

Regulation governing the allocation, administration and rescission of domain names under the .FO Top Level Domain on the Internet.

Preface

This regulation is written and promulgated by the Registry Manager, the FO Council, who has the responsibility for the management and operation of the .FO Top Level Domain on the Internet. The FO Council may amend this regulation.

Definitions

The **.FO Domain**, which is also called *.FO ccTLD (country code Top Level Domain)*, is the top level domain on the Internet allocated for use by the Faroe Islands by ICANN (*Internet Corporation for Assigned Names and Numbers*). See www.icann.org/cctlds/.

A **.FO Domain Name**, which is also referred to as *.FO Second Level Domain Name*, is a registered name on the Internet that ends with *.fo*, such as *nic.fo* or *tinganes.fo*.

The **FO Council** is the quasi-public authority that, according to its by-laws approved by the Minister of Trade and Industry, has been delegated the responsibility for the management and operation of the country domain *.FO* on the Internet. The FO Council is that entity known, in the terminology of the Internet, as the *.FO ccTLD Manager*.

The **FO Operator** (*.fo ccTLD Operator*) is the service provider that directs, on behalf of the FO Council, the day-to-day operations of the *.FO* domain. As of 1 January 2002, the FO Operator is PF FDS (Faroes Data Store, Inc.).

§ 1. Application

1. To be granted the right to use a domain name, the applicant is required to complete, sign and submit the authorised application form, which is available at www.nic.fo. Relevant documentation shall be submitted with the application.
2. The P-number or V-number of the applicant shall be provided as well as the Name Server to be used. In the event that a P-number or V-number is not relevant, the birth date of the applicant or the responsible party shall be provided.

§ 2. General Provisions on Domain Names

1. Domain names may consist of only Latin characters, numbers and the dash symbol (-), however the dash may not be placed at the beginning or the end of the domain name. A domain name may consist entirely of numbers. A domain name shall consist of at least two characters (in addition to *.FO*) and not more than 63 characters.
2. If it is intended that the domain name shall be a Faroese name that is spelled with one or more of the following letters: "ø", "ú", "í", "ó", "ý", "ð", "æ", the applicant may substitute the following characters: "oe", "o", "u", "i", "o", "y", "d", "a" / "ae", respectively.
3. The FO Council reserves the right to reject an application if the domain name requested is indecent, inconsistent with the general regulations governing the Internet, or abusive, threatening or derisive.

4. The FO Council reserves the right to reject applications for these domain names:
 1. gTLD (*generic Top Level Domain*): aero.fo, biz.fo, com.fo, coop.fo, edu.fo, gov.fo, info.fo, int.fo, mil.fo, museum.fo, name.fo and org.fo.
 2. ISO 3166 Maintenance Agency (ISO 3166/MA) list of country codes (ISO 3166-1 List)
 3. Certain names that have special meaning or significance with regard to the Internet: nic.fo, web.fo, co.fo, ftp.fo, www.fo, telnet.fo, irc.fo, internet.fo and mail.fo.
 4. Names that obviously would be suitable for entities serving the public weal, eg, the names of islands, villages and towns.

§ 3. Allocation of Use Right and Grouping of Domain Names

1. A natural person or a legal entity (limited liability corporation, association, etc.) may be allocated the right to use a domain name. The domain name must not violate the rights of a third party.
2. An application for a domain name shall be assigned to Group A Domain Names, if supported by documentation from the various public registries referred to in § 4, or assigned to Group B Domain Names and placed on a waiting list, pursuant to § 5.

§ 4. Group A Domain Names

1. To prove that the applicant has a legal right to a Group A domain name, upon application supporting documentation shall be submitted from the authorities listed in sub-paragraph a through c warranting
 - a. the brand name, trademark or service mark of the applicant by the Danish Patent and Trademark Office;
 - b. the name of the applicant by the Faroese Business Registration Office, the Faroe Islands Customs and Tax Authorities Business Registry or the Faroese Ship Registry maintained by the Maritime Affairs Administration;
 - c. the personal name of the applicant by the National Resident Register in such manner as both forename(s) and last name are written out or in such a manner that either the forename or the last name is abbreviated. The applicant may register as well his or her birth date using either numbers, letters or a combination of both.
2. Governmental offices and agencies and public organisations in the Faroe Islands (religious communities, professional organisations, sports associations, interest groups, etc.) may also use their own names with relevant warranting documentation.
3. The applicant that has warranted a name pursuant to paragraph 1 a, 1 b or paragraph 2, may, in addition to the full name, be allocated the right to use the name in a stylised or abbreviated fashion.
4. The FO Council retains the right to require other forms of verification to assure that the conditions governing name registration are satisfied.

