

COURT DECISIONS INFLUENCE TO .LT PROCEDURAL REGULATION

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EVOLUTION OF .LT DOMAIN

.LT - LITHUANIA

- 1992-06-03 .LT domain created in IANA database.
- Since 1994 Administered by Kaunas University of Technology.
- 2000-06-01 Changes in .lt policy (natural persons can register domains).
- 2004-03-30 IDN domain names with lithuanian characters.
- 2007-03-13 Procedural regulation for .lt domain - liberalized rules.

EVOLUTION OF .LT DOMAIN

.LT - LITHUANIA

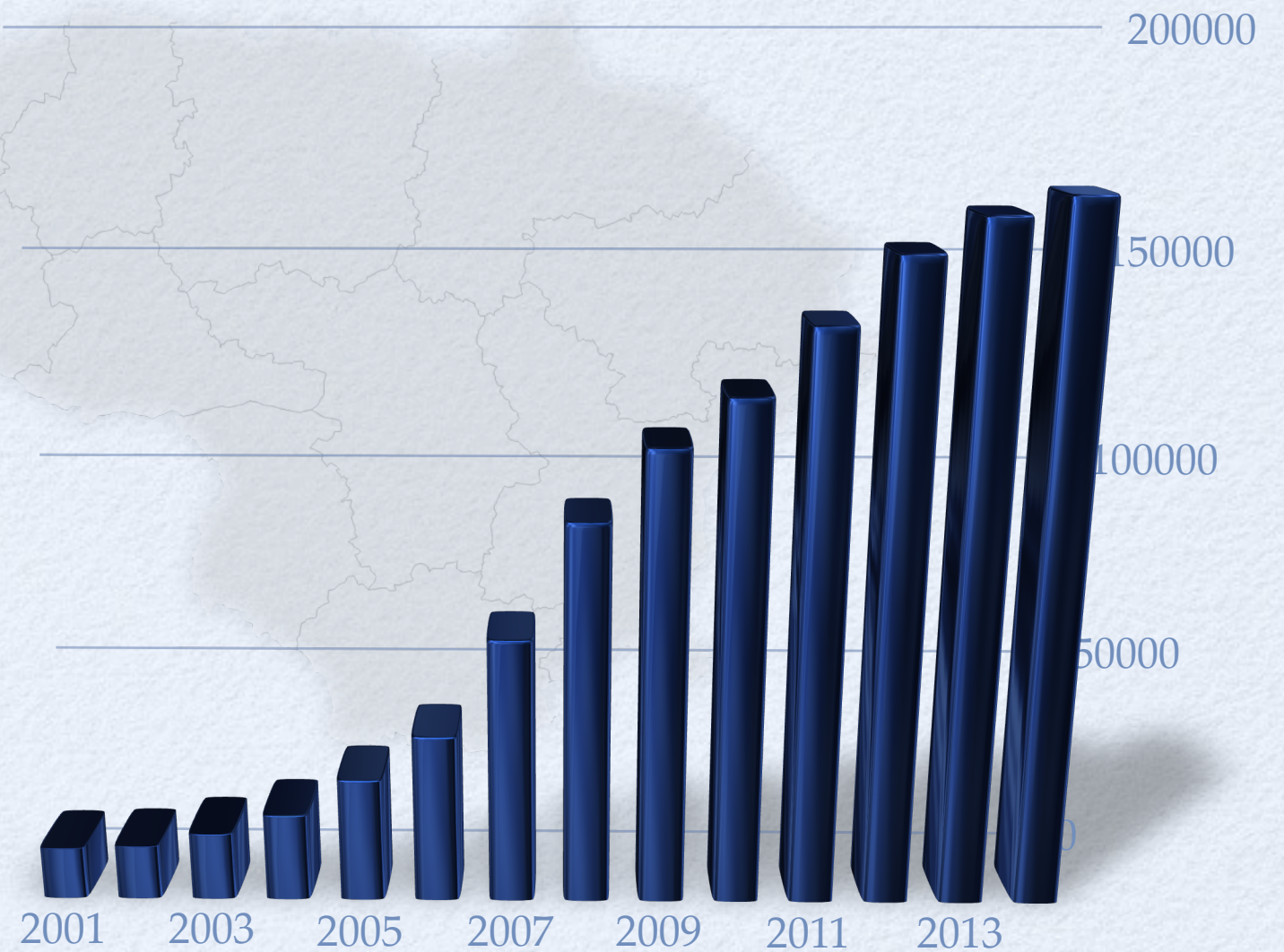
- 2009-10-07** LR Government resolution No 1272. Regulation Authority issues right to use state name LITHUANIA in .lt domain names.
- 2013-02-20** IANA set .lt domain signatures into root servers, DNSSEC technology begun to function.
- 2014-09-15** New edition of procedural regulation for .LT domain name will come to effect (multiyear registration, new procedures).

