

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the implementation and functioning of the .eu Top Level Domain name and repealing Regulation (EC) No 733/2002 and Commission Regulation (EC) No 874/2004

| COMMISSION PROPOSAL | EUROPEAN PARLIAMENT | COUNCIL PROPOSAL Coreper mandate Doc. 13158/18 | | POSSIBLE COMPROMISE |
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| THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, | THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, | THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, | | THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION, |
| Having regard to the Treaty on the Functioning of the European Union, and in particular Article 172 thereof, | Having regard to the Treaty on the Functioning of the European Union, and in particular Article 172 thereof, | Having regard to the Treaty on the Functioning of the European Union, and in particular Article 172 thereof, | | Having regard to the Treaty on the Functioning of the European Union, and in particular Article 172 thereof, |
| Having regard to the proposal from the European Commission, | Having regard to the proposal from the European Commission, | Having regard to the proposal from the European Commission, | | Having regard to the proposal from the European Commission, |
| After transmission of the draft legislative act to the national parliaments, | After transmission of the draft legislative act to the national parliaments, | After transmission of the draft legislative act to the national parliaments, | | After transmission of the draft legislative act to the national parliaments, |

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| Having regard to the opinion of the European Economic and Social Committee ¹ , | Having regard to the opinion of the European Economic and Social Committee ² , | Having regard to the opinion of the European Economic and Social Committee ³ , | | Having regard to the opinion of the European Economic and Social Committee ⁴ , |
| Having regard to the opinion of the Committee of the Regions ⁵ , | Having regard to the opinion of the Committee of the Regions ⁶ , | Having regard to the opinion of the Committee of the Regions ⁷ , | | Having regard to the opinion of the Committee of the Regions ⁸ , |
| Acting in accordance with the ordinary legislative procedure, | Acting in accordance with the ordinary legislative procedure, | Acting in accordance with the ordinary legislative procedure, | | Acting in accordance with the ordinary legislative procedure, |
| Whereas: | Whereas: | Whereas: | | Whereas: |
| (1) The .eu Country Code Top Level Domain (ccTLD) was established by Regulation (EC) No 733/2002 of the European Parliament and of the Council ⁹ and by Commission Regulation (EC) No | (1) The .eu Country Code Top Level Domain (ccTLD) was established by Regulation (EC) No 733/2002 of the European Parliament and of the Council ¹¹ and by Commission | (1) The .eu Country Code Top Level Domain (ccTLD) was established by Regulation (EC) No 733/2002 of the European Parliament and of the Council ¹³ and by Commission Regulation (EC) No | | (1) The .eu Country Code Top Level Domain (ccTLD) was established by Regulation (EC) No 733/2002 of the European Parliament and of the Council ¹⁵ and by Commission Regulation (EC) No |

¹ OJ C , , p. .

² OJ C , , p. .

³ OJ C , , p. .

⁴ OJ C , , p. .

⁵ OJ C , , p. .

⁶ OJ C , , p. .

⁷ OJ C , , p. .

⁸ OJ C , , p. .

⁹ Regulation (EC) No 733/2002 of the European Parliament and of the Council of 22 April 2002 on the implementation of the .eu Top Level Domain (OJ L 113, 30.4.2002, p. 1).

¹¹ Regulation (EC) No 733/2002 of the European Parliament and of the Council of 22 April 2002 on the implementation of the .eu Top Level Domain (OJ L 113, 30.4.2002, p. 1).

¹³ Regulation (EC) No 733/2002 of the European Parliament and of the Council of 22 April 2002 on the implementation of the .eu Top Level Domain (OJ L 113, 30.4.2002, p. 1).

¹⁵ Regulation (EC) No 733/2002 of the European Parliament and of the Council of 22 April 2002 on the implementation of the .eu Top Level Domain (OJ L 113, 30.4.2002, p. 1).

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| 874/2004 ¹⁰ . Since the adoption of Regulation (EC) No 733/2002 and Regulation (EC) No 874/2004, the political and legislative context in the Union, the online environment and the market have changed considerably. | Regulation (EC) No 874/2004 ¹² . Since the adoption of Regulation (EC) No 733/2002 and Regulation (EC) No 874/2004, the political and legislative context in the Union, the online environment and the market have changed considerably. | 874/2004 ¹⁴ . Since the adoption of Regulation (EC) No 733/2002 and Regulation (EC) No 874/2004, the political and legislative context in the Union, the online environment and the market have changed considerably. | 874/2004 ¹⁶ . Since the adoption of Regulation (EC) No 733/2002 and Regulation (EC) No 874/2004, the political and legislative context in the Union, the online environment and the market have changed considerably. |
| | <i>(1a) The rapid evolution of the top-level-domain (TLD) market and the dynamic digital landscape requires a future-proof and flexible regulatory environment. The purpose of the .eu TLD is, through good management, to help enhance the Union identity and promote Union values, such as multilingualism, respect for users' privacy and security and respect for human rights, as well as online priorities.</i> | | <i>(1a) The rapid evolution of the top-level-domain (TLD) market and the dynamic digital landscape requires a future-proof and flexible regulatory environment. The purpose of the .eu TLD is, through good management, to help enhance the Union identity and promote Union values online such as multilingualism, respect for users' privacy and security and respect for human rights, as well as online priorities.</i> |
| (2) TLDs are an essential component in the hierarchical structure of the Domain Name System (DNS) which ensure an interoperable system of unique identifiers, | (2) TLDs are an essential component in the hierarchical structure of the Domain Name System (DNS) which ensure an interoperable system of unique identifiers, available throughout | (2) TLDs are an essential component in the hierarchical structure of the Domain Name System (DNS) which ensure an interoperable system of unique identifiers, available throughout | (2) TLDs are an essential component in the hierarchical structure of the Domain Name System (DNS) which ensure an interoperable system of unique identifiers, |

¹⁰ Commission Regulation (EC) No 874/2004 of 28 April 2004 laying down public policy rules concerning the implementation and functions of the .eu Top Level Domain and the principles governing registration (OJ L 162, 30.4.2004, p. 40).

¹² Commission Regulation (EC) No 874/2004 of 28 April 2004 laying down public policy rules concerning the implementation and functions of the .eu Top Level Domain and the principles governing registration (OJ L 162, 30.4.2004, p. 40).

¹⁴ Commission Regulation (EC) No 874/2004 of 28 April 2004 laying down public policy rules concerning the implementation and functions of the .eu Top Level Domain and the principles governing registration (OJ L 162, 30.4.2004, p. 40).

¹⁶ Commission Regulation (EC) No 874/2004 of 28 April 2004 laying down public policy rules concerning the implementation and functions of the .eu Top Level Domain and the principles governing registration (OJ L 162, 30.4.2004, p. 40).

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| available throughout the world, on any application and any network. | the world, on any application and any network. | the world, on any application and any network. | available throughout the world, on any application and any network. |
| | <i>(2a) The .eu TLD is the eighth largest country code Top Level Domain (ccTLD) and had over 3,8 million registrations in 2017. The .eu TLD is used by the Union institutions, agencies and bodies, including for projects and initiatives.</i> | | <i>(2a) The .eu TLD is the eighth one of the largest country code Top Level Domain§ (ccTLDs) and had over 3,8 million registrations in 2017. The .eu TLD is used by the Union institutions, agencies and bodies, including for <u>European</u> projects and initiatives.</i> |
| (3) The .eu TLD should promote the use of, and access to, the Internet networks in accordance with Articles 170 and 171 of the TFEU, by providing a complementary registration to existing country code Top Level Domains (ccTLDs) or global registration in the generic Top Level domains. | (3) The .eu TLD should promote the use of, and access to, the Internet networks in accordance with Articles 170 and 171 of the TFEU, by providing a complementary registration to existing country code Top Level Domains (ccTLDs) or global registration in the generic Top Level domains. | (3) The .eu TLD should promote the use of, and access to, the Internet networks in accordance with Articles 170 and 171 of the TFEU, by providing a complementary registration to existing country code Top Level Domains (ccTLDs) or global registration in the generic Top Level domains. | (3) The .eu TLD should promote the use of, and access to, the Internet networks in accordance with Articles 170 and 171 of the TFEU, by providing a complementary registration to existing country code Top Level Domains (ccTLDs) or global registration in the generic Top Level domains. |
| (4) The .eu TLD should provide a clearly identified link with the Union and the European market place. It should enable undertakings, organisations and natural persons within the Union to register a domain name under the .eu TLD. Union citizens should be allowed to register a .eu domain name, regardless of their place of residence. | (4) The .eu TLD, <i>as a specific domain name for the Union under a clear and easily recognisable label</i> , should provide a clearly identified link with the Union, and the European market place, <i>and a Union online identity, creating a strong identity for the digital single market, subject to Union law and trading standards</i> . It should enable undertakings <i>and</i> organisations <i>established within the Union or within the European Economic Area (EEA)</i> , and natural persons <i>who are residents of a Member State or of a third-country member of the EEA</i> to register a domain name under the .eu TLD. Union citizens | (4) The .eu TLD should provide a clearly identified link with the Union and the European market place. It should enable undertakings, organisations and natural persons within the Union to register a domain name under the .eu TLD. Union citizens should be allowed to register a .eu domain name, regardless of their place of residence. | (4) The .eu TLD, <i>as a a-specific domain-name-for-the-Union-under-a clear and easily recognisable label</i> , should provide a clearly identified link with the Union and the European market place, <i>and-a Union-online-identity, creating a strong identity for the digital single market, subject to Union law and trading standards</i> . It should enable undertakings, <i>and</i> organisations <i>and natural persons established within the Union or within the European Economic Area (EEA), who are residents of a Member State or of a third-country member of the EEA</i> to register a domain name under the .eu TLD. <u>Union citizens should be allowed to register a .eu</u> |

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| | should be allowed to register a .eu TLD name, regardless of their place of residence. <i>The existence of such a domain is an important part of the European identity and users are responsible for using it properly.</i> | | | TLD name, regardless of their place of residence, from [six months after] the entry into force of this Regulation and the amendment of the respective provision in Regulation (EC) No 733/2002. The existence of such a domain name is important to strengthen the of the European identity <u>online</u> and users should be responsible for using it properly. |
| (5) Domain names in the .eu TLD should be allocated to the eligible parties subject to availability. | (5) Domain names in the .eu TLD should be allocated at a reasonable price to the eligible parties subject to availability. | (5) Domain names in the .eu TLD should be allocated to the eligible parties subject to availability. | | (5) Domain names in the .eu TLD should be allocated to the eligible parties subject to availability. |
| | (5 a) <i>The Commission should assess the potential role of the European Union Intellectual Property Office (EUIPO) in the registration of domain names in the .eu TLD in order to provide applicants of the European Union trade marks (EUTM) or the registered Community designs (RCD) with an allocation of the .eu TLDs applicable to their trademarks or design, subject to availability. That assessment should also include other measures or agencies that could be engaged in preventing speculative and abusive registrations ('cybersquatting') and facilitate simple administrative procedures, in particular for small and medium-sized enterprises (SMEs).</i> | | | |