§ 5. Group B Domain Names

1. Applications for Group B Domain Names do not require warranting documentation. Group B Domain Names shall be placed on a waiting list and shall be maintained on the list for a period of twenty work days from the date the domain name is publicly announced pursuant to paragraph 2.
2. The Group B Domain Name Waiting List shall be available to the public during the waiting period via the NIC.FO website, www.nic.fo, and announced in the Faroese newspapers.
3. During the waiting time, other applicants may submit an application for a domain name on the waiting list if the applicant can demonstrate that the name was registered pursuant to § 4 before

the domain name was placed on the waiting list. In the event that several applicants send in applications for a domain name on the waiting list during the waiting period and each has a valid right to be allocated the domain name, the FO Council shall arrange for a drawing between the applicants.

4. Individuals may register either their forename(s) or last name as a Group B Domain Name. In the event that several individuals subsequently submit applications for the same Group B domain name as an earlier applicant during the waiting period assigned to the earlier applicant and they all have a legitimate right to be allocated the domain name, the FO Council shall arrange for a drawing among all the submitted applications.
5. If no one else submits an application for a Group B domain name that is registered on the waiting list during the waiting period pursuant to paragraphs 3 or 4, the applicant shall be granted the right to use the domain name.
6. The applicant for an additional fee (see the chart under § 13) may receive temporary permission during the waiting period to use a domain name listed on the waiting list. In the event that no one else has submitted an application for the domain name on the waiting list pursuant to paragraph 3 for which temporary permission had been granted, the first applicant shall be granted the right to use the domain name.

§ 6. Foreign Brand Names, Trademarks, Service Marks

1. Natural persons or legal entities that are not registered in the Faroe Islands may only register brand names, trademarks or service marks that are registered with the Danish Patent and Trademark Office.
2. Those that wish to register a domain name that is similar to or that refers or alludes to a brand name to which they themselves do not have the legal right and that is registered in Denmark / Faroe Islands in the name of another shall demonstrate that he or she has permission to use the brand name or trademark in this manner from the holder of the legal right.

S 7. Several Applications for the Same Domain Name

1. If applications are submitted for the same domain name from more than one applicant, the right to use the domain name shall be allocated to the applicant who submitted first, conditioned on that the application is valid pursuant to these regulations.
2. If several applications arrive on the same day for the same domain name and all the applicants have an equally valid right to the domain name, the FO Council shall arrange for a drawing among all the applicants.

§ 8. Liability

1. The allocation of the right to use a domain name in accordance with these regulations does not devolve in any way the right to the name in any other connection. Actions brought by third parties against the conveyed allocation shall in the first instance be lodged against those that have been granted the right the use a domain name (the "holder").
2. The FO Council and the FO Operator shall not be liable for the holder's use of the domain name.
3. The applicant has the responsibility to ensure that the registration of the domain name does not violate Faroese law or the rights of third parties.
4. The FO Council and the FO Operator assume no compensatory liability for possible direct or indirect losses that may result from a delay in processing an application for a domain name or that an application for a domain name is rejected.

5. The allocation of the right to use a domain name is deemed individual and personal, which shall be understood to mean that the FO Council or the FO Operator shall not be bound by possible agreements entered into by the holder regarding the sale, mortgage, etc. of the domain name.

§ 9. Transfer of Domain Names

1. If the holder or its agent desires to change its Name Server, the holder or the agent shall submit to the FO Operator information about the new IP address and possible other changes regarding this transfer. Request for a transfer shall be in writing and signed.
2. Changes regarding the Name Server are provided free of charge. A fee is required for other changes, see the chart under § 13.

