

Domain Name: Latin American News

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Argentina

NIC - New rules

Last November 25th, 2009, Resolution 654/09, which approves new rules for the registration of domain names under the country code top-level domain .ar (cctld .ar), –from the Foreign Affairs Ministry, in charge of NIC Argentina- has been published in the Official Bulletin.

The mentioned resolution incorporates the following changes:

- Prohibition to register domain names which begin with the characters “xn - -”, as well as those ones which begin or end with the character “-” (dash)
- NIC’s faculty to reject a domain name application in case of verifying that it contains non-updated information
- Faculty to register domain names to provincial or municipal governmental organisms, which have competence on tourist promotion of the corresponding province or municipality
- Due accreditation before the Foreign Affairs Ministry of such entities which are Foreign Representations or International Organisms addressed in Argentina and wish to register domain names under the sub-domain INT.AR
- Time frame of the cancellation of a domain that has not been renewed for 33 consecutive days, and automatic cancellation of the delegation if any
- Possibility to renew domain names in process of cancellation
- **Non-competence of NIC Argentina regarding the contents of web pages that could be constructed under a domain name registration**
- **NIC’s capacity to revoke a domain name registration providing the same affects third parties’ subjective rights**
- **For this purpose, a natural person or legal entity which pretends to revoke a domain name registration, should demonstrate his better rights, having NIC the faculty to require any other proof which estimates convenient in order to evaluate the legal basis of the claim**
- **Notwithstanding an arbitral proceeding is established to solve any dispute between trademarks and domain names, having the presumed offender ten (10) working administrative days period in order to show his legitimate interest on the domain, NIC does not establish any term to solve the matter**

- Express enumeration as a cause of serious inexactitude in the information given in occasion of the domain name registration, of the total or partial falseness in the name of the registrant entity and/or the declared address
- NIC's capacity to revoke a domain name registration in case of error in the registration, renewal, assignment, etc
- Obligation to file the domain name assignment under the sub-domain ORG.AR and TUR.AR in paper support
- The assignor and assignee of domain name registrations under the sub-domains GOB.AR, MIL.AR and INT.AR, should send the corresponding notes of transference and acceptance signed by the competent authorities.

The referenced resolution has come into force since December 1st, 2009.

Argentina - IMPORTANT

NIC - Data update and/or Regularization to avoid cancellations of Registrant Entities and their registered Domains

NIC Argentina has implemented in 2010 a new registration and administration system for domain names. Therefore, each Registrant Entity had to regularize the data registered in NIC Argentina's database. **Those entities, which did not regularize their information before March 1st 2010, were cancelled as well as the domains registered under their name.**

- Registered Data - Update

The information like address, telephone No., fax No., etc. had to be updated, since their falseness or inaccuracy could have resulted in the loss of the domain and/or the cancellation of the Registrant Entity.

- Registered Data – Regularization

The data registered under a fantasy name, inexistent company names, non-updated data, duplicated entities, etc., had to regularize their situation, since otherwise, this could have derived in the loss of their domain names and/or the cancellation of the Registrant Entity.

- E-mail

Nowadays it is compulsory for every Entity to have a valid and active e-mail address associated. Otherwise, the Entity will be cancelled together with the domains registered under its name.

- CUIT/DNI (Tax-ID-No./ ID)

It is also compulsory that every Entity registers (declares) its CUIT, CUIL or DNI (Tax-ID-No. or ID). Otherwise, the Entity will be cancelled together with the domains registered under its name.

Bolivia

Fees reduction for second-level domains .bo

As from April 1, 2010 **NIC Bolivia** has sensibly reduced its fees for second-level domains ".bo".

In light of the above, this reduction will be applied hereafter on our fees for the registration and renewal of this type of domains.

Brazil

Important advance in the resolution of domain name disputes

The Brazilian Internet Management Committee has announced the creation of an administrative dispute resolution proceeding for ".br" domain names.

The system is in harmony with the Uniform Domain Name Dispute Resolution Policy, applicable for those domain names which had been registered and/or are being used in bad faith, providing that:

- the registered domain name will be identical or confusingly similar to:
 - a) a granted or former trademark or service mark application at the Brazilian Patent and Trademark Office (BPTO), in which the claimant has rights,
 - b) a well-known trademark or service mark under the terms of art. 6bis of the Paris Convention and article 126 of the Brazilian Industrial Property Act (Law N° 9279/96),
 - c) a trade name, corporate or civil name, family name, pseudonym, well-known nickname, individual or collective artistic name, or other domain name over which it has priority.

The proceeding is in force since September 30, 2010, open at the moment to domain names registered as from October 1, 2010.

The Brazilian-Canadian Chamber of Commerce (CCBC) is in charge of resolving these kind of disputes in 90 days counted from the filing of the complaint, term which can be extended at a maximum of 12 months.

For more information, please contact:

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