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| (6) To ensure better protection of rights of the parties to contract with, respectively, the Registry and Registrars, the disputes on registrations of domain names in the .eu TLD should be solved by bodies located in the Union applying the respective laws of Member States, without prejudice to rights and obligations recognised by the Member States or by the Union arising from international instruments. | (6) To ensure better protection of rights of the parties to contract with, respectively, the Registry and Registrars, the disputes on registrations of domain names in the .eu TLD should be solved by bodies located in the Union applying the respective laws of Member States, without prejudice to rights and obligations recognised by the Member States or by the Union arising from international instruments. | (6) To ensure better protection of rights of the parties to contract with, respectively, the Registry and Registrars, the disputes on registrations of domain names in the .eu TLD should be solved by bodies located in the Union applying the respective laws of Member States, without prejudice to rights and obligations recognised by the Member States or by the Union arising from international instruments. | (6) To ensure better protection of rights of the parties to contract with, respectively, the Registry and Registrars, the disputes on registrations of domain names in the .eu TLD should be solved by bodies located in the Union applying the respective laws of Member States, without prejudice to rights and obligations recognised by the Member States or by the Union arising from international instruments. |
| (7) The principles and procedures on the functioning of the .eu TLD should be annexed to the contract between the Commission and the appointed Registry. | (7) The principles and procedures on the functioning of the .eu TLD should be annexed to the contract between the Commission and the appointed Registry. | (7) The principles and procedures on the functioning of the .eu TLD should be annexed to the contract between the Commission and the appointed Registry. | (7) The principles and procedures on the functioning of the .eu TLD should be annexed to the contract between the Commission and the appointed Registry. |
| (8) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission to adopt the lists of reserved and blocked domain names by Member States, to establish the criteria and the procedure for the designation of the Registry and to designate the Registry on duly justified grounds of urgency. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers. Such lists should be | (8) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission to adopt the lists of reserved and blocked domain names by Member States, to establish the criteria and the procedure for the designation of the Registry and to designate the Registry on duly justified grounds of urgency. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers. Such lists should | (8) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission to adopt the lists of reserved and blocked domain names by Member States, to establish the criteria and the procedure for the designation of the Registry and to designate the Registry on duly justified imperative grounds of urgency, in particular to ensure the continuity of the service . Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member | (8) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred to the Commission to adopt the lists of reserved and blocked domain names by Member States to establish the criteria and the procedure for the designation of the Registry and to designate the Registry on duly justified imperative grounds of urgency, in particular to ensure the continuity of the service . Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing |

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| compiled subject to the domain names' availability taking into account domain names at second level already reserved or registered by the Member States. | be compiled subject to the domain names' availability taking into account domain names at second level already reserved or registered by the Member States. | States of the Commission's exercise of implementing powers. Such lists should be compiled subject to the domain names' availability taking into account domain names at second level already reserved or registered by the Member States. | | powers. Such lists should be compiled subject to the domain names' availability taking into account domain names at second level already reserved or registered by the Member States. |
| (9) The Commission should, on the basis of an open, transparent and non-discriminatory selection procedure, designate a Registry for the .eu TLD. The Commission should enter into a contract with the selected Registry which should include the detailed principles and procedures applying to the Registry for the organisation, administration and management of the .eu TLD. The contract should be limited in time and renewable. | (9) The Commission should, on the basis of an open, transparent and non-discriminatory selection procedure, <i>taking into account cost-efficiency and administrative simplicity</i> , designate a Registry for the .eu TLD. <i>In order to establish the criteria for the designation of a registry and an open, transparent and non-discriminatory selection procedure for that designation the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making^{1a}. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings</i> | (9) The Commission should, on the basis of an open, transparent and non-discriminatory selection procedure, designate a Registry for the .eu TLD. The Commission should enter into a contract with the selected Registry which should include the detailed principles and procedures applying to the Registry for the organisation, administration and management of the .eu TLD. The contract should be limited in time and renewable once . | | (9) The Commission should, on the basis of an open, transparent and non-discriminatory selection procedure, <i>taking into account cost-efficiency and administrative simplicity</i> , designate a Registry for the .eu TLD. <i>In order to establishing the eligibility and selection criteria and the procedure for the designation of the Registry the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making^{1a}. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</i> |

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| | <i>of Commission expert groups dealing with the preparation of delegated acts.</i> | | |
| | <i>(9a) The Commission should enter into a contract with the selected Registry which should include the detailed principles and procedures that apply to the Registry for the organisation, administration and management of the .eu TLD. The contract should be of a fixed duration and renewable.</i> | | <i>(9a) The Commission should enter into a contract with the selected Registry which should include the detailed principles and procedures that apply to the Registry for the organisation, administration and management of the .eu TLD. The contract should be of a fixed duration and renewable once without organising a new selection procedure.</i> |
| (10) This Regulation is without prejudice to the application of the rules on competition provided in Articles 101 and 102 TFEU. | (10) This Regulation is without prejudice to the application of the rules on competition provided in Articles 101 and 102 TFEU. | (10) This Regulation is without prejudice to the application of the rules on competition provided in Articles 101 and 102 TFEU. | (10) This Regulation is without prejudice to the application of the rules on competition provided in Articles 101 and 102 TFEU. |
| (11) The Registry should comply with the principles of non-discrimination and transparency and should implement measures to safeguard fair competition, to be authorised in advance by the Commission, in particular when it provides services to undertakings with whom it competes on downstream markets. | (11) The Registry should comply with the principles of non-discrimination and transparency and should implement measures to safeguard fair competition, to be authorised in advance by the Commission, in particular when it provides services to undertakings with whom it competes on downstream markets. | (11) The Registry should comply with the principles of non-discrimination and transparency and should implement measures to safeguard fair competition, to be authorised in advance by the Commission, in particular when it provides services to undertakings with whom it competes on downstream markets. | (11) The Registry should comply with the principles of non-discrimination and transparency and should implement measures to safeguard fair competition, to be authorised in advance by the Commission, in particular when it provides services to undertakings with whom it competes on downstream markets. |
| (12) The Internet Corporation for Assigned Names and Numbers (ICANN) is at present responsible for coordinating the delegation of codes representing ccTLD to Registries. The Registry should enter into appropriate contract with ICANN providing for the delegation of the .eu ccTLD code taking account of the relevant | (12) The Internet Corporation for Assigned Names and Numbers (ICANN) is at present responsible for coordinating the delegation of codes representing ccTLD to Registries. The Registry should enter into appropriate contract with ICANN providing for the delegation of the .eu ccTLD code taking account of | (12) The Internet Corporation for Assigned Names and Numbers (ICANN) is at present responsible for coordinating the delegation of codes representing ccTLD to Registries. The Registry should enter into appropriate contract with ICANN providing for the delegation of the .eu ccTLD code taking account of the | (12) The Internet Corporation for Assigned Names and Numbers (ICANN) is at present responsible for coordinating the delegation of codes representing ccTLD to Registries. The Registry should enter into appropriate contract with ICANN providing for the delegation of the .eu ccTLD code taking account of the relevant principles |

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| principles adopted by the Governmental Advisory Committee (GAC). | the relevant principles adopted by the Governmental Advisory Committee (GAC). | relevant principles adopted by the Governmental Advisory Committee (GAC). | adopted by the Governmental Advisory Committee (GAC). |
| (13) The Registry should enter into an appropriate escrow agreement to ensure continuity of service, and in particular to ensure that in the event of re-delegation or other unforeseen circumstances it is possible to continue to provide services to the local Internet community with minimum disruption. The Registry should submit to the escrow agent on a daily basis an electronic copy of the current content of the .eu database. | (13) The Registry should enter into an appropriate escrow agreement to ensure continuity of service, and in particular to ensure that in the event of re-delegation or other unforeseen circumstances it is possible to continue to provide services to the local Internet community with minimum disruption. The Registry should submit to the escrow agent on a daily basis an electronic copy of the current content of the .eu database. | (13) The Registry should enter into an appropriate escrow agreement to ensure continuity of service, and in particular to ensure that in the event of re-delegation or other unforeseen circumstances it is possible to continue to provide services to the local Internet community with minimum disruption. The Registry should submit to the escrow agent on a daily basis an electronic copy of the current content of the .eu database. | (13) The Registry should enter into an appropriate escrow agreement to ensure continuity of service, and in particular to ensure that in the event of re-delegation or other unforeseen circumstances it is possible to continue to provide services to the local Internet community with minimum disruption. The Registry should submit to the escrow agent on a daily basis an electronic copy of the current content of the .eu database. |
| (14) Alternative Dispute Resolution (ADR) procedures should take into account the international best practices in this area and in particular the relevant World Intellectual Property Organization (WIPO) recommendations, to ensure that speculative and abusive registrations are avoided as far as possible. ADR should respect a minimum of uniform procedural rules, in line with the ones set out in the Uniform Dispute Resolution Policy adopted by ICANN. | (14) Alternative Dispute Resolution (ADR) procedures should take into account the international best practices in this area and in particular the relevant World Intellectual Property Organization (WIPO) recommendations, to ensure that speculative and abusive registrations are avoided as far as possible. ADR should respect a minimum of uniform procedural rules, in line with the ones set out in the Uniform Dispute Resolution Policy adopted by ICANN. | (14) Alternative Dispute Resolution (ADR) procedures should comply with Directive 2013/11/EU and take into account the international best practices in this area and in particular the relevant World Intellectual Property Organization (WIPO) recommendations, to ensure that speculative and abusive registrations are avoided as far as possible. ADR should respect a minimum of uniform procedural rules, in line with the ones set out in the Uniform Dispute Resolution Policy adopted by ICANN. | 14) Alternative Dispute Resolution (ADR) procedures should comply with Directive 2013/11/EU and take into account the international best practices in this area and in particular the relevant World Intellectual Property Organization (WIPO) recommendations, to ensure that speculative and abusive registrations are avoided as far as possible. ADR should respect a minimum of uniform procedural rules, in line with the ones set out in the Uniform Dispute Resolution Policy adopted by ICANN. |
| (15) The policy on abusive registration of .eu domain names should provide for verification by the Registry of data it receives, specifically concerning the identity of registrants, as well as revocation and blocking from future registration of | (15) The policy on abusive registration of .eu domain names should provide for verification by the Registry of data it receives, specifically concerning the identity of registrants, as well as revocation and blocking from | (15) The policy on abusive registration of .eu domain names should provide for verification by the Registry of data it receives, specifically concerning the identity of registrants, as well as revocation and blocking from future | (15) The policy on abusive registration of .eu domain names should provide for verification by the Registry of data it receives, specifically concerning the identity of registrants, as well as revocation and blocking from future registration of domain |

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| domain names considered by a final decision of a Member State court to be defamatory, racist or otherwise contrary to the law of the Member State. The Registry should undertake utmost care to ensure the correctness of the data it receives and holds. | future registration of domain names considered by a final decision of a Member State court to be defamatory, racist or otherwise contrary to the law of the Member State. The Registry should undertake utmost care to ensure the correctness of the data it receives and holds. | registration of domain names considered by a final decision of a Member State court to be defamatory, racist or otherwise contrary to the law of the Member State. The Registry should undertake utmost care to ensure the correctness of the data it receives and holds. | names considered by a final decision of a Member State court to be defamatory, racist or otherwise contrary to the law of the Member State. The Registry should undertake utmost care to ensure the correctness of the data it receives and holds. <i>The revocation procedure should allow the domain name holder a reasonable opportunity to rectify any breach of the eligibility criteria, registration requirements or outstanding debts before revocation takes effect.</i> |
| (16) The Registry should support law enforcement agencies in the fight against crime by implementing technical and organisational measures aimed at enabling competent authorities to have access to the data in the Registry for purposes of prevention, detection, investigation and prosecution of crimes, as provided by Union or national law. | (16) The Registry should support law enforcement agencies in the fight against crime by implementing technical and organisational measures aimed at enabling competent authorities to have access to the data in the Registry for purposes of prevention, detection, investigation and prosecution of crimes, as provided by Union or national law. | (16) The Registry should support law enforcement agencies in the fight against crime by implementing technical and organisational measures aimed at enabling competent authorities to have access to the data in the Registry for purposes of prevention, detection, investigation and prosecution of crimes, as provided by Union or national law. | (16) The Registry should support law enforcement agencies in the fight against crime by implementing technical and organisational measures aimed at enabling competent authorities to have access to the data in the Registry for purposes of prevention, detection, investigation and prosecution of crimes, as provided by Union or national law. |
| (17) This Regulation should be implemented in compliance with the principles relating to privacy and the protection of personal data. The Registry should comply with relevant Union data protection rules, principles and guidelines, in particular, with relevant security requirements, the principles of necessity, proportionality, purpose limitation and proportionate data retention period. Also, personal data protection by design and data protection by default should be embedded | (17) This Regulation should be implemented in compliance with the principles relating to privacy and the protection of personal data. The Registry should comply with relevant Union data protection rules, principles and guidelines, in particular, with relevant security requirements, the principles of necessity, proportionality, purpose limitation and proportionate data retention period. Also, personal data protection by design and data protection by default should be embedded in all data | (17) This Regulation should be implemented in compliance with the principles relating to privacy and the protection of personal data. The Registry should comply with relevant Union data protection rules, principles and guidelines, in particular, with relevant security requirements, the principles of necessity, proportionality, purpose limitation and proportionate data retention period. Also, personal data protection by design and data protection by default should be embedded in all data | (17) This Regulation should be implemented in compliance with the principles relating to privacy and the protection of personal data. The Registry should comply with relevant Union data protection rules, principles and guidelines, in particular, with relevant security requirements, the principles of necessity, proportionality, purpose limitation and proportionate data retention period. Also, personal data protection by design and data protection by default should be embedded in |