.LT DOMAIN STATISTICS

166243 registered .lt domains

1879 IDNs

144 accredited Registrars



DISPUTES

Key factors

- Stolen Domain Names
- Cybersquatting
- Passing-off Domain Names

DISPUTES

Stolen Domain Names

The process by which registration of a currently registered domain name is transferred without the permission of its original registrant.

DISPUTES

Cybersquatting

Registering or using a domain name with bad faith intent to profit from the goodwill of a trademark belonging to someone else. The cybersquatter then offers to sell the domain to the person or company who owns a trademark an inflated price.

(kosmada.lt, švyturys.lt, burgerking.lt, emaxima.lt, pienožvaigždės.lt, cido.lt, easyjet.lt, urvinemoteris.lt, siemens.lt...)

DISPUTES

Passing-off Domain Names

Passing off is where a business uses a similar name or goods that are associated with another business and tries to take advantage of the other business's name and reputation.

(neregeta.lt, omnitelis.lt, dailina.lt, pifas.lt, eset.lt, cargo.lt, autonuoma.lt....)

DISPUTES

Negotiation

Informal mechanism of dispute resolution, where parties attempt to resolve a dispute on their own through “friendly discussions”.



DISPUTES

Court

Lack of legal acts which regulate domain name registration (several legal acts can be applied indirectly or by legal analogy, international legal practice).

DISPUTES

Court

- There is no arbitration which would help easier and faster to solve domain name disputes.
- Lack of competence formulating court orders.

DISPUTES

Present suggestion

- Ask Court to put temporary protection to rights of Domain Names.
- Set out clearly in your complain: delete or transfer domain name and who should execute Court order.

DISPUTES

Known Court cases

2005-2011 more than 35 cases

2012 - 14 cases

2013 - 8 cases

2014 - 6 cases

.LT REGULATION CHANGES

CURRENT REGULATION

Issues

- No described procedures on domain name rights restrictions.

Can Registry restrict use of domain name ?

Can Registry restrict only domain name holder change ?

How to know, that domain name rights are restricted ?

CURRENT REGULATION

Issues

- No described procedures on domain name cession (not by domain holder's will).

When domain name cession can be requested ?

Who can request domain name cession ?

How domain name cession should be proceeded ?

CURRENT REGULATION

Issues

- No described procedures on domain name succession (regarding the events).

When domain name succession procedure can be requested ?

Who can request domain name succession procedure?

How domain name succession should be proceeded ?

CURRENT IMPLEMENTATION

Other issues

- Domain name quarantine (redemption) period in all cases after domain name deletion.
- No described process on domain name release.
- Only domain name registrar can delete his managed domain.
- Renewal is automatic on the end of the term (on expiration date). No multiyear registration.

POLICY CHANGES

September 15, 2014

- PROCEDURAL REGULATION FOR THE .LT TOP-LEVEL DOMAIN (Edition 2.0) .

NEW REGULATION

New procedures

- Restriction:
 - Restricted disposal;
 - Restricted rights.
- Cession (not by domain holder's will).
- Succession (regarding the events).
- Suspension (by registry's will).

NEW REGULATION

Other changes

- Renewal procedure can be requested at any time from domain name registration to deletion (up to 5 years).
- Domain name release for registration during 24hours (at random time).

NEW REGULATION

Other changes

- Domain name quarantine may be shorten by the Registry after receiving last domain name holder request.
- Domain name quarantine does not apply after domain name was deleted by Registry's will after domain name suspension or by court order.

THANK'S FOR ATTENTION !

спасибо за внимание !