

WHOIS Terms and Conditions

1. What is the WHOIS service?

The WHOIS service is a database that provides information about domain names and registrants through public data networks. This ensures the transparency of the Domain Name System (DNS), which functions as an address book, in the eyes of the public. The main purpose of the WHOIS service is to enable interested persons to contact domain name owners if they have any questions or problems, or for other purposes.

According to the WHOIS protocol,¹ the purpose of the WHOIS service is to generate a database that contains information about domains, thus ensuring the fast and efficient collection of information and the secure functioning of the Internet.²

The main purpose of the .ee Domain Register is to ensure the transparency of the .ee Domain Name System by enabling responses to WHOIS enquiries by providing information on domains. The .ee Domain Register provides access to the WHOIS service through the WHOIS protocol (restricted information) or through Rest WHOIS, which uses reCaptcha authentication.

2. Terms and conditions of Use of WHOIS

All information disclosed through the .ee WHOIS service is protected by the rights of the database owner in compliance with the applicable Copyright Act³ and binding international conventions. Copyright Eesti Interneti SA (english Estonian Internet Foundation, hereinafter as "**EIS**"). All rights reserved.

The WHOIS service is accessible only through the accesses created by EIS, the WHOIS protocol (restricted information) or Rest WHOIS in compliance with the terms and conditions of using WHOIS, with the following restrictions:

1. the WHOIS search results may not be used for business, advertising, reproduction, recompilation, redistribution, reuse or any other similar purposes;
2. the WHOIS search results may not be downloaded for the creation of a personal database or used as a backend for a search engine.

In addition, WHOIS search results may not be obscured (partially or completely), hidden or removed. If any of the search results obtained through WHOIS is transferred to a third party, it must be done in its entirety as original information provided by EIS, with reference to the respective source and copyright holder.

The use of the WHOIS service is free of charge and the .ee Domain Register will make its best effort to ensure that the information provided through the WHOIS service is accurate and complete while not guaranteeing its absolute accuracy, and will not be held liable for any possible consequences of using the information. The .ee Domain register may at any time

¹ In particular RFC 812 and RFC 954.

² Further information: <https://www.icann.org/en/system/files/files/whois-recommendation-01dec02-en.pdf>

³ See more here: <https://www.riigiteataja.ee/akt/128122011005?leiaKehtiv>

restrict access to the WHOIS service, as appropriate. If you discover any errors or inaccuracies, please contact Eesti Interneti SA by email info@internet.ee or call 727 1000.

3. Data published through the WHOIS service

Under the .ee Domain Regulation approved by the EIS Supervisory Board on 7 March 2018, the following data is published through the WHOIS service: Names of domain name servers, DNSKEY records, Registrar name, time of domain name registration, time of the last revision of registration data, domain name status and expiry date. Additionally for legal person registrants, their name, commercial registry code, and names and email addresses of their administrative and technical contacts. After the expiry date of a domain name, EIS will also publish through WHOIS the date of deletion of the domain name and any notations concerning prohibition if imposed by a competent authority (for example if the court has prohibited the transfer of the domain to a new owner), in addition to the above information.

This means that the data of the registrant will be published through WHOIS if the registrant is a legal person. As legal persons do not have private life and do not exist in a physical form, personal rights do not apply to them. Therefore, we have decided to publish through WHOIS the name of the legal person, including contact details, which is understood to mean the data of their administrative and technical contacts (who may also be legal persons). As the primary contact points for a domain are the authorised representatives of the registrant, we will also publish the data of such legal persons through WHOIS. It is important to understand that if a domain is registered on behalf of a legal person, the administrative contact for the registrant (i.e. the legal person) is a person authorised in writing (a representative within the meaning of the General Part of the Civil Code Act of the Republic of Estonia) with the right to represent the legal person in all acts related to the domain (normally, such representatives are members of the management board). The technical contact is also an official representative of a legal person in technical issues; for example, where there are problems with the name server records, the technical contact is the person who should be notified.

This means that the administrative and technical contacts represent the legal person registrant of the domain and do not represent their own personal interests. Therefore, the legal person domain registrant must knowingly select contact points, i.e. an official representative (administrative contact) and a technical contact, because the contact data of legal persons (names and email addresses of representatives) is published through WHOIS. Because of this we recommend to use contacts to domain name persons who represent domain name legally as management board members or related persons, who accept and understand the meaning of legally representing domain name of that legal person as administrative or technical contact and who is authorised by the legal person to do so. Also, the data is published with restricted access through Rest WHOIS after reCaptcha authentication of the user. reCaptcha protects the system from spam, robots and bots, and will determine whether or not the user is human.

The .ee Domain register aims to ensure a secure Internet and a transparent DNS service, and a WHOIS service that is as open as possible helps to achieve that goal. This is also the international practice. The public is interested in being informed and receiving information about the official contacts of legal person registrants in order to be able to contact them immediately, if necessary; therefore, the .ee Domain Register must help them do so. For example, where a domain of a legal person has, on its website or by sending emails, violated the rights of third parties (in particular their civil rights which the person must protect independently) or there is another problem with the domain, we can contribute to providing open information and allowing users to contact the legal person registrant efficiently.

It is also important to provide technical information about domains through the WHOIS service (e.g. registration date of domain name; name servers, that are already public in DNS by registering the domain name and making it in public in the zone). The main aim is to ensure

the availability of information about the technical and administrative contacts responsible for the administration of the domain that is as accurate and up to date as possible.

4. Disclosure of the data of legal person registrants of domains

Where the domain registrant is a natural person, that individual's personal data and the data of the administrative and technical contacts (name and email) are hidden by default and will not be published through WHOIS. Like said before, all of the technical data about the domain name is published through WHOIS (see point 3).

Eesti Interneti SA may disclose the data of natural person registrants and their representatives that are hidden in WHOIS to the Estonian Information System Authority (RIA) and the Estonian police for cyber security purposes under the relevant agreement. EIS may also disclose personal data of such natural persons if a court has issued a relevant judgment or order or if the relevant competent authority has a justified legitimate interest in such data.

5. Contacting legal person registrants of domains

In case of problems, the .ee Domain Register enables users to contact natural person registrants whose data are hidden in WHOIS through a special form. Such a solution will contribute to ensuring a transparent internet.

Interested persons can send their message by using a special form on the EIS website. No data of natural person registrants of domains are disclosed on the form. Interested persons must provide their names, email addresses and the content of the message on the form, and EIS will forward the form to the relevant registrant. These data are necessary to inform the domain registrants about who wants to contact them and why. The sender of such a message agrees to the processing of the personal data (name, email address) created by sending the message. EIS will not save the content of the sent email, only the technical information about it will be saved for one week.

EIS will first control and send to the interested person the confirmation letter in order to secure availability of their e-mail address and in the special form the reCaptcha authentication is added. EIS aim is to prevent third parties from abusing the contact form. Registrants can decide whether to respond to interested persons or not; this is beyond the control of EIS. Also, registrants are not obligated to respond and react to the sent e-mail.

In case of any wording misapprehensions between the English and Estonian version, wording in Estonian is superior and legally binding.