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| in all data processing systems and databases developed and/or maintained. | processing systems and databases developed and/or maintained. | processing systems and databases developed and/or maintained. | | all data processing systems and databases developed and/or maintained. |
| (18) In order to ensure effective periodic supervision, the Registry should be audited at its own expense at least every two years by an independent body with the purpose of confirming that the Registry complies with the requirements laid down in this Regulation. The Registry should submit the resulting conformity assessment report to the Commission in accordance with the procedure laid down in the contract with the Registry. | (18) In order to ensure effective periodic supervision, the Registry should be audited at its own expense at least every two years by an independent body with the purpose of confirming that the Registry complies with the requirements laid down in this Regulation. The Registry should submit the resulting conformity assessment report to the Commission in accordance with the procedure laid down in the contract with the Registry. | (18) In order to ensure effective periodic supervision, the Registry should be audited at its own expense at least every two years by an independent body with the purpose of confirming that the Registry complies with the requirements laid down in this Regulation. The Registry should submit the resulting conformity assessment report to the Commission in accordance with the procedure laid down in the contract with the Registry. | | (18) In order to ensure effective periodic supervision, the Registry should be audited at its own expense at least every two years by an independent body with the purpose of confirming that the Registry complies with the requirements laid down in this Regulation. The Registry should submit the resulting conformity assessment report to the Commission in accordance with the procedure laid down in the contract with the Registry. |
| (19) The contract concluded with the Registry should provide for procedures to improve the organisation, administration and management of the .eu TLD by the Registry in line with the instructions of the Commission resulting from the supervisory activities provided by this Regulation. | (19) The contract concluded with the Registry should provide for procedures to improve the organisation, administration and management of the .eu TLD by the Registry in line with the instructions of the Commission resulting from the supervisory activities provided by this Regulation. | (19) The contract concluded with the Registry should provide for procedures to improve the organisation, administration and management of the .eu TLD by the Registry in line with the instructions of the Commission resulting from the supervisory activities provided by this Regulation. | | (19) The contract concluded with the Registry should provide for procedures to improve the organisation, administration and management of the .eu TLD by the Registry in line with the instructions of the Commission resulting from the supervisory activities provided by this Regulation. |
| (20) The Council Conclusions on Internet Governance of 27 November 2014 reaffirmed the European Union's commitment to promote multistakeholder governance structures that are based on a coherent set of global Internet governance principles. An inclusive Internet governance refers to the development and applications by governments, the private sector, civil society, international organisations and the technical | (20) The Council Conclusions on Internet Governance of 27 November 2014 reaffirmed the European Union's commitment to promote multistakeholder governance structures that are based on a coherent set of global Internet governance principles. An inclusive Internet governance refers to the development and applications by governments, the private sector, civil society, international organisations and | (20) The Council Conclusions on Internet Governance of 27 November 2014 reaffirmed the European Union's commitment to promote multistakeholder governance structures that are based on a coherent set of global Internet governance principles. An inclusive Internet governance refers to the development and applications by governments, the private sector, civil society, international organisations and | | (20) The Council Conclusions on Internet Governance of 27 November 2014 reaffirmed the European Union's commitment to promote multistakeholder governance structures that are based on a coherent set of global Internet governance principles. An inclusive Internet governance refers to the development and applications by governments, the private sector, civil society, international organisations and the technical community, in their respective |

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| community, in their respective roles, of shared principles, norms, rules, decision-making procedures and programmes that shape the evolution and use of Internet. | the technical community, in their respective roles, of shared principles, norms, rules, decision-making procedures and programmes that shape the evolution and use of Internet. | the technical community, in their respective roles, of shared principles, norms, rules, decision-making procedures and programmes that shape the evolution and use of Internet. | roles, of shared principles, norms, rules, decision-making procedures and programmes that shape the evolution and use of Internet. |
| (21) A .eu Multistakeholder Council should be set up with an advisory role to the Commission in order to strengthen and widen input into the good governance of the Registry and the matters covered by the principles and procedures on the functioning of the .eu TLD and increase the transparency of the Registry's commercial and operational practices. The members of the group should reflect Internet Governance multistakeholder model and be appointed by the Commission on the basis of an open and transparent procedure. | (21) A .eu Multistakeholder Council should be set up with an advisory role to the Commission in order to strengthen and widen input into the good governance of the Registry and the matters covered by the principles and procedures on the functioning of the .eu TLD and increase the transparency of the Registry's commercial and operational practices. The members of the group should reflect Internet Governance multistakeholder model and be appointed by the Commission on the basis of an open and transparent procedure. | (21) A .eu Multistakeholder Council Group should be set up with an advisory role to the Commission in order to strengthen and widen input into the good governance of the Registry and the matters covered by the principles and procedures on the functioning of the .eu TLD and increase the transparency of the Registry's commercial and operational practices. The members of the group should reflect Internet Governance multistakeholder model and be appointed by the Commission on the basis of an open, non-discriminatory and transparent procedure. In order to ensure continuity, the representative drawn from the Member States should be a member of the group of the three Member States holding the rotating Presidency of the Council during the corresponding 18 months period. | (21) A .eu Multistakeholder Council Advisory Group should be set up with an advisory role to the Commission in order to strengthen and widen input into the good governance of the Registry and the matters covered by the principles and procedures on the functioning of the .eu TLD and increase the transparency of the Registry's commercial and operational practices. The members of the G roup should reflect Internet Governance multistakeholder model and its members, <u>other than Member States' authorities and international organisations, should be</u> appointed by the Commission on the basis of an open, non-discriminatory and transparent procedure. In order to ensure continuity, <u>The representative drawn from the Member States should be appointed on the basis of a rotation system ensuring sufficient continuity in the participation to the Group</u> a member of the group of the three Member States holding the rotating Presidency of the Council during the corresponding . |
| (22) The Commission should carry out an evaluation on the effectiveness and | (22) The Commission should carry out an evaluation on the effectiveness | (22) The Commission should carry out an evaluation on the effectiveness and | (22) The Commission should carry out an evaluation on the effectiveness and |

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| functioning of the .eu TLD. The evaluation should have regard to the designated Registry working practices and the relevance of its tasks. | and functioning of the .eu TLD. The evaluation should have regard to the designated Registry working practices and the relevance of its tasks. <i>The Commission should also, every three years, present a report on the functioning of the .eu TLD name.</i> | functioning of the .eu TLD. The evaluation should have regard to the designated Registry working practices and the relevance of its tasks. | functioning of the .eu TLD. The evaluation should have regard to the designated Registry working practices and the relevance of its tasks. <i>The Commission should also, <u>regularly</u>, present a report on the functioning of the .eu TLD name.</i> |
| (23) Since the objective of this Regulation, namely the implementation of a pan-European TLD in addition to the national ccTLDs, cannot be sufficiently achieved by the Member States, but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. | (23) Since the objective of this Regulation, namely the implementation of a pan-European TLD in addition to the national ccTLDs, cannot be sufficiently achieved by the Member States, but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. | (23) Since the objective of this Regulation, namely the implementation of a pan-European TLD in addition to the national ccTLDs, cannot be sufficiently achieved by the Member States, but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. | (23) Since the objective of this Regulation, namely the implementation of a pan-European TLD in addition to the national ccTLDs, cannot be sufficiently achieved by the Member States, but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective. |
| (24) In order to limit any risks of disruption of services of the .eu TLD in the shifting between the old and new regulatory framework, transitional provisions are foreseen by this Regulation. | (24) In order to limit any risks of disruption of services of the .eu TLD in the shifting between the old and new regulatory framework, transitional provisions are foreseen by this Regulation. | (24) In order to limit any risks of disruption of services of the .eu TLD in the shifting between the old and new regulatory framework, transitional provisions are foreseen by this Regulation. | (24) In order to limit any risks of disruption of services of the .eu TLD in the shifting between the old and new regulatory framework, transitional provisions are foreseen by this Regulation. |
| (25) Regulation (EC) No 733/2002 of the European Parliament and of the | (25) Regulation (EC) No 733/2002 of the European Parliament and of the Council and Commission Regulation | (25) Regulation (EC) No 733/2002 of the European Parliament and of the Council and Commission Regulation | (25) Regulation (EC) No 733/2002 of the European Parliament and of the Council |

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| Council and Commission Regulation (EC) No 874/2004 should therefore be repealed. | (EC) No 874/2004 should therefore be repealed. | (EC) No 874/2004 should therefore be repealed. | | and Commission Regulation (EC) No 874/2004 should therefore be repealed. |
| HAVE ADOPTED THIS REGULATION: | HAVE ADOPTED THIS REGULATION: | HAVE ADOPTED THIS REGULATION: | | HAVE ADOPTED THIS REGULATION: |
| <i>CHAPTER I</i> | <i>CHAPTER I</i> | <i>CHAPTER I</i> | | <i>CHAPTER I</i> |
| <i>General Provisions</i> | <i>General Provisions</i> | <i>General Provisions</i> | | <i>General Provisions</i> |
| <i>Article 1</i> | <i>Article 1</i> | <i>Article 1</i> | | <i>Article 1</i> |
| Subject-matter and objectives | Subject-matter and objectives | Subject-matter and objectives | | Subject-matter and objectives |
| | <i>-1. This Regulation aims to support the digital single market, building an online European identity and encouraging online cross-border activities, by promoting the competitiveness of the .eu TLD name.</i> | | | <i>-1. This Regulation aims to support the digital single market, building an online European identity and encouraging online cross-border activities, by promoting the competitiveness of the .eu TLD name.</i> <i>EP to merge with Para 1.</i> |
| 1. This Regulation implements the .eu country code Top Level Domain ('ccTLD') and lays down the conditions for its implementation, including the designation and characteristics of the Registry. This Regulation also establishes the legal and general policy framework within which the designated Registry will function. | 1. This Regulation implements the .eu country code Top Level Domain ('ccTLD') and lays down the conditions for its implementation, including the designation and characteristics of the Registry. This Regulation also establishes the legal and general policy framework within which the designated Registry will function. | 1. This Regulation implements the .eu country code Top Level Domain ('ccTLD') and its available variants in other scripts and lays down the conditions for its implementation, including the designation and characteristics of the Registry. This Regulation also establishes the legal and general policy framework within which the designated Registry will function. | | 1. This Regulation implements the .eu country code Top Level Domain ('ccTLD') and its available variants in other scripts <u><i>aiming to support the digital single market, building an online European identity and encouraging online cross-border activities</i></u> and lays down the conditions for its implementation, including the designation and characteristics of the Registry. This Regulation also establishes the legal and |

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| | | | general policy framework within which the designated Registry will function. |
| 2. This Regulation shall apply without prejudice to arrangements in Member States regarding their national ccTLDs. | 2. This Regulation shall apply without prejudice to arrangements in Member States regarding their national ccTLDs. | 2. This Regulation shall apply without prejudice to arrangements in Member States regarding their national ccTLDs. | 2. This Regulation shall apply without prejudice to arrangements in Member States regarding their national ccTLDs. |
| <i>Article 2</i> | <i>Article 2</i> | <i>Article 2</i> | <i>Article 2</i> |
| Definitions | Definitions | Definitions | Definitions |
| For the purposes of this Regulation: | For the purposes of this Regulation: | For the purposes of this Regulation: | For the purposes of this Regulation: |
| (a) "Registry" means the entity entrusted with the organisation, administration and management of the.eu TLD including maintenance of the corresponding databases and the associated public query services, registration of domain names, operation of the Registry of domain names, operation of the Registry TLD name servers and dissemination of TLD zone files; | (a) "Registry" means the entity entrusted with the organisation, administration and management of the.eu TLD including maintenance of the corresponding databases and the associated public query services, registration of domain names, operation of the Registry of domain names, operation of the Registry TLD name servers and dissemination of TLD zone files <i>where appropriate</i> ; | (a) "Registry" means the entity entrusted with the organisation, administration and management of the.eu TLD including maintenance of the corresponding databases and the associated public query services, registration of domain names, operation of the Registry of domain names, operation of the Registry TLD name servers and the distribution of the TLD zone files across name servers dissemination of TLD zone files; | (a) "Registry" means the entity entrusted with the organisation, administration and management of the.eu TLD including maintenance of the corresponding databases and the associated public query services, registration of domain names, operation of the Registry of domain names, operation of the Registry TLD name servers and the distribution of the TLD zone files across name servers ; |
| (b) "Registrar" means a natural or legal person that, on the basis of a contract with the Registry, provides domain name registration services to registrants; | (b) "Registrar" means a natural or legal person that, on the basis of a contract with the Registry, provides domain name registration services to registrants; | (b) "Registrar" means a natural or legal person that, on the basis of a contract with the Registry, provides domain name registration services to registrants; | (b) "Registrar" means a natural or legal person that, on the basis of a contract with the Registry, provides domain name registration services to registrants; |
| (c) "Internationalised Domain Names (IDNs) protocols" mean standards and protocols that support the use of domain names in characters that are not American | (c) "Internationalised Domain Names (IDNs) protocols" mean standards and protocols that support the use of domain names in characters that are not | (c) "Internationalised Domain Names (IDNs) protocols" mean standards and protocols that support the use of domain names in characters that are not | (c) "Internationalised Domain Names (IDNs) protocols" mean standards and protocols that support the use of domain names in characters that are not American |

