive situations in the initial phase of implementation of the new rules applicable to the ".es" suffix, a staggered registration period is laid down so that Public Administrations and industrial rights holders can register their names before the register of domain names is opened to the public.

As regards third-level domain names, the positive experience obtained in its management since its creation makes maintaining its regulation advisable, notwithstanding small adjustments deemed appropriate for legislative reasons.

### **9. Brief Statement of Grounds**

The aim of the new draft Decree adopting the National Plan for Internet Domain Names under the country code corresponding to Spain (".es") is to make a decisive step towards relaxing the standards applicable to the allocation of domain names under the (".es") suffix.

### **10. Reference Documents - Basic Texts**

No.

### **11. Invocation of the Emergency Procedure**

No.

### **12. Grounds for the Emergency**

-

### **13. Confidentiality**

No.

### **14. Fiscal measures**

No.

### **15. Impact assessment**

No.

### **16. TBT and SPS aspects**

TBT Aspects.

- a) NO.
- b) i)

SPS Aspects.

- a) NO.



David O'Sullivan  
General Secretary  
European Commission

Contact point Directive 98/34  
Fax: (32-2) 296 76 60  
email: Dir83-189-central@cec.eu.int

-----  
sent to :

BELNotif Qualité et Sécurité  
Mme Descamps

Bundesministerium für Wirtschaft Referat XA2  
Frau Christina Jäckel

Bundesministerium für Wirtschaft und Arbeit - Abteilung C2/1  
Frau MARKL Iris

Bundesministerium für Wirtschaft und Arbeit - Abteilung C2/1  
Frau Brigitte WIKGOLM

Czech Office for Standards, Metrology and testing  
Mrs. Fofonkova Helena

Department of Trade and Industry STRD2  
Mr Philip Plumb

Délégation Interministérielle aux Normes  
Mme Piau

EFTA Surveillance Authority  
Mr. Gunnar Thor PETURSSON

ELOT  
M.Mourtzanos K

EU internal market coordination (Ministry of Economics)  
Ms Kristine Rieksting

Erhvervs- og Boligstyrelsen  
Lene Hald Nielsen

European Free Trade Association  
.

Institut Belge de Normalisation  
Mme F. Hombert



Instituto Português da Qualidade  
Sra Cândida Pires

Kommerskollegium  
Mme Kerstin Carlsson

Lithuanian Standards Board  
Daiva Lesickiene

Malta standards Authority  
Dr Lorna Cachia

Min. de Asuntos Exteriores  
Esther Perez Pelaez

Min. of Economic Affairs & Communication  
Mr. Alver Margus

Min. of Industry, Energy & Technology  
Mr K. Polychronidis

Ministerie van Financien Belastingdienst - Douane / CDIU  
De Heer IJ.G. van der Heide

Ministero delle attivit produttive F1 - Ispettorato tecnico industria  
Signor Vincenzo Correggia

Ministry of Economy, Labour and Social Dept for Europe & multilateral relations  
Mrs Barbara Nieciak

NSAI  
Mr Tony Losty

National Agency for Enterprise & Housing  
Mrs Birgitte Spühler Hansen

Office of standards, metrology & Testing Director of the department of European I  
Mrs Kvetoslava STEINLOVA

Service de l'Energie de l'Etat  
Mr J.-P. Hoffmann

Slovenian Institute for Standardization SIST  
Mrs Vesna Stazisar

-----  
sent to :



Cyprus org. for the promotion of quality Ministry of Commerce, Industry & Tourism  
M. Antonis Ioannou

Department of Trade and Industry STRD2  
Mr Philip Plumb

EFTA Surveillance Authority  
Mr. Gunnar Thor PETURSSON

European Free Trade Association  
.

Hungarian Notification Centre Ministry of economy & transport  
Mr Zsolt Fazekas

Kauppa-ja teollisuusministeri  
M. Henri Backman

NSAI  
Mr Tony Losty

Représentation Permanente de l'Irlande  
Denis Colfer

Représentation Permanente du Royaume-Uni  
.

SL  
.

Undersecretariat of Foreign Trade General Directorate of Standardisation  
Saadettin DOGAN