



# Complaints Policy

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## Complaints Handling Policy

### 1. Purpose

The purpose of the Qatar Domains Registry Complaints Handling Policy is to define the types of complaints from Registrants and the general public which are handled by the Qatar Domains Registry and outline the process for successfully dealing with said complaints.

### 2. Caveats

2.1 This Policy will not have any effect in circumstances where the complainant alleges that:

- a) a Domain Name is identical or confusingly similar to a trademark or service mark in which the complainant has rights; and
- b) the Registrant has no rights or legitimate interests in respect of the Domain Name; or
- c) the Domain Name has been Registered and is being used in bad faith.

In such cases the Qatar Domains Registry Domain Name Dispute Resolution Policy, and associated Rules will apply.

2.2 Qatar Domains Registry Policy rules governing Eligibility Requirements for the Domain Name Licences granted by the Qatar Domains Registry are set out in the Domain Name Registration Policy.

2.3 Qatar Domains Registry Policy rules governing Reserved Words are set out in the Domain Name Registration Policy.

2.4 Where a Registrant's Eligibility to hold a Domain Name Licence is questioned, Registrants should be given reasonable opportunity to ensure that the Registrant Information held in the Qatar Domains Registry's Domain Name Registry System is current before any action is taken.

2.5 Registrants are required to enter into a binding Registrant Agreement with the Registrar.

2.6 Accredited Registrars are required to enter into a binding Registry-Registrar Agreement with the Qatar Domains Registry. As such, Registrars are required to have appropriate complaints handling policies as mandated by their Registry-Registrar Agreement with the Qatar Domains Registry to adequately support Registrants and the general public.

2.7 Further disputes may be resolved by the commencement of the Qatar Domains Registry Dispute Resolution Process as outlined in the Qatar Domains Registry Dispute Resolution Policy.

### 3. Qatar Domains Registry's Authority to Handle Complaints

3.1 The Qatar Domains Registry's authority to handle complaints is restricted entirely to matters relating to the Domain Names managed by the Qatar Domains Registry. The Qatar Domains Registry handles:

- a) complaints about Domain Names and Registrants; and
- b) complaints about Domain Name services provided by Accredited Registrars and their Resellers.

3.2 The Qatar Domains Registry shall not investigate or resolve complaints about:

- a) Internet access or email services;
- b) generic Top Level Domains (including but not limited to .com, .net, .biz, .info, etc.) or other country code Top Level Domains (including but not limited to .au, .ae, .uk, etc.);
- c) web hosting, website management or website design services;
- d) illegal or malicious use of a Domain Name, such as spam or phishing;
- e) objectionable or offensive website content; or
- f) possible breaches of other Qatari Government policy.

3.3 The Qatar Domains Registry reserves the right not to acknowledge or investigate a complaint that is frivolous, vexatious or abusive, or in the Qatar Domains Registry's opinion has been brought in bad faith.

#### 4. Types of Complaints

4.1 Eligibility complaints may be raised where it is believed that a Registrant is no longer eligible to hold a Domain Name Licence. For clarity:

- 4.1.1 Eligibility Requirements ensure that Registrants have the correct status to be issued a Domain Name Licence.
- 4.1.2 A Domain Name Licence is a legal contract and as such may only be held by a legal entity and natural person. If the entity that initially registered the Domain Name no longer exists, then the Domain Name Licence is automatically cancelled and the Domain Name must be Deleted. It is not possible for a non-existent Registrant to update Registrant Information or details of its Eligibility as contained in the Domain Name Registry System, or transfer the Domain Name Licence to a third party.
- 4.1.3 It is the responsibility of a Registrant to ensure that it is Eligible to hold a Domain Name Licence, both at the time of Registration, and during the entire Domain Name Licence Period, and that it does not breach any of the Qatar Domains Registry's policies.
- 4.1.4 At the time of Renewal Registrants must confirm that all details as recorded in the Domain Name Registry System including the information relating to their Eligibility to hold a Domain Name Licence is still current. Should this not be the case then the Domain Name Licence must not be Renewed.

- 4.1.5 It is the Qatar Domains Registry's intention that a Registrant must be given a reasonable opportunity to update the Registrant Information pertaining to them and any information regarding their Eligibility, if it is possible to do so, before the Domain Name Licence is cancelled.

#### 4.2 Complaints about Registrars and Resellers

The Qatar Domains Registry's authority to handle complaints with respect to Registrars and Resellers is limited to matters relating to the allocation and management of a Domain Names licensed by the Qatar Domains Registry and the breach of the Registry-Registrar Agreement. This includes complaints about:

- 4.2.1 the Registration or Renewal of a Domain Name;
- 4.2.2 the transfer of the Sponsorship of Domain Name from one Registrar to another Registrar;
- 4.2.3 the transfer of a Domain Name Licence to another Registrant; and
- 4.2.4 a Registrar's breaches of the Registry-Registrar Agreement, or any Qatar Domains Registry Policy.

