

New validation procedure for '.dk' domain name registrants Denmark - Hogan Lovells LLP

Domain names

April 21 2015

The Danish domain name registry, [DK Hostmaster A/S](#), has announced that, as of March 1 2015, all registrants of '.dk' domain names are now required to have their name and address data validated, where technically feasible and reasonable.

The validation procedure is a new requirement which the registry has to implement further to the revised Danish Domain Names Act, which came into force in March 2014. The revised act contains the provision that DK Hostmaster must validate, where possible, the WHOIS data of '.dk' domain name registrants. In order to meet this requirement, DK Hostmaster has put in place new processes in the general terms and conditions governing domain name registrations under '.dk'.

For '.dk' domain name registrants who are individuals living in Denmark, name and address WHOIS data will be verified against the Danish Civil Registration Register, which is also referred to as the CPR Register. Should it not be possible for DK Hostmaster to verify an individual's name and address via the CPR Register, an individual may be asked to provide their CPR number to DK Hostmaster for verification. Failure to do so would be grounds for the refusal or cancellation of a domain name registration.

For '.dk' domain name registrants that are businesses based in Denmark, name and address data will be validated via the Danish Central Business Register, known as the CVR/VAT Register. Thus Danish businesses will be required to provide their VAT number at the point of registration to enable the validation process to proceed. Again, failure to provide their VAT number will likely result in the deletion of a domain name registration.

Due to the existence of the CPR and the CVR/VAT Register, this validation and update of WHOIS data will largely be automated and, in most cases, no action will be required by Danish registrants of '.dk' domain names.

However, for registrants of '.dk' domain names that are based outside of Denmark, it is not possible to verify WHOIS contact details against a centralised database. In these cases, registrants will be required to provide up-to-date contact information to DK Hostmaster by updating their Danish domain name portfolio WHOIS data via the DK Hostmaster website.

DK Hostmaster will then validate the details by sending a hard-copy letter to the address details they have provided in the WHOIS. If the letter is returned as undeliverable, this will be grounds for the cancellation of a domain name.

Upon validation of a registrant's contact details, DK Hostmaster will send an email to the registrant of the domain names seeking their confirmation that the WHOIS information provided to the Danish domain name registry is correct and accepting the terms and conditions of the Danish domain name registration agreement.

According to DK Hostmaster, several thousand '.dk' domain name registrants have already been reviewed and the contact details of those registrants that could not be matched against the CPR and CVR/VAT Registers will receive a message from DK Hostmaster requesting them to update their contact information accordingly.

A further point to note is that the Danish domain name registry will anonymise the WHOIS data of individuals who are registrants of '.dk' domain names under certain circumstances. For individuals based in Denmark, they would need to have subscribed to the name and address protection service in the CPR Register to ensure that these details are not displayed in the '.dk' WHOIS database. Likewise, if a Danish individual wishes to mask their telephone number in the WHOIS, they must first ensure that it is not published in any public phone directory.

For individuals who are based outside of Denmark but still wish to have their contact details masked in the WHOIS, they will be required to provide proof to DK Hostmaster that they have the legal right to anonymity in the jurisdiction in which they are based.

The masking of WHOIS data is potentially problematic for brand owners when it comes to enforcement actions. However, the Danish domain name registry does have a data disclosure policy whereby requests may be submitted for the disclosure of an individual's contact details provided there are sufficient legal

grounds for such a request. It is worth noting that, upon receipt of such a request, the registry will forward a copy of the request to the registrant of the domain name.

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