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| Standard Code for Information Interchange (ASCII) characters; | American Standard Code for Information Interchange (ASCII) characters; | American Standard Code for Information Interchange (ASCII) characters; | | Standard Code for Information Interchange (ASCII) characters; |
| (d) "WHOIS database" means a collection of data containing information on the technical and administrative aspects of the .eu Top Level Domain registrations; | (d) "WHOIS database" means a collection of data containing information on the technical and administrative aspects of the .eu Top Level Domain registrations; | (d) "WHOIS database" means a collection of data containing information on the technical and administrative aspects of the .eu Top Level Domain registrations; | | (d) "WHOIS database" means a collection of data containing information on the technical and administrative aspects of the .eu Top Level Domain registrations; |
| (e) "principles and procedures on the functioning of the .eu TLD" means detailed rules concerning the functioning and management of the .eu TLD; | (e) "principles and procedures on the functioning of the .eu TLD" means detailed rules concerning the functioning and management of the .eu TLD; | (e) "principles and procedures on the functioning of the .eu TLD" means detailed rules concerning the functioning and management of the .eu TLD; | | (e) "principles and procedures on the functioning of the .eu TLD" means detailed rules concerning the functioning and management of the .eu TLD; |
| (f) "registration" means a series of acts and procedural steps, from initiation to completion, taken by Registrars and/or the Registry upon the request of a natural or legal person aimed at implementing the registration of a domain name for a specified duration. | (f) "registration" means a series of acts and procedural steps, from initiation to completion, taken by Registrars and/or the Registry upon the request of a natural or legal person aimed at implementing the registration of a domain name for a specified duration. | (f) "registration" means a series of acts and procedural steps, from initiation to completion, taken by Registrars and/or the Registry upon the request of a natural or legal person aimed at implementing the registration of a domain name for a specified duration. | | (f) "registration" means a series of acts and procedural steps, from initiation to completion, taken by Registrars and/or the Registry upon the request of a natural or legal person aimed at implementing the registration of a domain name for a specified duration. |
| <i>CHAPTER II</i> | <i>CHAPTER II</i> | <i>CHAPTER II</i> | | <i>CHAPTER II</i> |
| <i>Implementation of the .eu TLD</i> | <i>Implementation of the .eu TLD</i> | <i>Implementation of the .eu TLD</i> | | <i>Implementation of the .eu TLD</i> |
| <i>Section 1</i> | <i>Section 1</i> | <i>Section 1</i> | | <i>Section 1</i> |
| <i>GENERAL PRINCIPLES</i> | <i>GENERAL PRINCIPLES</i> | <i>GENERAL PRINCIPLES</i> | | <i>GENERAL PRINCIPLES</i> |
| <i>Article 3</i> | <i>Article 3</i> | <i>Article 3</i> | | <i>Article 3</i> |
| Eligibility criteria | Eligibility criteria | Eligibility criteria | | Eligibility criteria |

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| Registration of one or more domain names under the .eu TLD can be requested by any of the following: | Registration of one or more domain names under the .eu TLD can be requested by any of the following: | Registration of one or more domain names under the .eu TLD can be requested by any of the following: | | Registration of one or more domain names under the .eu TLD can be requested by any of the following: |
| (i) a Union citizen, independently of their place of residence; or | (i) a Union citizen, independently of their place of residence; or | (i) a Union citizen, independently of their place of residence; or | | (i) a Union citizen, independently of their place of residence; or |
| (ii) a natural person who is not a Union citizen and who is resident of a Member State; or | (ii) a <i>third-country national</i> who is resident <i>in</i> a Member State <i>or in a third-country member of the EEA</i> ; or | (ii) a natural person who is not a Union citizen and who is resident of a Member State; or | | (ii) a natural person who is not a Union citizen and who is resident of a Member State; or |
| (iii) an undertaking established within the Union; or | (iii) an undertaking established <i>in a Member State or a third-country member of the EEA</i> ; or | (iii) an undertaking established within the Union; or | | (iii) an undertaking established within the Union; or |
| (iv) an organisation established within the Union without prejudice to the application of national law. | (iv) an organisation established <i>in a Member State or in a third-country member of the EEA</i> without prejudice to the application of national law. | (iv) an organisation established within the Union without prejudice to the application of national law. | | (iv) an organisation established within the Union without prejudice to the application of national law. |
| <i>Article 4</i> | <i>Article 4</i> | <i>Article 4</i> | | <i>Article 4</i> |
| Registration and revocation of domain names | Registration and revocation of domain names | Registration and revocation of domain names | | Registration and revocation of domain names |
| 1. A domain name shall be allocated to the eligible party whose request has been received first by the Registry in the technically correct manner as laid down by the procedures for registration requests on the basis of point (b) of Article 11. | 1. A domain name shall be allocated to the eligible party whose request has been received first by the Registry in the technically correct manner as laid down by the procedures for registration requests on the basis of point (b) of Article 11. | 1. A domain name shall be allocated to the eligible party whose request has been received first by the Registry in the technically correct manner as laid down by the procedures for registration requests on the basis of point (b) of Article 11. | | 1. A domain name shall be allocated to the eligible party whose request has been received first by the Registry in the technically correct manner as laid down by the procedures for registration requests on the basis of point (b) of Article 11. |

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| 2. A registered domain name shall be unavailable for further registration until the registration expires without renewal, or until the domain name is revoked. | 2. A registered domain name shall be unavailable for further registration until the registration expires without renewal, or until the domain name is revoked. | 2. A registered domain name shall be unavailable for further registration until the registration expires without renewal, or until the domain name is revoked. | 2. A registered domain name shall be unavailable for further registration until the registration expires without renewal, or until the domain name is revoked. |
| 3. The Registry may revoke a domain name at its own initiative and without submitting the dispute to any extrajudicial settlement of conflicts, on the following grounds: | 3. The Registry may revoke <i>or suspend</i> a domain name at its own initiative and without submitting the dispute to any extrajudicial settlement of conflicts, on the following grounds: | 3. The Registry may revoke a domain name at its own initiative and without submitting the dispute to any prior alternative dispute resolution ('ADR') or extrajudicial procedure settlement of conflicts, on the following grounds: | 3. The Registry may revoke a domain name at its own initiative and without submitting the dispute to any prior alternative dispute resolution ('ADR') or judicial procedure , on the following grounds: <i>EP explains in Rec (15)</i> |
| (a) outstanding unpaid debts owed to the Registry; | (a) outstanding unpaid debts owed to the Registry; | (a) outstanding unpaid debts owed to the Registry; | (a) outstanding unpaid debts owed to the Registry; |
| (b) non-fulfilment by the domain name holder of the eligibility criteria pursuant to Article 3; | (b) non-fulfilment by the domain name holder of the eligibility criteria pursuant to Article 3; | (b) non-fulfilment by the domain name holder of the eligibility criteria pursuant to Article 3; | (b) non-fulfilment by the domain name holder of the eligibility criteria pursuant to Article 3; |
| (c) breach by the domain name holder of the requirements for registration requests laid down on the basis of point (b) of Article 11. | (c) breach by the domain name holder of the requirements for registration requests laid down on the basis of point (b) of Article 11. | (c) breach by the domain name holder of the requirements for registration requests laid down on the basis of point (b) and (c) of Article 11. | (c) breach by the domain name holder of the requirements for registration requests laid down on the basis of point (b) and (c) of Article 11. |
| 4. A domain name may also be revoked, and where necessary subsequently transferred to another party, subject to an appropriate alternative dispute resolution ('ADR') or judicial procedure, where that name is identical or confusingly similar to a name in respect of which a right is established by national or Union law, and where it: | 4. A domain name may also be revoked, and where necessary subsequently transferred to another party, subject to an appropriate alternative dispute resolution ('ADR') or judicial procedure, where that name is identical or confusingly similar to a name in respect of which a right is established | 4. A domain name may also be revoked, and where necessary subsequently transferred to another party, subject to following an appropriate alternative dispute resolution ('ADR') or judicial procedure, where that name is identical or confusingly similar to a name in respect of which a right is established by national or Union law, and where it: | NEW RECITAL 15a: <u>(15a) A domain name that is identical or confusingly similar to a name in respect of which a right is established by national or Union law and which has been registered without rights or legitimate interest in the name should be in principle be revoked and, where necessary, transferred to the legitimate holder. When such a domain</u> |

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| | by national or Union law. <i>A domain name shall be revoked</i> , and where it: | | <p><u>name has been established to have been used in bad faith, it should always be revoked.</u></p> <p>A domain name may also be revoked, and where necessary subsequently transferred to another party, subject to following an appropriate alternative dispute resolution ('ADR') or judicial procedure, <u>in line with the principles and procedures on the functioning of the .eu TLD laid down pursuant to Article 11</u>, where that name is identical or confusingly similar to a name in respect of which a right is established by national or Union law, <u>and where it:</u></p> <p><i>In any event a domain name shall be revoked</i>, and where it:</p> |
| (a) has been registered by its holder without rights or legitimate interest in the name; or | (a) has been registered by its holder without rights or legitimate interest in the name; or | (a) has been registered by its holder without rights or legitimate interest in the name; or | (a) has been registered by its holder without rights or legitimate interest in the name; or |
| (b) has been registered or is being used in bad faith. | (b) has been registered or is being used in bad faith. | (b) has been registered or is being used in bad faith. | (b) has been registered or is being used in bad faith. |
| | <i>The Registry shall, after consulting the Commission and the .eu Multistakeholder Advisory Group pursuant to point (ca) of Article 14(3), adopt transparent and predictable policies in order to ensure the timely identification of any registrations</i> | | |

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| | <i>referred to in point (a) or (b) of the first subparagraph of this paragraph. To that end, the Registry shall, where necessary, cooperate with law enforcement agencies and national computer emergency response teams (CERTs).</i> | | |
| | <i>(4bis) The Registry shall adopt a transparent policy in order to ensure the timely identification of any registrations referred to in Paragraphs (a) or (b) of this Article, including, to the extent necessary to achieve this end, policies on cooperation with competent authorities and other relevant public bodies. COM to redraft</i> | | REC: <u>(15a - bis) The Registry should also adopt clear policies aimed at ensuring the timely identification of such registrations and, where necessary, cooperate with competent authorities and other relevant public bodies relevant to cybersecurity and information security, such as national Computer Emergency Response Teams (CERTs), specifically involved in the fight against abusive domain name registrations.</u> |
| 5. Where a domain name is considered by a court of a Member State to be defamatory, racist or contrary to public policy, it shall be blocked by the Registry upon notification of a court decision and shall be revoked upon notification of a final court decision. | 5. Where a domain name is considered by a court of a Member State, <i>and under Union or national law</i> , to be defamatory, racist or contrary to public policy <i>or public security</i> , it shall be blocked by the Registry upon notification of a court decision. <i>The Registry shall, upon notification of such a court decision, revoke the domain name.</i> <i>By derogation from the first paragraph, the domain name shall not be blocked by the Registry if the court's decision is</i> | 5. Where a domain name is considered by a court of a Member State to be defamatory, racist or contrary to public policy, it shall be blocked by the Registry upon notification of a court decision and shall be revoked upon notification of a final court decision. | RECITAL <u>(22a) This Regulation respects and provides safeguards for fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union, notably the protection of personal data, the freedom of expression and information and consumer protection. Appropriate Union procedures should be observed when ensuring that provisions in national law, affecting this Regulation, complies with Union law and</u> |

