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## >>Rules

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### Naming Rules for the ".es" zone

#### 1.- General Regulations

Besides the requirements and prohibitions established by the present regulations, regular domain names will be assigned to the first applicant having the right to it.

#### 2.- Rules for the assignment of a regular domain name

2.1.-Assignment of a regular domain name will be to Spanish or foreign natural persons with legal residency in Spain and organisations with their own legal personality constituted according to Spanish Law, registered with the corresponding Public Spanish Register (Registro Público Español).

2.2.-Entities without distinct legal personality such as branches, departments, local offices, secretary's offices, council offices, town councils or any other part of an organisation cannot be assigned a domain name and will have to register under the domain name already assigned to the whole organisation to which they belong to with the exception of what is contemplated in the next section.

2.3.-Notwithstanding what is envisaged in the aforementioned sections, the first branch of a foreign organisation legally constituted and registered in the Spanish Mercantile Register, the Ministerial Departments of the General Administration and the Autonomous Communities Councils will qualify for assignment of a regular domain name.



#### 3.-Permitted Regular Domain Names

3.1.-A regular domain name will be assigned if it complies with the following requirements:

- a. It has not been already registered.
- b. It complies with the syntax rules (section 3.2).
- c. It does not come under any prohibition (section 3.3).
- d. It complies with the general rules for domain name derivation (section 3.4).

3.2.-Syntax Rules:

a. The only valid characters for a domain name are the letters from the alphabets of the Spanish languages (the Domain Name System does not differentiate between capital and small letters), digits ("0" - "9") and the hyphen ("-") .

N.B: Until the mechanisms for approval of multilingual characters in the DNS are not operative, no domain name containing letters from the Spanish languages different to the ones included in the English alphabet will be assigned under ".es". Whilst this situation persists, such letters will have to be substituted for other similar ones (i.e.: "ñ" by "n" or "ny")

b. Neither the first nor the last character of a domain name may be a hyphen.

c. The minimum permitted length for a second level domain name is 3 characters (in order to decrease possible problems, the minimum advised is 5 characters)

d. The maximum permitted length for a second level domain name is 63 characters (due to practical reasons, the maximum advised is 24 characters).

3.3.-Prohibitions. Under no circumstances will a domain name be assigned when:

a. It coincides with any top level domain (for example:"edu", "com", "gov", "mil", "org", "int", "net", "arpa") or with one proposed for one of the groups or organisations of recognised Internet authority (for example: "firm", "store", "web", "arts", "rec", "info", or "nom").

b. It is made up exclusively of toponyms (for example: countries, districts, provinces, regions, town halls, villages, islands, the people from or inhabitants of a place or region, mountains, seas, lakes, rivers or monuments).

c. It is made up exclusively of generic names (or its abbreviations) of products, services, establishments, sectors, professions, activities, hobbies, religions, areas of human knowledge, technologies, classes or social groups, illnesses, animal, vegetal or mineral , qualities or characteristics of people, live beings or things.

d. It coincides with names of protocols, applications and Internet terminology (for example: "telnet", "ftp", "email", "www", "web", "smtp", "http", "tcp", "dns", "wais", "news", "rfc", "ietf", "mbone", or "bbs").

e. It is exclusively made up of a combination of the cases analysed in the three previous sections. However, the assignment of a regular domain name will be permitted when exclusively made up of a combination of the analysed cases in the 3 previous sections when the combination identifies unambiguously the organisation registering a domain name. This can only be applied to public organisms and organisations incontestably recognised by the public throughout the whole State.

f. It includes terms or expressions which are against the Law, moral and public order.

g. It is publicly and notoriously associated with an organisation, acronym or trademark other than that of the domain name applicant.

h. It is made up exclusively of first names or surnames of people except when it matches literally with a trademark or a commercial name registered with the Oficina Española de Patentes y Marcas (Spanish Office for Patents and Trademarks) or in the Office for Harmonisation of the Internal Market in the name of the organisation or the natural person applying for the domain name.

i. It is made up of a sequence of digits, except when it literally matches with a trademark or a commercial name registered with the OEPM (Spanish Office for Patents and Trademarks) for the organisation applying for the domain name.

#### 3.4.-General rules for Domain Names Derivation.

##### 3.4.1 Only the following regular domain names will be assigned:

a. The full organisation name as it appears in its deed or constitution document.

b. An acronym of the full name of the organisation qualified as much as possible, so that it can be easily and directly associated with the official name of the organisation and preferably an acronym normally used by the organisation and legally registered with the OEPM (Spanish Office for Patents and Trademarks).

c. One or more trade names or legally registered trademarks as they appear in the register of the Spanish Office for Patents and Trademarks or of the Office for Harmonisation of the Internal Market No sign establishments , due to its local character will be admitted.

Natural persons will only be assigned the domain names according to section (c), i.e. trade names or registered trademarks which they hold.

3.4.2 No organisation will be allowed to register an acronym which does not reasonably or intuitively match up with its official name.

3.4.3 Neither will it be allowed to register domain names which contain standbys or postscripts (such as the "net" suffix or the "inter" prefix, etc.) which bear no relation to the official name of the organisation applying.

3.4.4 When the application of the current general rules for domain name derivation results in a contradiction with rules 3.2 and 3.3, the domain name will not be admitted and will have to be modified or qualified in such a way that complies with such rules, even when the suggested domain name literally matches up with the full name of the organisation applying for the domain name or with one of the registered trademarks or commercial names registered by the applicant. For example, if it contains non-permitted characters, these will have to be substituted by some other similar ones; if the domain name is a generic or a toponymic one, it will have to be qualified with the organisation's legal form (for example, "-sa", "-sl", "-ltd", "-sc", "fundacion-" or "fund-", "asociacion-" or "asoc-") or in the case of a trademark, with the number of the international class of services and products in which it is registered by the domain name applicant (for example, "-38", "-c38" or "-clase 38").



#### 4.- Terms and Conditions for the assignment of regular domain names

4.1-The ultimate responsibility of the use of a regular domain name is always with the organisation for which such a domain name has been registered. Particularly, an Internet service provider is not the administrative contact person for a domain name assigned to an organisation to which they offer a service; even if the provider has acted as the intermediary for the assignment of the domain name or if the provider is managing, on behalf of the organisation, the primary server for the second level associated to such domain name. An organisation can keep the same regular domain name even when changing the provider or if connected to different providers simultaneously.

4.2-In all applications for the assignment of regular domain names, the person designated as intermediary for administrative functions must have sufficient authority from the organisation applying for the domain name.

4.3-The assignment of regular domain names will only have validity whilst the conditions which produced such an assignment remain valid.. The assignment of regular domain names will be cancelled if it is proven that the registration breached the rules or if the Administration determines that the holder of the domain name has lost the right to the assignment.

4.4-The beneficiaries from the assignment of domain names must immediately inform the registration authority of any changes produced in the data associated to the registration of a domain name.

4.5-The assignment of a regular domain name does not give other right for its use as part of the Internet domain name system.

4.6-The authority for assignment will not be, in any case, responsible for the violation of the intellectual or industrial property rights, or of any other rights or legitimate interests which could derive from it. The staff and the representatives of the assignment authority will neither be, in any case, responsible for the possible violations referred to in the afore mentioned paragraph

