

Problems of national regulation of domain names in Ukraine

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Domain names

National regulation of delegation of rights on domain names in Ukraine

1

There is no specific legislation on their transfer in Ukraine

2

This transfer could only be a concession of rights on domain names

3

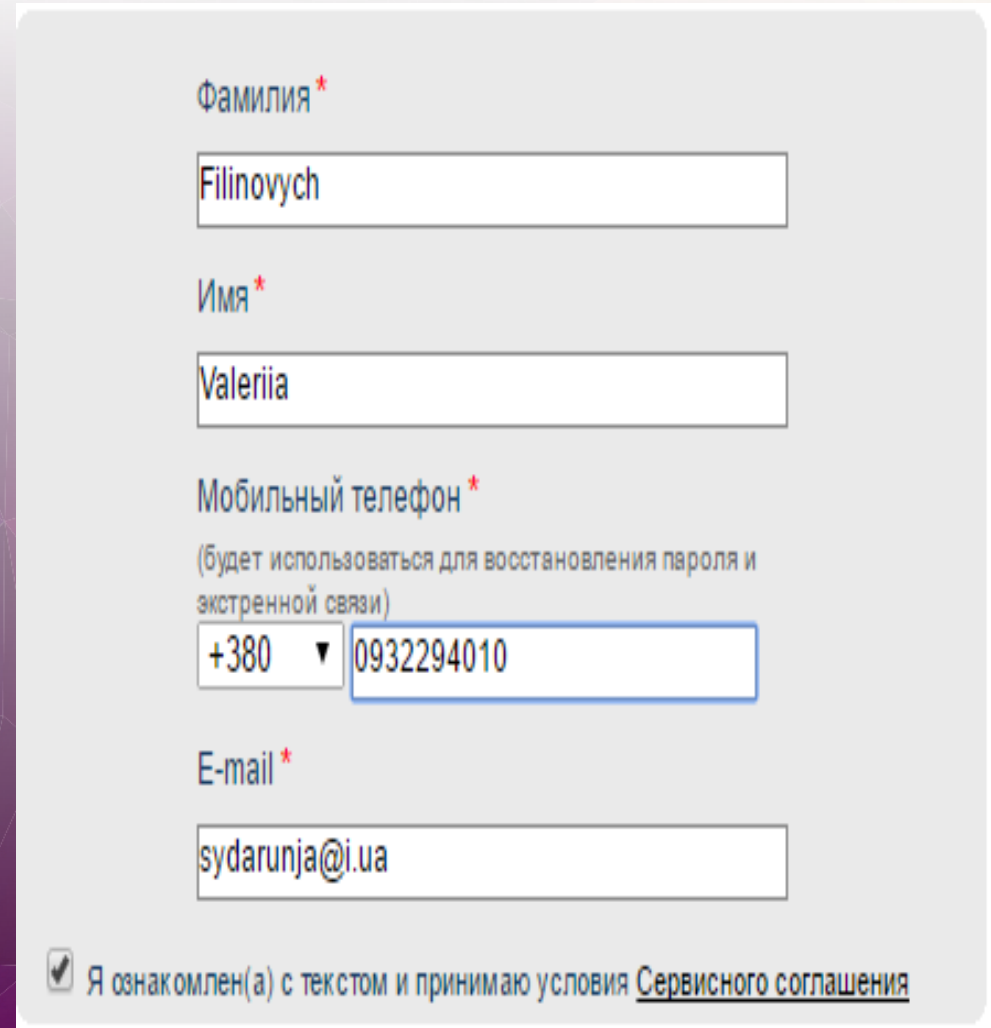
Such rights occur at the moment of conclusion of the relevant agreement between the prospective owner and the registrar

Lacks of the domain registration procedure in UA

To get a new domain you need:

1. Name and Surname (even imaginable)*
2. Cellphone number (just to recover the lost password)
3. E-mail
4. Agree with the terms of the Service Agreement

* Nobody checks your documents



Фамилия *

Имя *

Мобильный телефон *

(будет использоваться для восстановления пароля и экстренной связи)

E-mail *

Я ознакомлен(а) с текстом и принимаю условия [Сервисного соглашения](#)

Lacks of the domain registration procedure in UA

1

Therefore anyone can easily register the domain (even with the false name) and then place illegal content on the WS under such domain.

2

The proof of an identity of personality who committed an offense will become a very complicated cause.

3

The UDRP is still not applicable in Ukraine. So our citizens are to defend their rights only by means of traditional judicial process*.

* In comparison with it the UDRP is faster, cheaper and more convenient for the parties.

Things to do:

1

Provide stricter procedure of domain registration with the possibility of mandatory verification of personal data of domain owner*

2

Create a uniform state register of owners of domain names in the national domain zone .ua, including regional, such as .org.ua, .kiev.ua, etc.

3

Develop a special regulation, which will fixe rules and regulations on the registration of the domain name.

* For ex. In Russia:

- You need to provide the scan of your identity document (f.e. passport);
- Your domain can not contain extremist calls or abusive language, because the registration will not be admitted.



Copyright infringement on the Internet

Providence of copyright infringement on the Internet

The Decree of Plenum of SECU #12 (17.10.2012) contain a list of possible evidences of copyright infringement on the Internet. They are:

- *print web pages*, but those which were witnessed by the institution or authorized person within their jurisdiction and were sealed with the official seal in one of the CIS member states;
- *video, audio* containing the process of research through website by any interested person made on electronic or other material carrier to be submitted to the court indicating the time, the conditions of establishment of such records, data about the person who created them;
- *certificate* received from network providers and search services.

Things to do for the defense of copyright on the Internet:

1

Update the list of copyright objects of the Copyright Law of Ukraine with the website.

2

Our Civil Code should be added with the list of specific guidelines as to responsibilities for violation of IP-rights through the internet of information intermediaries, owners and users of the website.

3

Develop a common set of model contracts on creation of the website provision of hosting services, deployment of resources on the server, domain name registration - to create a unified system of copyright protection.

4

Make providers responsible for supervising after the files uploaded by users.

5

Borrow some provisions from SOPA as to blocking domains and CISPA as to the exchange of data on cyber threats between government and commercial organizations.

Many Thanks!

(Questions welcome!)