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| | <p><i>relevant for the purpose of an implementing act or a Council decision adopted pursuant to Article 5 of Regulation .../... [on the protection of the Union's budget in case of generalised deficiencies as regards the rule of law in the Member States, 2018/0136 (COD)]. That domain name shall be revoked by the Registry upon notification of a final court decision.</i></p> <p>The Registry shall block from future registration those domain names, which have been subject to such a court order as long as such order remains valid.</p> | | <p><u>especially the Charter. The Registry should seek guidance from the Commission in case of doubt on the compliance with Union law.</u></p> <p>5. Where a domain name is considered by a court of a Member State <u>under Union law or national law that complies with Union law</u>, to be defamatory, racist or contrary to public policy or public security, it shall be blocked by the Registry upon notification of a court decision and shall be revoked upon notification of a final court decision.</p> |
| The Registry shall block from future registration those names which have been subject to such a court order as long as such order remains valid. | The Registry shall block from future registration those domain names which have been subject to such a court order as long as such order remains valid. | The Registry shall block from future registration those names which have been subject to such a court order as long as such order remains valid. | The Registry shall block from future registration those domain names which have been subject to such a court order as long as such order remains valid. |
| | <p><i>5 a. Domain names registered under the .eu TLD shall be transferable only to parties eligible for registration of .eu TLD names</i></p> | | <p><i>5 a. Domain names registered under the .eu TLD shall be transferable only to parties eligible for registration of .eu TLD names.</i></p> |
| Article 5 | Article 5 | Article 5 | Article 5 |
| Languages, applicable law and jurisdiction | Languages, applicable law and jurisdiction | Languages, applicable law and jurisdiction | Languages, applicable law and jurisdiction |

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| 1. The registration of domain names shall be performed in all the alphabetic characters of the official languages of the Union in accordance with the available international standards as allowed by the relevant Internationalised Domain Names (IDNs) protocols. | 1. The registration of domain names shall be performed in all the alphabetic characters of the official languages of the Union in accordance with the available international standards as allowed by the relevant Internationalised Domain Names (IDNs) protocols. | 1. The registration of domain names shall be performed in all the alphabetic characters of the official languages of the Union in accordance with the available international standards as allowed by the relevant Internationalised Domain Names (IDNs) protocols. | | 1. The registration of domain names shall be performed in all the alphabetic characters of the official languages of the Union in accordance with the available international standards as allowed by the relevant Internationalised Domain Names (IDNs) protocols. |
| 2. Without prejudice to Regulation (EU) No 1215/2012 and rights and obligations recognised by the Member States or by the Union arising from international instruments, contracts between the Registry and Registrars as well as contracts between Registrars and registrants of domain names shall not designate, as applicable law, a law other than the law of one of the Member States, nor shall they designate as dispute-resolution body, a court, an arbitration court or another body located outside the Union. | 2. Without prejudice to Regulation (EU) No 1215/2012 and rights and obligations recognised by the Member States or by the Union arising from international instruments, contracts between the Registry and Registrars as well as contracts between Registrars and registrants of domain names shall not designate, as applicable law, a law other than the law of one of the Member States, nor shall they designate as dispute-resolution body, a court, an arbitration court or another body located outside the Union. | 2. Without prejudice to Regulation (EU) No 1215/2012 and rights and obligations recognised by the Member States or by the Union arising from international instruments, contracts between the Registry and Registrars as well as contracts between Registrars and registrants of domain names shall not designate, as applicable law, a law other than the law of one of the Member States, nor shall they designate as dispute-resolution body, a court, an arbitration court or another body located outside the Union. | | 2. Without prejudice to Regulation (EU) No 1215/2012 and rights and obligations recognised by the Member States or by the Union arising from international instruments, contracts between the Registry and Registrars as well as contracts between Registrars and registrants of domain names shall not designate, as applicable law, a law other than the law of one of the Member States, nor shall they designate as dispute-resolution body, a court, an arbitration court or another body located outside the Union. |
| <i>Article 6</i> | <i>Article 6</i> | <i>Article 6</i> | | <i>Article 6</i> |
| Reservation of domain names | Reservation of domain names | Reservation of domain names | | Reservation of domain names |
| 1. The Registry may reserve a number of domain names considered necessary for its operational functions in accordance with the contract referred to in Article 8 (3). | 1. The Registry may reserve a number of domain names considered necessary for its operational functions in accordance with the contract referred to in Article 8 (3). | 1. The Registry may reserve or register a number of domain names considered necessary for its operational functions in accordance with the contract referred to in Article 8 (3). | | 1. The Registry may reserve or register a number of domain names considered necessary for its operational functions in accordance with the contract referred to in Article 8 (3). |
| 2. The Commission may instruct the Registry to introduce domain names | 2. The Commission may instruct the Registry to introduce domain names | 2. The Commission may instruct the Registry to introduce reserve or to register | | 2. The Commission may instruct the Registry to introduce reserve or to register |

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| directly under the .eu TLD for use by the Union institutions and bodies. | directly under the .eu TLD for use by the Union institutions and bodies. | register domain names directly under the .eu TLD for use by the Union institutions and bodies. | domain names directly under the .eu TLD for use by the Union institutions and bodies. |
| 3. Member States, without prejudice to domain names already reserved or registered, may notify to the Commission a list of domain names which: | 3. Member States, without prejudice to domain names already reserved or registered, may notify to the Commission a list of domain names which: | 3. Member States, without prejudice to domain names already reserved or registered, may notify to the Commission a list of domain names which: | 3. Member States, without prejudice to domain names already reserved or registered, may notify to the Commission a list of domain names which: |
| (a) may not be registered, based on national law; or | (a) may not be registered, based on national law; or | (a) may not be registered, based on national law; or | (a) may not be registered, based on national law; or |
| (b) may be registered or reserved only under a second level domain by the Member States. These domain names must be limited to broadly-recognised geographical and/or geopolitical terms which affect the Member States' political or territorial organisation. | (b) may be registered or reserved only at second level domain by the Member States. These domain names shall be limited to broadly-recognised geographical and/or geopolitical terms which affect the Member States' political or territorial organisation. | (b) may be registered or reserved only under at a the second level domain by the Member States. These domain names must be limited to broadly-recognised geographical and/or geopolitical terms which affect the Member States' political or territorial organisation. | 3(b) may be registered or reserved only at the second level by the Member States. These domain names must be limited to broadly-recognised geographical and/or geopolitical terms which affect the Member States' political or territorial organisation. |
| 4. The Commission shall adopt the lists notified by the Member States by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17(2). | 4. The Commission shall adopt the lists notified by the Member States by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17(2). | 4. The Commission shall adopt the lists notified by the Member States by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17(2). | 4. The Commission shall adopt the lists notified by the Member States by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17(2). |
| <i>Article 7</i> | <i>Article 7</i> | <i>Article 7</i> | <i>Article 7</i> |
| Registrars | Registrars | Registrars | Registrars |
| 1. The Registry shall accredit registrars in accordance with reasonable, transparent and non-discriminatory accreditation procedures, which have been approved in advance by the Commission. The Registry shall make the accreditation | 1. The Registry shall accredit registrars in accordance with reasonable, transparent and non-discriminatory accreditation procedures, which have been approved in advance by the Commission. The Registry shall make | 1. The Registry shall accredit registrars in accordance with reasonable, transparent and non-discriminatory accreditation procedures, which have been approved in advance by the Commission. The Registry shall make | 1. The Registry shall accredit registrars in accordance with reasonable, transparent and non-discriminatory accreditation procedures, which have been approved in advance by the Commission. The Registry shall make the accreditation |

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| procedures publicly available in readily accessible form. | the accreditation procedures publicly available in readily accessible form. | the accreditation procedures publicly available in readily accessible form. | | procedures publicly available in readily accessible form. |
| 2. The Registry shall apply equivalent conditions in equivalent circumstances in relation to the accredited .eu registrars providing equivalent services, and provide them with services and information under the same conditions and of the same quality as provided for its own equivalent services. | 2. The Registry shall apply equivalent conditions in equivalent circumstances in relation to the accredited .eu registrars providing equivalent services, and provide them with services and information under the same conditions and of the same quality as provided for its own equivalent services. | 2. The Registry shall apply equivalent conditions in equivalent circumstances in relation to the accredited .eu registrars providing equivalent services, and provide them with services and information under the same conditions and of the same quality as provided for its own equivalent services. | | 2. The Registry shall apply equivalent conditions in equivalent circumstances in relation to the accredited .eu registrars providing equivalent services, and provide them with services and information under the same conditions and of the same quality as provided for its own equivalent services. |
| <i>Section 2</i> | <i>Section 2</i> | <i>Section 2</i> | | <i>Section 2</i> |
| <i>REGISTRY</i> | <i>REGISTRY</i> | <i>REGISTRY</i> | | <i>REGISTRY</i> |
| <i>Article 8</i> | <i>Article 8</i> | <i>Article 8</i> | | <i>Article 8</i> |
| Designation of the Registry | Designation of the Registry | Designation of the Registry | | Designation of the Registry |
| 1. The Commission shall establish the criteria and the procedure for the designation of the Registry by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17(2). | 1. The Commission shall <i>adopt delegated acts in accordance with Article 17a to supplement this Regulation by establishing</i> the criteria and the procedure for the designation of the Registry, <i>and criteria establishing minimum requirements for circumstances other than</i> those referred to in Article 4, <i>in which the registry is to block, suspend or revoke a domain name, in order to safeguard Union values, such as multilingualism, respect</i> | 1. The Commission shall establish the eligibility and selection criteria and the procedure for the designation of the Registry, including the rules for a call for expression of interests, and a draft contract by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17(2). | | 1.The Commission shall <i>adopt delegated acts in accordance with Article 17a to supplement this Regulation by establishing</i> the eligibility and selection criteria and the procedure for the designation of the Registry 1a. The Commission shall establish <u>the principles to be included in the contract between the Commission and the Registry</u> by means of implementing acts. Those implementing acts shall be adopted in accordance with [the examination procedure referred to in Article 17(2). |

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| | <i>for users' privacy and security, and respect for human rights.</i> | | |
| 2. The Commission shall designate the Registry following the completion of the procedure referred to in paragraph 1. | 2. The Commission shall designate the Registry following the completion of the procedure referred to in paragraph 1. | 2. The Commission shall designate the Registry following the completion of the procedure referred to in paragraph 1. | 2. The Commission shall designate the Registry following the completion of the procedure referred to in paragraph 1. |
| 3. The Commission shall enter into a contract with the designated Registry. The contract shall specify the rules, policies and procedures for the provision of services by the Registry and the conditions according to which the Commission supervises the organisation, administration and management of the.eu TLD by the Registry. The contract shall be limited in time and renewable and shall include the principles and procedures on the functioning of the .eu TLD laid down on the basis of Article 11. | 3. The Commission shall enter into a contract with the designated Registry. The contract shall specify the rules, policies and procedures for the provision of services by the Registry and the conditions according to which the Commission supervises the organisation, administration and management of the.eu TLD by the Registry. The contract shall be limited in time and renewable and shall include the principles and procedures on the functioning of the .eu TLD laid down on the basis of Articles 10 and 11 of this Regulation. | 3. The Commission shall enter into a contract with the designated Registry. The contract shall specify the rules, policies and procedures for the provision of services by the Registry and the conditions according to which the Commission supervises the organisation, administration and management of the.eu TLD by the Registry. The contract shall be limited in time and renewable once and shall include the principles and procedures on the functioning of the .eu TLD laid down on the basis of Article 11. | 3. The Commission shall enter into contract with the designated Registry. The contract shall specify the rules, policies and procedures for the provision of services by the Registry and the conditions according to which the Commission supervises the organisation, administration and management of the.eu TLD by the Registry. The contract shall be limited in time and renewable once without organising a new selection procedure and shall reflect the obligations of the Registry and include the principles and procedures on the functioning of the .eu TLD laid down on the basis of Articles 10 and 11 of this Regulation. |
| 4 By way of derogation from the procedures referred to in paragraphs 1 and 2, on imperative grounds of urgency, the Commission may designate the Registry by means of immediately applicable implementing acts in accordance with the procedure referred to in Article 17(3). | 4 By way of derogation from the procedures referred to in paragraphs 1 and 2, on imperative grounds of urgency, the Commission may designate the Registry by means of immediately applicable implementing acts in accordance with the procedure referred to in Article 17(3). | 4 By way of derogation from the procedures referred to in paragraphs 1 and 2, on imperative grounds of urgency, the Commission may designate the Registry by means of immediately applicable implementing acts in accordance with the procedure referred to in Article 17(3). | 4 By way of derogation from the procedures referred to in paragraphs 1 and 2, on imperative grounds of urgency, the Commission may designate the Registry by means of immediately applicable implementing acts in accordance with the procedure referred to in Article 17(3). |

