

Detailed Implementation Rules for Registration of Domain Names on China's Internet

**China Internet Network Information Center
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CHAPTER 1. GENERAL PROVISIONS

Article 1. These Implementation Rules are formulated in accordance with the Provisional Administrative Rules of Registration of Domain Names on China's Internet (the Administrative Rules), in order to implement the registration and the operation of third-level domain names of China's Internet.

Article 2. Applicants for domain name registration must be organizations that have been registered according to law and can independently assume civil liability. Individuals may not apply for domain name registration.

Article 3. The WWW server installed at the China Internet Network Information Center (CNNIC) (<http://WWW.CNNIC.NET.CN>) shall be used to announce information on domain name registrations and other relevant matters.

CHAPTER 2. APPLICATION FOR, EXAMINATION AND APPROVAL OF DOMAIN NAME REGISTRATION

Article 4. Applicants for registration of third-level domain names (Applicants) shall satisfy the conditions set forth in Article 14 of the Administrative Rules.

Article 5. When registering third-level domain names, Applicants shall submit all the documents specified in Article 15 of the Administrative Rules. Enterprises applying for domain name registration under COM must submit a photocopy of their business license registered in China. Government authorities applying for domain name registration under GOV must submit a photocopy of the approval document of the corresponding department in charge. Organizations applying for domain name registration under ORG must submit a photocopy of the approval document of the corresponding department in charge. Applicants may obtain Application Forms for Domain Name Registration (see Annex 1) via the WWW, by electronic mail, by facsimile, by post, in person, etc.

Article 6. Applicants may submit their applications for registration via the WWW, by

electronic mail, by facsimile, by post, in person, etc. All the documents required for domain name registration shall be delivered within 30 days thereafter. The date of an application shall be the date on which the first application for registration is received. If any of the documents required for domain name registration is not received by the CNNIC within 30 days, the application shall automatically be null and void.

Article 7. The Applicant shall be responsible for the domain name selected. When completing and submitting the application form for domain name registration, the Applicant shall warrant that the contents thereof are true and that registration of the domain name selected will not harm the interests of any third party. The Applicant must warrant that registration of his/her domain name is not for any illegal purpose. The name of the Applicant shall be consistent with the name on the seal and relevant certificates.

Article 8. A power of attorney shall be issued if the Applicant appoints an agent to apply for and handle domain name registration or handle other domain name matters. The power of attorney shall specify the substance and authority of agency. When the agent handles domain name registration, he shall submit the power of attorney, the domain name registration documents of his principal, a letter of introduction from the unit of the agent and a photocopy of the identity card of the person handling the application.

Article 9. Whether the Applicant applies for domain name registration him/herself or through an appointed agent, the domain name administrative contact must be a full member of the organization applying for the domain name.

Article 10. The CNNIC shall examine accepted applications in accordance with the Administrative Rules. It shall approve any application conforming to the relevant provisions of the Administrative Rules. The CNNIC shall, within 10 working days, complete registration, issue a Domain Name Registration Certificate to the Applicant and make an announcement through the WWW. If the CNNIC considers that the contents of an application for domain name registration require revision, it shall issue an Opinion Upon Examination and make an announcement through the WWW. The Applicant shall make the revisions within 30 days from the date of its first application for registration. If it does not make revisions, or if it makes revisions after expiration of the time limit, or if the revised contents still do not conform to the relevant provisions of the Administrative Rules, the application shall be rejected and the Applicant shall be issued a Notice of Rejection. An announcement of the rejection shall be made through the WWW.

In order to avoid disputes that might arise from non-receipt by the Applicant of the Opinion Upon Examination or the Notice of Rejection, the Applicant shall use the Internet to check the status of its domain name registration 10 working days after submitting the documents.

CHAPTER 3. CHANGE AND CANCELLATION OF REGISTERED DOMAIN NAMES, AND RULINGS ON DISPUTES

Article 11. To apply for the change of registration of a registered domain name or other registered particulars, the Applicant shall submit the documents specified in Article 15 of the Administrative Rules and return the original Domain Name Registration Certificate. Following the verification and approval by the CNNIC, the original Domain Name Registration Certificate shall be annotated and returned, and the domain name shall be made operational.

Article 12. To apply for the cancellation of a registered domain name, the Applicant shall submit the documents specified in Article 15 of the Administrative Rules and return the original Domain Name Registration Certificate. Following the verification and approval by the CNNIC, operation of the domain name shall cease and the Domain Name Registration Certificate shall be revoked.

Article 13. In the event of a dispute between a domain name registrant and a third party arising from the registration or use of the domain name, the CNNIC shall not act as a mediator and the domain name registrant itself shall be responsible for handling the dispute and bearing the legal liability. Where a third-level domain name is identical to a trademark or enterprise name registered in China but the registered domain name is not owned by the holder of the registered trademark or enterprise name, the domain name registrant may continue using its domain name if the holder of the registered trademark or enterprise name has not filed an opposition. If the holder of the registered trademark or enterprise name files an opposition, the CNNIC shall retain domain name service for the holder of the domain name for 30 days from the date on which it is confirmed that the opponent owns the registered trademark rights or enterprise name rights, and the domain name service shall automatically cease after 30 days. The CNNIC shall not be responsible for any legal liability and economic dispute.

