

Amendment of the National Telecommunications and Posts Commission Decision 268/73/25.11.2002 on the .gr Domain Name Management and Assignment Regulation (Government Gazette Issue No. 1617/B/2002) and commencement of the operation of the Register.

THE NATIONAL TELECOMMUNICATIONS AND POSTS COMMISSION (EETT)

Having regard to:

a. Law . 2867/2000 on the Organization and Operation of Telecommunications and other Provisions (Government Gazette Issue No. 273/A/2000) and more specifically Article 3 (14) (a) and (aa),

b. EETT Decision 268/73/25.11.2002 on a .gr. Domain Name Management and Assignment Regulation (Government Gazette Issue No. 1617/B/2002), and in particular Article 2 regarding the designation of a Register,

c. EETT Decision 288/154/4.7.2003 on the awarding of the Open Tender procedure held for selecting a Contractor for the Design, Development, Installation, Operation and Management of the Internet Domain Name System Register for .gr Domain Names, pursuant to which the contract of the tender procedure announced by means of the relevant Notice dated March 2003 regarding the implementation and management of .gr Domain Name Register has been awarded to the Foundation for Research and Technology,

d. the fact that the provisions of this Decision do not lead to any expenditures to be charged to the State Budget,

e. the EETT Services Contract entered into with the Foundation for Research and Technology Institute of Computer Science (FORTH - ICS) dated July 31, as has been amended and is in force, has adopted this decision:

A.

Article 1

Amendment to EETT Decision 268/73/25.11.2002 on a .gr. Domain Name Management and Assignment Regulation (Government Gazette Issue No. 1617/B/2002)

It amends EETT Decision 268/73/25.11.2002 on a .gr. Domain Name Management and Assignment Regulation (Government Gazette Issue No. 1617/B/31.12.2002) as follows:

1. Article 5 (1) (a) shall be amended as follows:

If the application is not full and accurate in accordance with this decision.

2. Article 7 (1) is amended as follows:

All persons wishing to be assigned a specific .gr Domain Name is required to complete and submit an Assignment Application in printed or electronic format providing all necessary information to that end. The Assignment Application shall be based on the relevant model provided at the EETT website. The Application shall be accompanied by the respective fees to be established by the Assignor at its absolute discretion and which include any fees established by EETT.

3. Article 7 (2) is amended as follows:

The Assignment Application shall be accompanied by a solemn statement by the Assigned party in printed or electronic format stating that:

(a) everything stated is accurate and true

(b) in case of a legal entity, the declarant bind the relevant legal entity

(c) to the best of its knowledge no rights of third parties are harmed by the requested Domain Name.

4. Article 7 (9) is amended as follows:

Following submission of the Application, the Assignor shall examine whether Assignment of the .gr Domain Name applied for falls under any of the absolute reasons for non Assignment pursuant to Article 5 (1) (a), (b), (g), and (h) of this Decision.

5. Article 7 (10) is amended as follows:

Within the exclusive deadline of two (2) days from submission of the Assignment Application, the Assignor shall forward the .gr Domain Name Assignment Application to EETT over the Internet, confirming at the same time payment of all legal fees by the Assigned party, using an application suitable for that purpose which allows the identification of the Assignor and ensures non alteration of data through the use of an advanced electronic signature based on a qualified certificate and created by a secure signature creation device. The Application shall be accompanied by a report by means of which the Assignor suggests Assignment or not of the specific .gr Domain Name. In any case, the Assignor retains the originals of any documents accompanying the Application. It is the Assignor's responsibility to retain the original documents.

6. Article 8 (3) is amended as follows:

The Assignor shall receive the Application of the Domain Name Holder which is accompanied by a solemn statement whereby the Domain Name Holder states that:

(a) everything stated is accurate and true, and

(b) in case of a legal entity, the declarant bind the relevant legal entity

The above application and statement may be submitted in printed or electronic format. The Assignor shall immediately update the Register. The Register shall immediately update the file with the details of the .gr Domain Name that have been changed and if needed it shall make the respective changes to the Domain Name Servers.

