



# Telecoms Newsletter Switzerland

## Tender for .ch and .swiss Registry

### 1. New Registry by mid 2017

On March 23, 2015, OFCOM informed that it will launch a public tender beginning of 2016 to find a new registry for the top-level-domain .ch and .swiss. Up to present, the function of the registry has always been performed by SWITCH. The agreement between OFCOM and SWITCH lapsed end of March 2015 and has been prolonged until mid-2017. However, according to the agreement currently in place, SWITCH solely acts as registry and no longer processes end-user applications. In other words, SWITCH no longer offers services of a registrar as it used to. Consequently, all end-users having registered their domain names with SWITCH will have to transfer them to a registrar of their choice. Currently, SWITCH is informing prior to the domain name renewal date that the domain name must be transferred.

### 2. Criteria to be met

The new registry will be selected from the bidders which will best meet the criteria set out in the Ordinance on Internet Domains that entered into force on January 1, 2015. In essence, the Ordinance governs the administration of the .ch and .swiss domain names by the registry and the registrars.

The Ordinance on Internet Domains foresees that the registry has to administer the domain names in an efficient, transparent and non-discriminatory way. It has to employ well qualified persons.

In more details, the tasks of the new registry are the following:

The new registry has to provide its services according to internationally recognized standards and secure the operation of the domain name system. In particular the registry must maintain a journal, administer and update the databases, administer the name server and secure that the zone files (mapping domain names and IP addresses and other resources) are correctly forwarded. The registry has to create and update a WHOIS database.

The registry must also provide a domain name registration and administration system for the benefit of the registrars and provide them with a set of rules and procedures for the registration and administration of the domain names.

The registry will assign and revoke the right of use of a particular domain name and provide a procedure allowing the transfer of a domain names between the registrars. The registry will also establish a dispute resolution procedure.

The registry must have the adequate infrastructure, install security measures, have an adequate information mechanism for the benefit of the registrars in case of disruption and maintain a user-friendly website.

The registry has also to provide a system so that the registrars can publish all necessary information in a standardized way.

The registry has to escrow the data ensuring service availability. It also has to be in a position to block domain names in case of suspicion of a misuse.

### 3. Domain .swiss

The domain .swiss will be available as of fall 2015 (exact date unknown yet). The introduction of the domain .swiss aims to foster the Swiss Community as well as Switzerland's image and other interests. Only persons or entities having their domicile or seat in Switzerland or having a strong link to Switzerland may be assigned a domain name .swiss.

In connection of the .swiss domain, the registry has to maintain a single point of contact where a misuse of the domain name .swiss may be notified and make random checks to verify if the conditions for the assignment of the domain .swiss are met. The registry also has to advertise and foster the domain .swiss.



#### **4. Prices**

The telecommunication act foresees that the registry may be required to submit the prices charged for its services to the OFCOM for approval. It is expected that OFCOM will request approval and have clear views in this regard, focussing and on lowering the end-user price for the registration and administration of domain names.

#### **5. Conclusion**

In the past, OFCOM and SWITCH had different views as to the price calculation, which culminated in a court procedure. This dispute prompted the OFCOM to make a public tender to the registry services. Any company participating in the tender will have to be particularly cautious on the cost side and will have, once appointed as registry, to seek an open communication with OFCOM in order to avoid future disputes.

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