§ 10. Cancellation of a Domain Name

1. If a holder desires to cancel its domain name, the holder shall submit a request to the FO Operator. The request shall be in writing and signed. The holder does not have the right to a refund for any unused part of the annual fee. The relevant domain name shall subsequently be deleted from the registry and shall be available for others.
2. A domain name may not be merely abandoned.

§ 11. Warnings and Rescission

1. A warning shall be sent to the registered contact of the holder if
 - a. the annual fee is not paid in a timely manner;
 - b. a domain name is not operated in a technically appropriate manner, eg, the Name Server is no longer functional, the domain name needs to be set up or has been wrongly set up with the respective Name Server.
2. If the holder does not respond with four (4) weeks from the date that the warning was sent pursuant to paragraph 1, the domain name shall be rescinded. The warning shall be sent via email and by regular post to the registered address.
3. The FO Operator shall demand a fee to send a warning, see the chart under § 13.
4. The FO Council may rescind a domain name without notice, if
 - a. a court decision or a decision by the administrative governmental authority requires such action;
 - b. the domain name is used in such a manner that is a significant violation of Faroese law.

§ 12. FO Council Appeal Procedures

1. In the event that the applicant is not satisfied with the decision of the FO Operator to reject an application for a domain name, the applicant may appeal in writing to the FO Council. The request shall be submitted to the office of the FO Operator.
2. Payment of the appeal fee shall be attached to the request, see the chart under § 13.
3. Appeals to the FO Council shall be submitted no later than two (2) weeks from the date that the decision of the FO Operator was provided to the applicant.
4. Decisions of the FO Council shall be final.

S 13. Fees

1. A registration fee shall be paid for registration of a domain name and subsequently the annual fee then in effect on the date of invoice. The registration fee includes the annual fee for the calendar year in which the registration is effected.
2. The registration fee shall be paid before technical linkages are put in place.
3. The FO Operator may refuse to provide services to applicants that are in arrears to the FO Operator.
4. Fees (including MVG) as at 1 January 2002 are:

Registration fee for a Group A Domain Name	600 DKK
Registration fee for a Group B Domain Name	1.200 DKK
Annual fee for a Group A or B Domain Name	600 DKK
Extra fee for temporary permission to use a Group B Domain Name	1.200 DKK pursuant to § 5.
Fee for changes (except changes to the Name Server)	100 DKK pursuant to § 9.
Fee for notice warning	200 DKK pursuant to § 11.
Fee for appeal to FO Council	600 DKK pursuant to § 12.

Approved at the meeting of the FO Council, 4 June 2002.

Examples of Domain Names relevant to the indicated provisions:

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| § 2, paragraph 2 | Eg, the Faroese Parliament may register <i>logting.fo</i> and / or <i>loegting.fo</i> |
| § 2, paragraph 4.2 | Eg, <i>dk.fo</i> / <i>uk.fo</i> / <i>in.fo</i> |
| § 2, paragraph 4.4 | Eg, <i>faroeislands.fo</i> / <i>eysturoy.fo</i> / <i>sandur.fo</i> / <i>vestmanna.fo</i> |
| § 4, paragraph 1.c | Eg, <i>mariajoensen.fo</i> / <i>mariaj.fo</i> / <i>m.joensen</i> / <i>hanspeturhansen.fo</i> /
<i>hanspeturh.fo</i> / <i>hansph.fo</i> / <i>hansphansen.fo</i> / <i>hphansen.fo</i>
Eg, <i>100344.fo</i> / <i>19440110.fo</i> / <i>10Mar1944.fo</i> |
| § 4, paragraph 2 | Eg, <i>almannastovan.fo</i> / <i>mrcc.fo</i> / <i>bethesda.fo</i> / <i>fylking.fo</i> / <i>b71.fo</i> / <i>bridge.fo</i> |
| § 4, paragraph 3 | Eg, <i>dimma.fo</i> (for Dimmalætting) / <i>frs.fo</i> (for the Fiskirannsóknarstovan [Faroese Fisheries Laboratory]) |
| § 5, paragraph 4 | Eg, <i>hanspetur.fo</i> / <i>joensen.fo</i> |