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‘.cat’ now protects private registrants’ personal data
International - Hogan Lovells LLP

Domain names

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The ‘.cat’ registry, [Fundació puntCAT](#), has announced in a [press release](#) that holders of ‘.cat’ domain names who are private individuals may now mask their personal data on the WHOIS.

‘.cat’ is a generic sponsored top-level domain (sTLD) aimed at the Catalan community which was launched seven years ago in February 2006. A sponsored TLD is a specialised TLD that has a sponsor representing a specific community. Other sTLDs include ‘.aero’, ‘.asia’, ‘.coop’, ‘.jobs’, ‘.mobi’, ‘.museum’, ‘.tel’ and ‘.travel’.

In the case of ‘.cat’, anyone who is able to demonstrate a link with the Catalan linguistic and cultural community can register a ‘.cat’ domain name. The ‘.cat’ sTLD has been progressing very steadily over the years and, between January 2012 and January 2013, the number of ‘.cat’ domain names increased by over 17% - at the time of writing, there were over 63,100 domain names registered under ‘.cat’. This can be explained by an extensive and successful promotion relating to ‘.cat’ domain names conducted during the second semester of 2012 by Fundació puntCAT.

‘.cat’ prides itself on being the first and only TLD dedicated to a specific culture and language. With the recent implementation of privacy changes, it now also claims to be "the most privacy-friendly and registrant-oriented within the gTLDs". Private individuals who were holders of ‘.cat’ domain names previously had their data listed on the WHOIS, but as of January 7 2013, this data may now be masked for those who make private use of their domain names. New registrations by private individuals are now masked by default, while holders of previously registered domain names have the option to activate the protection of their data if they so wish. This new service brings the practices of ‘.cat’ into line with the EU data protection regulations relating to private individuals, which European TLDs are obliged to follow. In its press release, the registry indicates that it took several years of negotiations with the [Internet Corporation for Assigned Names and Numbers](#) (ICANN) to achieve this result, as ICANN requires the public availability of all registrants’ data for generic domain names.

It is worth noting that, while some European TLD registries have chosen to keep part of a registrant’s private data on display in the WHOIS, such as the registrant’s email address (eg, [EURid](#) in relation to ‘.eu’ domain names), the registrant’s name (eg, [Nominet](#) in relation to ‘.uk’ domain names or [Registro.it](#) in relation to ‘.it’ domain names), or both the name and email address (eg, [Dominios.es](#) in relation to ‘.es’ domain names), Fundació puntCAT has chosen to mask everything. However, there does not seem to be any clear defined policy on the registry’s website regarding how to deal with infringing domain names registered by private individuals. While, for example, the French registry ([AFNIC](#)) has also opted for the complete masking of the details of private individuals, it has put in place an online form enabling anyone to send a message to the registrant of a particular domain name whose details are masked, as well as a service enabling IP rights holders whose rights are being infringed by a domain name to request the disclosure of the registrant’s details. A similar service is also provided by the ‘.eu’ registry. It therefore remains to be seen whether the ‘.cat’ registry intends to implement a similar process in order to assist IP rights holders.

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