CHAPTER 4. ADMINISTRATION OF AND STANDARDS FOR REGISTERED DOMAIN NAMES

Article 14. The CNNIC shall implement an annual inspection of registered domain names (Annual Inspection), in order to ensure correct, standardized and effective operation of the domain name system. For provisions concerning the date of Annual Inspection, see Article 19.

Article 15. At the time of Annual Inspection, the domain name registrant shall complete and submit to the CNNIC the Annual Inspection form on-line through the WWW. In event of problems, it may contact the CNNIC by electronic mail.

Article 16. At the time of Annual Inspection, if a domain name or particulars of a domain name registration that were registered prior to the ratification of the Administrative Rules does not conform to current regulations, the CNNIC shall suggest that the domain name registrant make corrections or supplement the necessary approval documents.

Article 17. If anyone violates Article 24 of the Administrative Rules by transferring, selling or purchasing a registered domain name, the CNNIC shall cancel the domain name and suspend the operation of all his/her registered domain names for six months.

Article 18. In accordance with Article 8 of the Administrative Rules, the original second-level domain names CO.CN, GO.CN, OR.CN, EB.CN, EN.CN, HA.CN and CANET.CN (Old Domain Names) shall be changed to COM.CN, GOV.CN, ORG.CN, HE.CN, HA.CN and HI.CN (New Domain Names), respectively, within 180 days after the date of the ratification of the Administrative Rules. Third-level domain names shall no longer be registered under the Old Domain Names from the date of the ratification of Administrative Rules. Where third-level domain names have already been registered under CO.CN, GO.CN, OR.CN, EB.CN, EN.CN or HA.CN, the CNNIC will register identical third-level domain names under the corresponding New Domain Names. Where third-level domain names have already been registered under CANET.CN, the users may select a second-level domain name from among those set forth in Article 8 of the Administrative Rules and register the same with the CNNIC. During the said 180-day transition period, the CNNIC will permit concurrent use of New and Old Domain Names. After the 180-day period, the operation of Old Domain Names will cease.

CHAPTER 5. DOMAIN NAME ADMINISTRATIVE FEES

Article 19. In accordance with Article 29 of the Administrative Rules and the principle of being non-profit-seeking and providing remunerated services, the CNNIC shall charge annual administrative fees for registered domain names (covering registration, change and cancellation of domain names; annual administrative fees are not refundable upon cancellation). The annual fee is RMB 300 per registered third-level domain name.

(1) With respect to domain names registered on or after July 1, 1997, the fee for the first year shall be paid at the time of registration, and each anniversary of such date shall be the date for Annual Inspection and date for fee payment;

(2) With respect to domain names registered on or before June 30, 1997, the fee for the first year shall be paid on July 1, 1997, and July 1 of each subsequent year shall be the date for Annual Inspection and date for fee payment;

(3) Domain names for which Annual Inspection and fee payment are completed within 30 days from the date for Annual Inspection and date for fee payment shall be regarded as valid. The operation of domain names for which Annual Inspection and fee payment are not completed within 30 days from the date for Annual Inspection and date for fee payment shall be suspended. Domain names for which Annual Inspection and fee payment are not completed within 60 days from the date for Annual Inspection and date for fee payment shall be canceled.

CHAPTER 6. CONTACT METHODS

Article 20. Applicants who wish to register a third-level domain name under the second level domain name EDU shall contact the China Education and Research Network Information Center. The contact methods are:

Electronic mail: HOSTMASTER@NIC.EDU.CN Home page:
<http://WWW.NIC.EDU.CN/RS/templates> Telephone: (+86 10) 6278 4049 Facsimile:
(+86 10) 6278 5933 Postal address: Room 224, Main Central Building, Qinghua University, Beijing 100084

Applicants who wish to register a third-level domain name under a second level domain name other than EDU shall contact CNNIC. The contact methods are:

Electronic mail: HOSTMASTER@CNNIC.NET.CN Home page:
<http://WWW.CNNIC.NET.CN> Telephone: (+86 10) 6253 3515, (+86 10) 6261 9750
Facsimile: (+86 10) 6255 9892 Postal address: Mailbox 349, Beijing 100080, Attn.:
CNNIC

Visiting address: 4 South Fourth Street, Zhongguancun, Beijing (Computer Network Information Center of the Chinese Academy of Sciences)

CHAPTER 7. SUPPLEMENTARY PROVISIONS

Article 21. Those that conform to the provisions of Article 28 of the Administrative Rules must report and file a record with the CNNIC. When filing a record, a Record Form for a Domain Name Registered Abroad (see Annex 2) may be obtained from CNNIC's WWW server. The said form shall be truthfully completed and be returned to the CNNIC after the official seal has been affixed thereto.

Article 22. In the absence of an express statement of the Applicant to the contrary, all information entered in the Applicant's Application Form for Domain Name Registration will be recorded by the CNNIC into a publicly accessible database as one of the directory services provided by the CNNIC to Internet users.

Article 23. Foreign enterprises or institutions applying for registration of a domain name under the second-level domain name of the CN must have a branch or a office in China. Their primary domain name server must be located in China.

(Note: This English version is only for reference. Any official interpretation should be based on the original Chinese version.)

Source: <http://www.cnnic.net.cn/>