A model of the application that needs to be completed in case of change of details is available from the EETT website.

7. Article 11 (2) (c) shall be amended as follows:

Statement of the person to which the transfer is made, whereby it is stated that: (a) everything stated is accurate and true, and

(b) in case of a legal entity, the declarant shall bind the relevant legal entity

8. A new paragraph (e) is added at the end of Article 11 (2), the contents of which are:

Any statements or certifications submitted in accordance with this Decision may be in printed or electronic format.

9. Article 11 (3) is amended as follows:

Within the exclusive deadline of two (3) days from submission of the Transfer Application, the Assignor shall forward the

.Application to EETT over the Internet, using an application suitable for that purpose which allows the identification of the Assignor and ensures non alteration of data through the use of an advanced electronic signature based on a qualified certificate and created by a secure signature creation device confirming at the same time the payment of the lawful fees by the Assignee. The Application shall be accompanied by a report with the Assignor's viewpoints with regard to whether the terms for the transfer are met or not, pursuant to paragraph 2 above. Any original documents shall be retained by the Assignor. The report is not binding on EETT. Within ten (10) days from receipt of the Application, EETT by means of a decision shall accept or decline the Application; should it accept it shall immediately update the Register to that effect. The Transfer Application shall be rejected only if the Application has not been duly completed or if the transferor's statement is insufficient under paragraph 2 of this article. Once seven days have elapsed and no action has been taken the Application shall be considered to have been accepted.

10. Article 11 (4) is amended as follows:

If the Transferor has allowed or tolerated the use of the .gr Domain Name assigned to it and which is being transferred as a component of a 3rd or subsequent level .gr Domain Name, it shall still be held liable for the use made by the person (s) to which it has consented to or tolerated the use of a 3rd or subsequent level .gr Domain Name made up of the .gr Domain Name which is being transferred, until the transfer has been completed.

11. Article 13 (1) is amended as follows:

The Assignors are persons which meet the specifications established by EETT from time to time and which are listed in Annex B to this Decision as this is in force at each time. Assignors may also be foreign persons with their seat in an EU Member State and operating pursuant to the legislation of an EU Member State and which have permanent establishment in Greece.

12. Article 13 (2) is amended as follows:

Any persons wishing to become Assignors and meeting the conditions of Annex B shall proceed to a simple Notification to EETT. Such Notification shall include at least the information included in Annex B. In case of legal entities, the Notification shall be accompanied by a Solemn Statement by their legal representative stating that they fully accept their obligations and fully meet the criteria deriving from this EETT Decision. A model of the Notification is available from the EETT website.

13. Article 16 (3) is amended as follows:

Assignors shall pay the total fees owed to EETT each month within the first fifteen working days of the following month.

14. Paragraph 1 of Annex B is amended as follows:

Persons constituted and governed by the legislation of an EU Member State.

Article 2

Commencement of operation of the Register

The operation of the Register shall commence on April 5, 2004.

Article 3

Transitional provisions

1. Transitionally the Foundation for Research and Technology - Institute of Computer Science (FORTH – ICS) operates as Assignor in accordance with the provisions of this decision and EETT Decision 268/73/25.11.2002 on the .gr Domain Name Management and Assignment Regulation(Government Gazette Issue No. 1617/B/31.12.2002) for ninety (90) days from publication hereof.

2. Any documents related to the Assignment, Renewal, Transfer of Domain Names for which FORTH-ICS has acted as the Assignor until ninety (90) days have passed from publication hereof shall be retained by FORTH-ICS.

This Decision shall enter into force from the date of its publication in the Government Gazette.

This decision to be published in the Government Gazette.

Maroussi, March 17, 2004

The President

EMMANOUIL A. GIAKOUMAKIS