

ANNEX .ES – SPECIAL CONDITIONS FOR THE .ES ccTLD

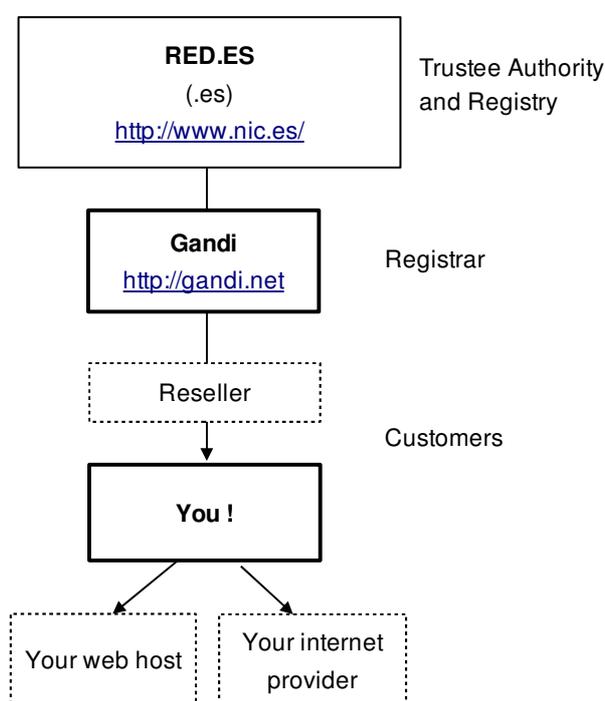
version 1.3 – January the 4th, 2011

In addition to Gandi's [General Terms and Conditions](#) of Domain Name Registration, the registration and use of a .ES domain name implies the acceptance of and compliance to the present special conditions.

All Your legal information and contracts can be viewed at any time via Our [website](#). Capitalized terms have the definition attributed to them in our [General Terms and Conditions](#) of Domain Name Registration. Specifically, "You" refers to the owner of the domain name, and "We" designates Gandi. Your current contracts are freely available for viewing when You log into Your account at <http://www.gandi.net/admin/contracts/>.

Section .ES.1. Trustee Authority and Registry

.ES is the official country code Top-Level-Domain (ccTLD) of Spain. The following diagram presents the various parties involved and the Trustee Authority for the .ES TLD:



You can view the information and special rules of each party involved by clicking on the respective links.

Section .ES.2. Registration terms and conditions

When You apply to register a .ES domain name, You acknowledge that You have fully understood, and that You certify to have full knowledge of and that You agree to abide by all the rules and specific conditions of .ES domain names, as defined by RED.ES, and which may be viewed at the following pages:

- Regulations: <http://www.nic.es/regulations/288>
- Instruction on domain procedures: <http://www.nic.es/instruction-domain-procedures/article/291>
- FAQ and procedures: <https://www.nic.es/-your--es-domains/259>
- Manuals: <http://www.nic.es/manuals/article/270>

These contracts are binding between You and the .ES Registry. The special conditions contained herein do not replace these Rules, but rather form part of them. You acknowledge to have fully understood and accepted these Rules on Our Website.

Section .ES.3. Special requirements

.ES special requirements are available at: <http://www.gandi.net/domain/es/info>

.ES domains are open to all, if You have interests in or ties with Spain ("[Instruction on domain procedures](#)" chapter II-10).

To register for a .ES domain name, You must abide by the following restrictions and conditions:

- the registration term is 1, 2, 3, 4, 5 or 10 years;
- to avoid any deletion of the domain name, the renewal must be paid and funds cleared **no later than 7 days before the Expiration date**;
- provide and maintain accurate, reliable and up-to-date personal contact information, failing the .ES Registry can delete Your domain name;
- proofs of identity can be requested for any Contacts change;
- if You register the domain **as an individual, the administrative and owner contacts must be the same**;
- some names are reserved: <https://www.nic.es/article/index.action?sec=427>;
- if You want to use, for Your domain name, name servers (DNS) that contain the same domain name, You must specify the IP address (glue record).

The Registry reserves the right to delete a domain if the owner has no link with Spain, if the domain name corresponds to a last name other than the name of the owner, or if Your personal data is not complete and/or inaccurate.