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| <i>Article 9</i> | <i>Article 9</i> | <i>Article 9</i> | | <i>Article 9</i> |
| Characteristics of the Registry | Characteristics of the Registry | Characteristics of the Registry | | Characteristics of the Registry |
| 1. The Registry shall have its registered office, central administration and principal place of business within the territory of the Union. | 1. The Registry shall have its registered office, central administration and principal place of business within the territory of the Union. | 1. The Registry shall be a non-profit organisation having its registered office, central administration and principal place of business within the territory of the Union. | | 1. The Registry shall be a non-profit organisation having its registered office, central administration and principal place of business within the territory of the Union. |
| 2. The Registry may impose fees directly related to costs incurred, in so far as authorised by the contract concluded pursuant to Article 8 (3). | 2. The Registry may impose fees directly related to costs incurred, in so far as authorised by the contract concluded pursuant to Article 8 (3). | 2. The Registry may impose fees directly related to costs incurred, in so far as authorised by the contract concluded pursuant to Article 8 (3). Those fees shall be directly related to the costs incurred. | | 2. The Registry may impose fees directly related to costs incurred, in so far as authorised by the contract concluded pursuant to Article 8 (3). Those fees shall be directly related to the costs incurred. |
| <i>Article 10</i> | <i>Article 10</i> | <i>Article 10</i> | | <i>Article 10</i> |
| Obligations of the Registry | Obligations of the Registry | Obligations of the Registry | | Obligations of the Registry |
| The Registry shall: | The Registry shall: | The Registry shall: | | The Registry shall: |
| | <i>(-a) promote the .eu TLD across the Union and in third countries in order to ensure its competitiveness;</i> | | | <i>(-a) promote the .eu TLD across the Union and in third countries;</i> |
| (a) observe the rules, policies and procedures laid down in this Regulation and the contract referred to in Article 8 (3); | (a) observe the rules, policies and procedures laid down in this Regulation and the contract referred to in Article 8 (3), and in particular Union data protection law ;; | (a) observe the rules, policies and procedures laid down in this Regulation and the contract referred to in Article 8 (3); | | (a) observe the rules, policies and procedures laid down in this Regulation and the contract referred to in Article 8 (3) and in particular Union data protection law ; |

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| (b) organise, administer and manage the .eu TLD in the general interest and on the basis of principles of quality, efficiency, reliability, transparency, accessibility and non-discrimination and by ensuring fair conditions of competition; | (b) organise, administer and manage the .eu TLD in the general public interest and on the basis of principles of quality, efficiency, reliability, transparency, accessibility and non-discrimination and by ensuring fair conditions of competition; | (b) organise, administer and manage the .eu TLD in the general interest and on the basis of principles of quality, efficiency, reliability, security, stability, transparency, accessibility and non-discrimination and by ensuring fair conditions of competition; | (b) organise, administer and manage the .eu TLD in the general public interest and ensure in all aspects of the administration and management of the .eu TLD, high quality, transparency, security, stability, predictability, reliability, accessibility, efficiency, non-discrimination fair conditions of competition and the application of consumer protection measures for a .eu TLD name; |
| | <i>(b a) in all aspects of the administration and management of the .eu TLD, ensure high quality, transparency, predictability, reliability, accessibility, efficiency, non-discrimination fair conditions of competition and the application of consumer protection measures for a .eu TLD name;</i> <i>Moved to (b)</i> | | |
| (c) enter into an appropriate contract providing for the delegation of the .eu TLD code, subject to prior consent of the Commission; | (c) enter into an appropriate contract providing for the delegation of the .eu TLD code, subject to prior consent of the Commission; | (c) enter into an appropriate contract providing for the delegation of the .eu TLD code, subject to prior consent of the Commission; | (c) enter into an appropriate contract providing for the delegation of the .eu TLD code, subject to prior consent of the Commission; |
| (d) perform the registration of domain names in the .eu TLD where requested by any eligible party referred to in Article 3; | (d) perform the registration of domain names in the .eu TLD where requested by any eligible party referred to in Article 3; | (d) perform the registration of domain names in the .eu TLD where requested by any eligible party referred to in Article 3; | (d) perform the registration of domain names in the .eu TLD where requested by any eligible party referred to in Article 3; |
| (e) ensure, without prejudice to any court proceedings and subject to adequate procedural guarantees for the parties | (e) ensure, without prejudice to any court proceedings and subject to adequate procedural guarantees for the parties | (e) ensure, without prejudice to any court proceedings and subject to adequate procedural guarantees for the parties | (e) ensure, without prejudice to any court proceedings and subject to adequate procedural guarantees for the parties |

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| concerned, the possibility for Registrars and registrants to bring any contractual dispute with the Registry to an Alternative Dispute Resolution (ADR) body; | concerned, the possibility for Registrars and registrants to bring any contractual dispute with the Registry to an Alternative Dispute Resolution (ADR) body; | concerned, the possibility for Registrars and registrants to bring any contractual dispute with the Registry to an Alternative Dispute Resolution (ADR) body; | | concerned, the possibility for Registrars and registrants to bring any contractual dispute with the Registry to an Alternative Dispute Resolution (ADR) body; |
| (f) ensure the availability and authenticity of the databases of domain names; | (f) ensure the availability and authenticity of the databases of domain names; | (f) ensure the availability and integrity authenticity of the databases of domain names; | | (f) ensure the availability and integrity authenticity of the databases of domain names; |
| (g) enter into an agreement, at its own expenses and with the consent of the Commission, with a reputable trustee or other escrow agent established within the territory of the Union designating the Commission as the beneficiary of the escrow agreement and submit to the respective trustee or escrow agent, on a daily basis, an electronic copy of the content of the .eu TLD database; | (g) enter into an agreement, at its own expenses and with the consent of the Commission, with a reputable trustee or other escrow agent established within the territory of the Union designating the Commission as the beneficiary of the escrow agreement and submit to the respective trustee or escrow agent, on a daily basis, an electronic copy of the content of the .eu TLD database; | (g) enter into an agreement, at its own expenses and with the consent of the Commission, with a reputable trustee or other escrow agent established within the territory of the Union designating the Commission as the beneficiary of the escrow agreement and submit to the respective trustee or escrow agent, on a daily basis, an up-to-date electronic copy of the content of the .eu TLD database; | | (g) enter into an agreement, at its own expenses and with the consent of the Commission, with a reputable trustee or other escrow agent established within the territory of the Union designating the Commission as the beneficiary of the escrow agreement and submit to the respective trustee or escrow agent, on a daily basis, an up-to-date electronic copy of the content of the .eu TLD database; |
| (h) implement the lists referred to in Article 6 (3); | (h) implement the lists referred to in Article 6 (3); | (h) implement the lists referred to in Article 6 (3); | | (h) implement the lists referred to in Article 6 (3); |
| (i) promote the objectives of the Union in the field of internet governance; | (i) promote the objectives of the Union in the field of internet governance <i>inter alia by participating in international fora</i> ; | (i) promote the objectives of the Union in the field of internet governance; | | (i) promote the objectives of the Union in the field of internet governance <i>inter alia by participating in international fora</i> ; |
| (j) publish the principles and procedures on the functioning of the .eu TLD laid down on the basis of Article 11 in all official languages of the Union; | (j) publish the principles and procedures on the functioning of the .eu TLD laid down on the basis of Article 11 in all official languages of the Union; | (j) publish the principles and procedures on the functioning of the .eu TLD laid down on the basis of Article 11 in all official languages of the Union; | | (j) publish the principles and procedures on the functioning of the .eu TLD laid down on the basis of Article 11 in all official languages of the Union; |

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| (k) undertake an audit by an independent body at its own expense and at least every two years to certify compliance with the present Regulation and send the outcome to the Commission; | (k) undertake an audit by an independent body at its own expense and at least every two years to certify compliance with <i>this</i> Regulation and send the outcome to the Commission; | (k) undertake an audit by an independent body at its own expense and at least every two years to certify compliance with the present Regulation and send the outcome to the Commission; | (k) undertake an audit by an independent body at its own expense and at least every two years to certify compliance with <i>this</i> Regulation and send the outcome to the Commission; |
| (l) participate, at the request of the Commission, in the work of the .eu Multistakeholder Council and cooperate with the Commission for improving the functioning and management of the .eu TLD. | (l) participate, at the request of the Commission, in the work of the .eu Multistakeholder Council and cooperate with the Commission for improving the functioning and management of the .eu TLD. | (l) participate, at the request of the Commission, in the work of the .eu Multistakeholder Council Group and cooperate with the Commission for improving the functioning and management of the .eu TLD. | (l) participate, at the request of the Commission, in the work of the .eu Multistakeholder Advisory Group and cooperate with the Commission for improving the functioning and management of the .eu TLD. |
| <i>Article 11</i> | <i>Article 11</i> | <i>Article 11</i> | <i>Article 11</i> |
| Principles and procedures on the functioning of the .eu TLD | Principles and procedures on the functioning of the .eu TLD | Principles and procedures on the functioning of the .eu TLD | Principles and procedures on the functioning of the .eu TLD |
| The contract, concluded between the Commission and the designated Registry in accordance with Article 8 (3), shall contain the principles and procedures concerning the functioning of the .eu TLD, in compliance with this Regulation, including the following: | <i>1.</i> The contract, concluded between the Commission and the designated Registry in accordance with Article 8(3), shall contain the principles and procedures concerning the functioning of the .eu TLD, in compliance with this Regulation, including the following: | The contract, concluded between the Commission and the designated Registry in accordance with Article 8 (3), shall contain the principles and procedures concerning the functioning of the .eu TLD, in compliance with this Regulation, including the following: | The contract, concluded between the Commission and the designated Registry in accordance with Article 8 (3), shall contain the principles and procedures concerning the functioning of the .eu TLD, in compliance with this Regulation, including the following: |
| (a) an ADR policy; | (a) an ADR policy; | (a) an ADR policy; | (a) an ADR policy; |
| (b) requirements and procedures for registration requests, policy on verification of registrants data and speculative registration of domain names; | (b) requirements and procedures for registration requests, <i>systems for verification that the criterion for registration are fulfilled, including verification of the identity of registrants,</i> | (b) requirements and procedures for registration requests, policy on verification of registrants data and speculative registration of domain names; | (b) requirements and procedures for registration requests, <u>policy on verification of registration criteria,</u> policy on verification of registrants data and speculative registration of domain names; |

