



Reforms under ccTLD .EE (Estonia) pending, liberalization process expected to start as from 1 February 2010

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The currently valid Official Regulations on Registration of Domain Names under .EE (Official Regulations) allow only one second level country-code top-level domain name per person and the eligibility requirement regarding the local presence requirement shall be met.

In order to reform and liberalise the currently valid system, the foundation Eesti Interneti SA has been established, who will be responsible for the management and registration of the domain names under .EE in accordance with the new Domain Name Rules. The date of 1 February, 2010 has been announced as the start of the new era under .EE, i.e. the date when the new Rules will be effected and the start of the 6 month transition period.

The draft of the new Rules is available on the website of Eesti Interneti SA (not translated into English yet). The major change concerns no number limits to the domain names per person. Foreign persons may acquire domain name registrations with the presence of Estonian administrative contact, the registration and annual fees for the domain name registrations will be implemented and the applications for the domain name registrations shall be filed through Internet Service Providers (ISPs).

During the 6 months transitional period the registration of domain names according to the valid Official Regulations will be terminated, the registration of domain names under new Rules will be initiated and the prior registered domain names shall be re-registered with the ISPs.

The new Rules do not contain any references to the Sunrise period or other preventive measures for the owners of earlier rights. Previously the head of Eesti Interneti SA expressed his concern that separate rules for trademark owners during the transition period would be provided and also that the voluntary Alternative Dispute Resolution procedure would be introduced, but obviously those discussions over the preventive measures for the trademark owners have reached a dead end. In other words, at the current moment the position has been expressed that no preventive measures will be introduced.

In order to be able to obtain the domain name registrations under .EE before the start of the liberalization process and to minimize the risks, it is possible currently to file the exceptional domain name applications with the Registry on basis of, for instance, existing Community Trade mark rights. The local presence requirement shall be met, however, the local proxy services may be used. For clients owning registered Community Trade marks and being interested in the domain name extensions with .EE, we would recommend applying for the exceptional domain name before the start of liberalization.