

### ANNEX III

#### TEMPLATE FOR THE DOCUMENT ON WHICH THE DOMAIN NAME APPLICANT DECLARES THAT HE OR SHE UNDERSTANDS AND ACCEPTS THE RULES FOR ASSIGNMENT OF THE ".es" DOMAIN NAMES, AUTHORISES THE CESSION OF PERSONAL DATA TO RED.ES FOR THAT PURPOSE AND AUTHORISES THE REGISTRAR TO ACT ON HIS OR HER BEHALF

[.....], as the applicant for the domain name "(.....).es" (hereinafter, "**the Applicant**") hereby declares that:

- He or she authorises the Registrar [.....] (hereinafter, "**the Registrar**") to interact on his or her behalf with RED.ES (hereinafter, "**the Register**" or "**the Assignment Authority**", indistinctly), and to perform any actions required for the assignment and renewal of the domain name "(.....).es" (hereinafter, "**the domain name**"), including the receipt of any notifications.
- He or she authorises the Registrar to act in any actions necessary to pay the corresponding domain name assignment and renewal fees on his or her behalf, and hereby requests that the Registrar do so for the following years.
- The Registrar has informed him or her appropriately and he or she is aware of the applicable regulations and procedures, terms and conditions, fees and payment methods and technical requirements established to register ".es" domain names through an accredited Registrar, and accepts them fully. Specifically, the Applicant declares that he or she understands the regulations, procedures, terms and conditions for registering a ".es" domain name, the content of which is available at: <http://www.nic.es>.
- He or she understands that failure to comply with these regulations, in the cases in which it is so established, shall result in the cancellation of the domain name, making it available for assignment to a legitimate applicant.
- The data provided on this application are correct, except for error or good-faith omission.
- He or she agrees to keep the information provided in this application updated at all times, notifying any changes to the Registrar, who shall notify Red.es whenever there are modifications to any data that must be submitted to the Register. Failure to comply with this obligation may result in the cancellation of the domain name, in accordance with the procedure established for that purpose (for example, when it is impossible to contact the individuals listed as being responsible for the domain name because

changes to the contact data or the individuals responsible have not been notified as established).

- He or she accepts that Red.es, in processing the different actions related to the assignment and management of the domain name, will act taking into account the data indicated by the Applicant on the form specified in the section above.
- He or she understands and accepts that any false data provided on this application may result in the cancellation of the domain name, in accordance with the procedure established for that purpose, and that, in this case, the domain name shall be made available for registration by another legitimate applicant.
- Her or she understands and accepts that, once the Register notifies the Registrar that the domain name may be assigned or renewed, having complied with the requirements established for that purpose, the Registrar, on behalf of the Applicant and within the designated periods of time, is required to pay the fees corresponding to the assignment or, as appropriate, renewal, and that, in the event of failure to make payment or inadequate payment after the designated periods of time, the domain name shall be made available at that time for registration by a legitimate applicant. RED.ES shall not be liable in any way for the consequences of the Registrar's failure to comply with its obligations to the Applicant.
- He or she understands and accepts that the Registrar works as an intermediary in the assignment and management of ".es" domain names, and that it is their sole and exclusive responsibility to comply with the obligations stipulated in the domain name assignment mediation contract. The Applicant is considered to have been informed of this situation and expressly waives the right to any action or claim against RED.ES for the Registrar's failure to comply with their obligations.
- He or she understands and accepts that, in the event of failure to comply with the rules and technical conditions established by the Assignment Authority for the proper functioning of the ".es" domain names system, a registered domain name may be cancelled temporarily or permanently.
- To the best of his or her knowledge, the use of the domain name does not infringe upon the rights of third parties.
- He or she understands and accepts that the assignment of the ".es" domain name involves submission to the extrajudicial conflict resolution system for the use of domain names related to, among others, the industrial property rights protected in Spain, such as trade names, trademarks, denominations of origin, company names; or to the official or generally recognisable names

of Spanish Public Administrations and public entities, in accordance with the process established in the Extrajudicial Conflict Resolution Regulations for the use of ".es" domain names, published on the [www.nic.es](http://www.nic.es) website.

- He or she understands and accepts that the outcome of the extrajudicial conflict resolution system is binding for the parties and for the Assignment Authority.
- He or she understands and accepts that the assignment and registration of the domain name grants them the exclusive right to use it for addressing in the internet domain names system and in the terms set forth in the applicable regulations.
- He or she declares that the administrative contact person indicated on the application has sufficient authorisation to act in that role, that the contact person accepts that he or she is the person responsible for any incident related to the domain name usage rights and that the person understands and accepts these conditions.
- He or she declares that all of the entities and individuals related to this application, in accordance with Organic Law 15/1999, dated 13 December, on Personal Data Protection, understand and expressly consent to the personal data provided to the Registrar and those indicated in this document being included in the databases, both internal and public, that RED.ES maintains, and that the data be kept in that situation in the terms required for the management of the ".es" domain names Register.
- He or she understands and accepts that the personal data provided on this application, as the beneficiary of a domain name, may also be handled by Red.es in its function of developing and fostering the information society and for historical, statistical or research purposes, and that the data may be given to other Administrations, for these same purposes, in the cases indicated in sections one and two, article 21 of the Personal Data Protection Act.
- He or she understands and accepts that the rights to access and rectification may be exercised directly through [trade name of the Registrar] at their offices in [.....]. The rights to cancellation and opposition may be exercised only after giving up the requested domain name, since the handling of personal data by Red.es is required to assign and manage the domain name.

RED.ES, whose address is [www.red.es](http://www.red.es), shall comply, in the handling of personal data on the individuals and entities mentioned, with Organic Law 15/1999, dated 13 December, on Personal Data Protection and its executive

regulations, and shall not use these data for any other purposes than those related to the assignment and renewal of the domain name. He or she is hereby informed that the assignment of the domain name may require, as determined by the Register, the publication of these personal data in the ".es" domain names Register Database, which may be accessed by the public on the internet. By signing this document, the Applicant provides his or her consent to this notification and handling, including the publication of personal data in the ".es" domain names Register Database.

In ....., on ..... of ..... 200....

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**Signature:** (Administrative Contact) **Mr/Ms** .....  
holder of **Nat. I.D./passport** .....