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| | data and speculative registration of domain names; | | | |
| (c) policy on abusive registration of domain names; | (c) policy on abusive registration of domain names; | (c) policy on abusive registration of domain names; | | (c) policy on abusive registration of domain names and policy on timely identification of domains registered and used in bad faith referred to in Article 4; |
| (d) policy on revocation of domain names; | (d) policy on revocation of domain names; | (d) policy on revocation of domain names; | | (d) policy on revocation of domain names; |
| (e) treatment of intellectual property rights; | (e) treatment of intellectual property rights; | (e) treatment of intellectual property rights; | | (e) treatment of intellectual property rights; |
| (f) measures aimed at enabling competent authorities to have access to the data in the Registry for the purposes of prevention, detection, investigation and prosecution of crime, as provided by Union or national law; | (f) measures aimed at enabling competent authorities to have access to the data in the Registry for the purposes of prevention, detection, investigation and prosecution of crime, as provided by Union or national law <i>subject to the appropriate checks and balances;</i> | (f) measures aimed at enabling competent authorities to have access to the data in the Registry for the purposes of prevention, detection, investigation and prosecution of crime, as provided by Union or national law; | | (f) measures aimed at enabling competent authorities to have access to the data in the Registry for the purposes of prevention, detection, investigation and prosecution of crime, as provided by Union <i>law</i> or national law <i>that complies with Union law, subject to the appropriate checks and balances;</i> |
| (g) detailed procedures to amend the contract. | (g) detailed procedures to amend the contract. | (g) detailed procedures to amend the contract. | | (g) detailed procedures to amend the contract. |
| | <i>1a. However, measures as referred to in point (f) of paragraph 1, provided for by national law, shall not be applied if they are relevant for the purpose of an implementing act or a Council decision adopted pursuant to Article 5 of Regulation .../... [on the protection of the Union's budget in case of</i> | | | |

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| | <i>generalised deficiencies as regards the rule of law in the Member States, 2018/0136 (COD)]. That measure may be used based on a final court decision or other final administrative action.</i> | | |
| <i>Article 12</i> | <i>Article 12</i> | <i>Article 12</i> | <i>Article 12</i> |
| WHOIS database | WHOIS database | WHOIS database | WHOIS database |
| 1. The Registry shall set up and manage a WHOIS database facility for the purpose of providing accurate and up to date registration information about the domain names under the .eu TLD. | 1. The Registry shall set up and <i>with due diligence</i> manage a WHOIS database facility for the purpose of providing accurate and up to date registration information about the domain names under the .eu TLD. | 1. The Registry shall set up and manage a WHOIS database facility for the purpose of ensuring transparency by providing accurate and up to date registration information about the domain names under the .eu TLD. | 1. The Registry shall set up and <i>with due diligence</i> manage a WHOIS database facility for the purpose of <u>ensuring the security, stability and resilience of the .eu Top Level Domain</u> by providing accurate and up to date registration information about the domain names under the .eu TLD. |
| 2. The WHOIS database shall contain relevant information, which is not excessive in relation to the purpose of the database, about the points of contact administering the domain names under the .eu TLD and the holders of the domain names. Where the domain name holder is a natural person, the information that is to be made publicly available shall be subject to the domain name holder's consent within the meaning of Regulation 2016/679. | 2. The WHOIS database shall contain relevant information, <i>in accordance with Regulation (EU) 2016/679. In particular, the information collected shall not be</i> excessive in relation to the purpose of the database, about the points of contact administering the domain names under the .eu TLD and the holders of the domain names. Where the domain name holder is a natural person, the information that is to be made publicly available shall be subject to the domain name holder's consent within the meaning of Regulation 2016/679. | 2. The WHOIS database shall contain relevant information, which is not excessive in relation to the purpose of the database, about the points of contact administering the domain names under the .eu TLD and the holders of the domain names. Where the domain name holder is a natural person such information relates to an identified or identifiable natural person , the information that is to be made publicly available shall be subject to the domain name holder's data subject's consent within the meaning of Regulation 2016/679. | 2. The WHOIS database shall contain relevant information, which is not excessive in relation to the purpose of the database, about the points of contact administering the domain names under the .eu TLD and the holders of the domain names, in full compliance with Regulation 2016/679. |

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| <i>Section 3</i> | <i>Section 3</i> | <i>Section 3</i> | | <i>Section 3</i> |
| <i>OVERSIGHT OF THE REGISTRY</i> | <i>OVERSIGHT OF THE REGISTRY</i> | <i>OVERSIGHT OF THE REGISTRY</i> | | <i>OVERSIGHT OF THE REGISTRY</i> |
| <i>Article 13</i> | <i>Article 13</i> | <i>Article 13</i> | | <i>Article 13</i> |
| Supervision | Supervision | Supervision | | Supervision |
| 1. The Commission shall monitor and supervise the organisation, administration and management of the .eu TLD by the Registry. | 1. The Commission shall monitor and supervise the organisation, administration and management of the .eu TLD by the Registry. | 1. The Commission shall monitor and supervise the organisation, administration and management of the .eu TLD by the Registry. | | 1. The Commission shall monitor and supervise the organisation, administration and management of the .eu TLD by the Registry. |
| 2. The Commission shall ascertain the soundness of financial management, the compliance with the Regulation and with the principles and procedures on the functioning of the .eu TLD referred to in Article 11 by the Registry and may request information for that purpose. | 2. The Commission shall ascertain the soundness of financial management, the compliance with the Regulation and with the principles and procedures on the functioning of the .eu TLD referred to in Article 11 by the Registry and may request information for that purpose. | 2. The Commission shall ascertain the soundness of financial management, the compliance with the Regulation and with the principles and procedures on the functioning of the .eu TLD referred to in Article 11 by the Registry and may request information for that purpose. | | 2. The Commission shall ascertain the soundness of financial management, the compliance with the Regulation and with the principles and procedures on the functioning of the .eu TLD referred to in Article 11 by the Registry and may request information for that purpose. |
| 3. In accordance with its supervisory activities, the Commission may convey specific instructions to the Registry for correcting and/or improving the organisation, administration and management of the .eu TLD. | 3. In accordance with its supervisory activities, the Commission may convey specific instructions to the Registry for correcting and/or improving the organisation, administration and management of the .eu TLD. | 3. In accordance with its supervisory activities, the Commission may convey specific instructions to the Registry for correcting and/or improving the organisation, administration and management of the .eu TLD. | | 3. In accordance with its supervisory activities, the Commission may convey specific instructions to the Registry for correcting and/or improving the organisation, administration and management of the .eu TLD. |
| 4. The Commission may, as appropriate, consult stakeholders and seek expert advice on the results of the supervisory activities provided in this Article and on ways to improve the | 4. The Commission may, as appropriate, consult <i>the .eu Multistakeholder Advisory Group and other</i> stakeholders and seek expert advice on the results of the supervisory | 4. The Commission may, as appropriate, consult the relevant stakeholders and seek expert advice on the results of the supervisory activities provided in this Article and on ways to | | 4. The Commission may, as appropriate, consult <i>the .eu Multistakeholder Advisory Group and other relevant</i> stakeholders and seek expert advice on the results of the supervisory |

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| organisation, administration and management of the .eu TLD by the Registry. | activities provided in this Article and on ways to improve the organisation, administration and management of the .eu TLD by the Registry. | improve the organisation, administration and management of the .eu TLD by the Registry. | | activities provided in this Article and on ways to improve the organisation, administration and management of the .eu TLD by the Registry. |
| <i>Article 14</i> | <i>Article 14</i> | <i>Article 14</i> | | <i>Article 14</i> |
| .eu Multistakeholder Council | .eu Multistakeholder Advisory Group | .eu Multistakeholder Council Group | | .eu Multistakeholder Advisory Group |
| 1. A .eu Multistakeholder Council shall be established to advise the Commission on the implementation of the present Regulation. | 1. A .eu Multistakeholder Advisory Group shall be established to advise the Commission on the implementation of <i>this</i> Regulation. <i>The Commission shall take account of any advice and recommendations provided by the .eu Multistakeholder Advisory Group in implementing all aspects of this Regulation.</i> | 1. The Commission shall establish a .eu Multistakeholder Council Group shall be established to advise the Commission on the implementation of the present Regulation. which shall have the following tasks: | | 1. The Commission shall establish a .eu Multistakeholder Advisory Group which shall have the following tasks: |
| | | (a) assist and advise the Commission in the implementation of the present Regulation; | | (a) advise the Commission in the implementation of the present Regulation; |
| | | (b) issue opinions to the Commission on strategic matters of management, organisation and administration of the .eu TLD; | | (b) issue opinions to the Commission on strategic matters of management, organisation and administration of the .eu TLD, <i>including issues related to cybersecurity and data protection;</i> |

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| | | (c) advise the Commission on matters of monitoring and supervision of the Registry. | (c) advise the Commission on matters of monitoring and supervision of the Registry, <i>in particular with regard to the audit referred to in point (k) of Article 10;</i> |
| | <p><i>(c a) advise the Commission on best practices as regards policies and measures enabling the Commission to identify and, where necessary, take appropriate actions against domain names registered by its holder without rights or legitimate interest in the name, domain names being used in bad faith, including on cooperation with law enforcement agencies and CERTs.</i></p> <p><i>New Recital (16bis):</i></p> <p><i>In order to timely identify domains registered and used in bad faith referred to in Article 4 of this Regulation, e.g. by undermining public security or public order by means of disinformation, the Registry should cooperate with law enforcement agencies and other public bodies relevant to cybersecurity and information security, such as national Computer Emergency Response Teams (CERTs). Such cooperation should include, inter alia, measures to facilitate information exchange. To this end and with regard to the best practice, the Registry should consult the Commission</i></p> | | <p><i>(c a) advise the Commission on best practices as regards policies and measures enabling the Commission to identify and, where necessary, take appropriate actions against abusive registrations of domain names, in particular registrations without rights or legitimate interests and bad faith usage being used in bad faith, registered by its holder without rights or legitimate interest in the name, domain names being used in bad faith, including on cooperation with law enforcement agencies and CERTs.</i></p> |

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| | <i>and other relevant public and private stakeholders.</i> | | |
| | | | <i>1a. The Commission shall take account of any advice and recommendations provided by the .eu Multistakeholder Advisory Group in implementing all aspects of this Regulation.</i> |
| 2. The .eu Multistakeholder Council shall be composed of representatives drawn from the private sector, the technical community, Member States and international organisations, civil society and academia and appointed by the Commission on the basis of an open and transparent procedure. | 2. The .eu Multistakeholder Advisory Group shall be composed of representatives drawn from the private sector, the technical community, Member States and <i>from</i> international organisations, civil society and academia and appointed by the Commission on the basis of an open and transparent procedure, <i>taking utmost account the principle of gender equality.</i> | 2. The .eu Multistakeholder Council Group shall be composed of representatives from stakeholders established in the European Union drawn from the private sector, the technical community, the Member States and international organisations, civil society and academia and appointed by the Commission on the basis of an open, non-discriminatory and transparent procedure. The .eu Multistakeholder Group may invite stakeholders established outside the Union to its meetings, on a case-by-case basis. | Com to redraft especially the second para. 2. <u>The .eu Multistakeholder Advisory Group shall be composed of representatives from stakeholders established in the European Union</u> drawn from the private sector, the technical community, civil society and academia, as well as from Representatives other than those of Member States' authorities and from international organisations. Members other than Member States' authorities and international organisations shall be and appointed by the Commission on the basis of an open, non-discriminatory and transparent procedure, <i>taking utmost account the principle of gender equality.</i> The .eu Multistakeholder <u>Advisory Group</u> may include no more than one representative of stakeholders established outside the Union. |
| 3. The .eu Multistakeholder Council shall have the following tasks: | 3. The .eu Multistakeholder Advisory Group shall have the following tasks: | 3. The .eu Multistakeholder Council shall have the following tasks: <i>Moved to Paragraph 1.</i> | |

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| (a) assist and advise the Commission in the implementation of the present Regulation; | (a) assist and advise the Commission in the implementation of the present Regulation; | (a) assist and advise the Commission in the implementation of the present Regulation; | |
| (b) issue opinions on matters of management, organisation and administration of the .eu TLD; | (b) issue opinions on matters of management, organisation and administration of the .eu TLD, including issues related to cybersecurity and data protection ; | (b) issue opinions on matters of management, organisation and administration of the .eu TLD; | |
| (c) advise the Commission on matters of monitoring and supervision of the Registry. | (c) advise the Commission on matters of monitoring and supervision of the Registry, in particular with regard to the audit referred to in point (k) of Article 10. | (c) advise the Commission on matters of monitoring and supervision of the Registry. | |
| | | 4. The .eu Multistakeholder Group shall be chaired by a representative of the Commission or by a person appointed by the Commission. The Commission shall provide secretarial services to the .eu Multistakeholder Group. | 4. The .eu Multistakeholder Advisory Group shall be chaired by a representative of the Commission or by a person appointed by the Commission. The Commission shall provide secretarial services to the .eu Multistakeholder Group. |
| CHAPTER III | CHAPTER III | CHAPTER III | CHAPTER III |
| <i>Final provisions</i> | <i>Final provisions</i> | <i>Final provisions</i> | <i>Final provisions</i> |