Depending on the circumstances of a complaint, the Qatar Domains Registry may take one or more of the following actions:

- 4.2.5 order the Registrar or Reseller to amend the practice or procedure that led to the complaint;
- 4.2.6 notify the Registrar that they are in breach of the Registry-Registrar Agreement, or an Qatar Domains Registry Policy, and request them to immediately remedy the breach;
- 4.2.7 refer a complaint to the relevant competent governmental authority;
- 4.2.8 order the Registrar or Reseller to issue the complainant with a full explanation and apology; or
- 4.2.9 order the Registrar or Reseller to remedy their error and/or refund any payment for services not received.

If the Registrar or Reseller involved does not comply with the Qatar Domains Registry's request, the Qatar Domains Registry may:

- 4.2.10 in the case of a Registrar, suspend or terminate the Registrar's Accreditation; and
- 4.2.11 in the case of a Reseller of a Registrar, direct the Registrar to correct the actions of the Reseller or risk being held accountable for said actions.

#### 4.3 Complaints about the contents of the Reserved Words List

The Qatar Domains Registry's authority to handle complaints about Domain Names, words or phrases which should be Reserved Words is limited to:

- 4.3.1 determining the correct competent authority to decide if the Domain Name, word or phrase should be added to the Reserved Words List;
- 4.3.2 adding the Domain Name, word or phrase to the Reserved Words List if it is determined that the Domain Name, word or phrase should be added to the Reserved Words List; and
- 4.3.3 removing a Domain Name, word or phrase from the Reserved Word List if it is determined that the Domain Name, word or phrase should not be on the Reserved Word List.

#### 4.4 Complaints about Website content

- 4.4.1 Any complaints regarding objectionable or offensive Website content should not be referred to Qatar Domains Registry. Such complaints may be directed to the concerned entities in the State of Qatar in accordance with the applicable laws of the State of Qatar. The Qatar Domains Registry shall comply with the applicable laws of the State of Qatar.

#### 4.5 Other complaints

This Policy does not deal with complaints about:

- 4.5.1 The underlying validity of the Registrant's Eligibility, such as whether the Registrant is actually operating a business under their registered business name. These should be taken up with the competent governmental authority;  
or
- 4.5.2 a Registrant's use of their Domain Name, where for example the Domain Name violates or infringes on the rights of another party, such as trade mark rights. These to be handled under the Dispute Resolution Policy, or alternatively the complainant should seek legal advice.

### 5. Complaints Handling Process

- 5.1 All complaints should initially be directed to the Sponsoring Registrar, as found on the publicly available WHOIS Service. The Registrar will then either:

- 5.1.1 immediately report the complaint to the Qatar Domains Registry if the complaint is regarding the Reserved Word List;
- 5.1.2 confirm the details of Registrant Eligibility as contained in the Qatar Domains Registry Domain Name Registry System (for example, check that the Registrant's company, business name or Trade Mark registration is still current).
  - a) If the details of its Eligibility as contained in the Domain Name Registry System are current, the Registrar is not required to take any further action.
  - b) If the details of a Registrant's Eligibility are not contained in the Domain Name Registry System, the Registrar must contact the Registrant and obtain new details as a matter of urgency; if the Registrant cannot provide Eligibility criteria the Registrar is required to request the Domain Name be deleted by the Qatar Domains Registry for failing to meet policy requirements.
- 5.1.3 if the complaint is regarding the actions of the Registrar's Reseller, then the Registrar's own internal complaints process will take effect.
- 5.2 The Qatar Domains Registry will only commence investigation of a complaint should the complainant not be satisfied with the response received from the Sponsoring Registrar in relation to the complaint.
- 5.3 The complainant should maintain and provide as much documentary evidence of the complaint made and responses received from the Sponsoring Registrar, in order to facilitate the process.
- 5.4 The Qatar Domains Registry will acknowledge receipt of the complaint and indicate the timeframe for an expected response. The Qatar Domains Registry will endeavour to resolve the complaint as quickly as possible, however if the complaint is complex it may take several weeks to resolve. If this is the case, the Qatar Domains Registry will keep the complainant informed of the progress.
- 5.5 On receipt of the complaint, the Qatar Domains Registry will request a response from the Registrar involved. The Qatar Domains Registry will investigate the complaint based on the facts provided by both sides. The Qatar Domains Registry may seek further information from either side to assist with its investigation.
- 5.6 After conducting a full investigation, the Qatar Domains Registry will notify the complainant in writing of the outcome.





#### **6. Policy Definition and Review**

This Policy document has been prepared and published in order to represent the Qatar Domains Registry's Policy with regard to the administrative and technical management of the Qatar Domains Registry and the Qatar Domains Registry's Domain Name Registry System.

The Qatar Domains Registry may, at its sole discretion, review and/or amend this Policy at any time. Any amendments shall be post on the official website of Qatar Domains Registry.