In some cases, the Registry RED.ES will send You email:

- to confirm the creation of Your handle,
- to authorize a transfer (change of Registrar),
- to authorize an ownership change.

Section .ES.4. Pricing

Our rates can be viewed at the following page: <http://www.gandi.net/domain/price/detail/es/>

Section .ES.5. Personal data

You accept that .ES Registry can access to Your personal data and display them in a public [Whois](#) database.

The personal data, necessary to request and manage the “.es” domain names, are processed in accordance with Organic Law 15/1999, dated 13 December: the Personal Data Protection Act, “LOPD”:

“Personal data provided by the applicant [You] will be released to the Public Corporate Entity RED.ES, web address www.red.es. Said data's release is necessary in order to execute this contract. The applicant is obligated to maintain this data up-to-date via the established procedure as soon as any changes take effect.

When processing the applicant's personal data, the Entity [the Registry] will observe the stipulations of the Organic Law 15/1999 of December 13 on the Protection of Personal Data, and will continue to adhere to the law as amended. It will not use data for purposes other than those named either in this contract or in the legal stipulations for assigning names for “.es” domains. The applicant is hereby informed that assigning a name to a domain necessarily requires that the applicant's personal data is published in the Register of Names Database of “.es” domains [Whois database], which is accessible to the public over the internet. By signing [accepting] this document, the applicant consents to the release and processing of said data, including the publication of the applicant's personal data in the Register of Names Data Base of “.es” domains.

Data may be accessed and corrected directly on Gandi's website www.gandi.net. Any cancellation or objection to releasing data to RED.ES that must be processed in order to execute this contract may only be exercised in the event that the solicited name is also cancelled.”

Section .ES.6. Dispute resolution policy

The .ES Registry has set forth specific .ES domain name Alternative Dispute Resolution Policy that You agree fully abide by:

- Regulation:
<https://www.nic.es/media/2008-10/1224676486053.pdf>
- Procedure: <http://www.nic.es/procedure/article/1480>
- Dispute Resolution Service Providers:
<https://www.nic.es/proveedores/article/273>
- WIPO:
http://www.wipo.int/amc/en/domains/cctld_db/codes/es.html

The Registry has also set up a specific anti-phishing policy:
<http://www.dominios.es/antiphishing/article/1448>

Section .ES.7. Transfer (change of registrar)

The process is started on Our Interface. The administrative contact will receive an email from the Registry, asking to validate or deny the transfer within 10 days. If You don't valid the transfer within 10 days, it will be cancelled.

The transfer of a .ES domain name does not change the domain's Expiration date. However, in case of a transfer request to Gandi near the Expiration date, Your domain name will be automatically renewed (for 1 year) during the transfer. You accept and You agree to pay the cost of renewal once the transfer completed, failing We will have to delete Your domain name.

Trade (changing the owner during a Registrar transfer) is not available.

Section .ES.8. Ownership Change

The specific rules for ownership changes can be viewed at:
<http://www.nic.es/transfer-procedure/article/267>

Owner changes are **not available on Our Website**. If You wish to change the ownership of a domain name, first please contact Our customer service department. The .ES Registry will send to the current and the new owner an email asking to validate or deny the owner change. If the 2 parties don't valid the owner change within 10 days, it will be cancelled.

Changing the owner of a domain name does not change the Expiration date.

Section .ES.9. Deletion process

6 days before the Expiration date, the domain name is released by Gandi to the Registry. All associated technical services are deactivated.

At this time, the domain name is placed on Quarantine status and can be restored, in accordance with the terms and conditions described on Our website and/or as communicated by Our customer service department. The length of the Quarantine period is 10 calendar days.

If the domain is neither renewed nor restored within these deadlines, the Registry shall delete the domain name, which will become available for registration on a “first come first served” basis.

Section ES.10. Registry's release from Liability

In application of Our accreditation contract with the Registry RED.ES, You acknowledge to have read and accepted the following clause:

“Gandi functions as an intermediary for assigning names to “.es” domains and has the sole and exclusive liability to fulfill the [Registrar's] obligations. In signing [by accepting] this contract, applicants [You] or beneficiaries of “.es” domains declare that they have been informed of this condition and expressly renounce undertaking any action or claim against RED.ES resulting from Gandi acting in breach of its obligations”.

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