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| <i>Article 15</i> | <i>Article 15</i> | <i>Article 15</i> | | <i>Article 15</i> |
| Reservation of rights | Reservation of rights | Reservation of rights | | Reservation of rights |
| The Union retains all rights relating to the .eu TLD including, in particular, intellectual property rights and other rights to the Registry databases required to ensure the implementation of this Regulation and the right to re-designate the Registry. | The Union retains all rights relating to the .eu TLD including, in particular, intellectual property rights and other rights to the Registry databases required to ensure the implementation of this Regulation and the right to re-designate the Registry. | The Union retains all rights relating to the .eu TLD including, in particular, intellectual property rights and other rights to the Registry databases required to ensure the implementation of this Regulation and the right to re-designate the Registry. | | The Union retains all rights relating to the .eu TLD including, in particular, intellectual property rights and other rights to the Registry databases required to ensure the implementation of this Regulation and the right to re-designate the Registry. |
| <i>Article 16</i> | <i>Article 16</i> | <i>Article 16</i> | | <i>Article 16</i> |
| Evaluation and review | Evaluation and review | Evaluation and review | | Evaluation and review |
| 1. No later than five years after the date of application of this Regulation, and each three years thereafter, the Commission shall assess the implementation, effectiveness and functioning of the .eu TLD. | 1. No later than <i>three</i> years after the date of application of this Regulation, and each three years thereafter, the Commission shall assess the implementation, effectiveness and functioning of the .eu TLD, <i>based in particular on the information submitted by the Registry pursuant to point (k) of Article 10.</i> | 1. No later than five years after the date of application of this Regulation, and each three years thereafter, the Commission shall assess the implementation, effectiveness and functioning of the .eu TLD. | | 1. No later than five years after the date of application of this Regulation, and each three years thereafter, the Commission shall assess the implementation, effectiveness and functioning of the .eu TLD, <i>based in particular on the information submitted by the Registry pursuant to point (k) of Article 10.</i> |
| | <i>1 a. The Commission shall, by ... [insert date three years after the date of application of this Regulation], assess the role of this Regulation in preventing cybersquatting and providing simple administrative procedures, in particular for SMEs. It shall also assess the</i> | | | <u>(5 a) The Commission should promote the cooperation between the Registry and the European Union Intellectual Property Office (EUIPO) and other Union agencies with the objective to fight speculative and abusive registrations of domain names, including cybersquatting, and provide</u> |

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| | <i>potential role of EUIPO and other Union agencies in the registration of .eu TLD names and, if appropriate, take appropriate action such as, proposing appropriate legislative measures.</i> | | <p><u>simple administrative procedures, in particular for SMEs.</u></p> <p><u>1.a The Commission shall assess by [June 2020], also taking into account current practice, whether and how the Registry may cooperate with the European Union Intellectual Property Office (EUIPO) and/or other Union agencies with a view to fight against speculative and abusive registrations of domain names and provide simple administrative procedures, in particular for SMEs, and, where necessary, take action. and, propose, if necessary, further measures in this regard.</u></p> |
| | | | <p>1b. No later than [two years after the date of application of this Regulation] The Commission shall assess the possibility of extending the eligibility criteria set out in Article 9 and, if appropriate, the Commission may present a legislative proposal.</p> |
| 2. The Commission shall submit a report to the European Parliament and the Council on the findings of the assessment referred to in paragraph 1. | 2. The Commission shall submit a report to the European Parliament and the Council on the findings of the assessment referred to in <i>paragraphs 1 and 1a, accompanied, if necessary, by appropriate legislative proposals.</i> | 2. The Commission shall submit a report to the European Parliament and the Council on the findings of the assessment referred to in paragraph 1. | 2. The Commission shall submit a report to the European Parliament and the Council on the findings of the assessment referred to in <i>paragraphs 1 and 1a</i> |

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| <i>Article 17</i> | <i>Article 17</i> | <i>Article 17</i> | | <i>Article 17</i> |
| Committee procedure | Committee procedure | Committee procedure | | Committee procedure |
| 1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011. | 1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011. | 1. The Commission shall be assisted by at the Communications committee (COCOM)_established by [../..] . That committee shall be is a committee within the meaning of Regulation (EU) No 182/2011. | | 1. The Commission shall be assisted by at the Communications committee (COCOM)_established by [../..] . That committee shall be is a committee within the meaning of Regulation (EU) No 182/2011. |
| 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. | 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. | 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. | | 2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply. |
| 3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply. | 3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply. | 3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply. | | 3. Where reference is made to this paragraph, Article 8 of Regulation (EU) No 182/2011, in conjunction with Article 5 thereof, shall apply. |
| | <i>Article 17a</i> | | | <i>Article 17a</i> |
| | <i>Exercise of the delegation</i> | | | <i>Exercise of the delegation</i> |
| | <i>1. The power to adopt a delegated act referred to in Article 8(1) is conferred on the Commission subject to the conditions laid down in this Article.</i> | | | <i>1. The power to adopt a delegated act referred to in Article 8(1) is conferred on the Commission subject to the conditions laid down in this Article.</i> |
| | <i>2. The power to adopt delegated acts referred to in Article 8(1) shall be conferred on the Commission for a period of five years from ... [the date of entry in to force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of</i> | | | <i>2. The power to adopt delegated acts referred to in Article 8(1) shall be conferred on the Commission for a period of five years from ... [the date of entry in to force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be</i> |

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| | <i>the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i> | | <i>tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</i> |
| | <i>3. The delegation of power referred to in Article 8(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</i> | | <i>3. The delegation of power referred to in Article 8(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.</i> |
| | <i>4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making.</i> | | <i>4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Inter-institutional Agreement of 13 April 2016 on Better Law-Making.</i> |
| | <i>5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</i> | | <i>5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.</i> |
| | <i>6. A delegated act adopted pursuant to Article 8(1) shall enter into</i> | | <i>6. A delegated act adopted pursuant to Article 8(1) shall enter into force only if</i> |

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| | <i>force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.</i> | | <i>no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.</i> |
| <i>Article 18</i> | <i>Article 18</i> | <i>Article 18</i> | <i>Article 18</i> |
| Transitional provisions | Transitional provisions | Transitional provisions | Transitional provisions |
| 1. Domain name holders that have domain names registered pursuant to point (b) of Article 4 (2) of Regulation (EC) No 733/2002 shall retain the rights on the existing registered domain names under the .eu TLD. | 1. Domain name holders that have domain names registered pursuant to point (b) of Article 4 (2) of Regulation (EC) No 733/2002 shall retain the rights on the existing registered domain names under the .eu TLD. | 1. Domain name holders that have domain names registered pursuant to point (b) of Article 4 (2) of Regulation (EC) No 733/2002 shall retain the rights on the existing registered domain names under the .eu TLD. | 1. Domain name holders that have domain names registered pursuant to point (b) of Article 4 (2) of Regulation (EC) No 733/2002 shall retain the rights on the existing registered domain names under the .eu TLD. |

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| <p>2. By <i>[date – no later than two years after the entry into force]</i> the Commission shall take the necessary measures to designate and to enter into a contract with the Registry pursuant the present Regulation. The contract shall produce effects as from <i>[date – of the application of present regulation: no later than three years after the entry into force]</i>.</p> | <p>2. By <i>[date – no later than two years after the entry into force]</i> the Commission shall take the necessary measures to designate and to enter into a contract with the Registry pursuant the present Regulation. The contract shall produce effects as from <i>[date – of the application of present regulation: no later than three years after the entry into force]</i>.</p> | <p>2. By <i>[date – no later than two years after the entry into force]</i> the Commission shall take the necessary measures to designate and to enter into a contract with the Registry pursuant the present Regulation. The contract shall produce effects as from <i>[date – of the application of present regulation: no later than three years after the entry into force]</i>.</p> | <p>2. By <u>[12 October 2021]</u> the Commission shall take the necessary measures to designate and to enter into a contract with the Registry pursuant the present Regulation. The contract shall produce effects as from <u>[13 October 2022]</u>.</p> |
| <p>3. The contract concluded between the Commission and the Registry pursuant to point (c) of Article 3 (1) of Regulation (EC) No 733/2002 shall continue to produce effects until <i>[date – minus 1 day of the date of application of present regulation: no later than three years after the entry into force]</i>.</p> | <p>3. The contract concluded between the Commission and the Registry pursuant to point (c) of Article 3 (1) of Regulation (EC) No 733/2002 shall continue to produce effects until <i>[date – minus 1 day of the date of application of present regulation: no later than three years after the entry into force]</i>.</p> | <p>3. The contract concluded between the Commission and the Registry pursuant to point (c) of Article 3 (1) of Regulation (EC) No 733/2002 shall continue to produce effects until <i>[date – minus 1 day of the date of application of present regulation: no later than three years after the entry into force]</i>.</p> | <p>3. The contract concluded between the Commission and the Registry pursuant to point (c) of Article 3 (1) of Regulation (EC) No 733/2002 shall continue to produce effects until <u>[12 October 2022]</u>.</p> |

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| | | | <p>ARTICLE 18a</p> <p><i>Article 18a - Amendment of Regulation (EC) No 733/2002</i></p> <p><i>Article 4 (2), point (b) of Regulation (EC) No 733/2002 is replaced by the following:</i></p> <p><i>‘(b) register domain names in the .eu TLD through any accredited .eu Registrar requested by:</i></p> <p><i>(i) a Union citizen, independently of their place of residence; or</i></p> <p><i>(ii) a natural person who is not a Union citizen and who is resident of a Member State; or</i></p> <p><i>(iii) an undertaking established within the Union; or</i></p> <p><i>(iv) an organisation established within the Union without prejudice to the application of national law.’.</i></p> |
| <i>Article 19</i> | <i>Article 19</i> | <i>Article 19</i> | <i>Article 19</i> |
| Repeal | Repeal | Repeal | Repeal |

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| Regulation (EC) No 733/2002 and Commission Regulation (EC) No 874/2004 are repealed with effect from <i>[date – of the application of present regulation: no later than three years after the entry into force]</i> . | Regulation (EC) No 733/2002 and Commission Regulation (EC) No 874/2004 are repealed with effect from <i>[date – of the application of present regulation: no later than three years after the entry into force]</i> . | Regulation (EC) No 733/2002 and Commission Regulation (EC) No 874/2004 are repealed with effect from <i>[date – of the application of present regulation: no later than three years after the entry into force]</i> . | Regulation (EC) No 733/2002 and Commission Regulation (EC) No 874/2004 are repealed with effect from <u>[13 October 2022]</u> . |
| <i>Article 20</i> | <i>Article 20</i> | <i>Article 20</i> | <i>Article 20</i> |
| Entry into force | Entry into force | Entry into force | Entry into force |
| This Regulation shall enter into force on the <i>twentieth</i> day following that of its publication in the <i>Official Journal of the European Union</i> . | This Regulation shall enter into force on the <i>twentieth</i> day following that of its publication in the <i>Official Journal of the European Union</i> . | This Regulation shall enter into force on the <i>twentieth</i> day following that of its publication in the <i>Official Journal of the European Union</i> . | This Regulation shall enter into force on the <i>twentieth</i> day following that of its publication in the <i>Official Journal of the European Union</i> . |
| It shall apply from <i>[date – no later than three years after the entry into force]</i> . | It shall apply from <i>[date – no later than three years after the entry into force]</i> . | It shall apply from <i>[date – no later than three years after the entry into force]</i> . | It shall apply from [13 October 2022], except for Article 18a which shall apply from [six months] after the entry into force of this Regulation. |
| This Regulation shall be binding in its entirety and directly applicable in all Member States. | This Regulation shall be binding in its entirety and directly applicable in all Member States. | This Regulation shall be binding in its entirety and directly applicable in all Member States. | This Regulation shall be binding in its entirety and directly applicable in all Member States. |

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| <i>For the European Parliament</i> | <i>For the European Parliament</i> | <i>For the Council</i> | | <i>For the European Parliament</i> |
| <i>The President</i> | <i>The President</i> | <i>The President</i> | | <i>The President</i> |