

DECISION

Place and date of decision : Arnhem, 9 February 2004

Case number : 2004/10

Appellant : Sole-proprietor business Sander Simons Produkties

Respondent : Foundation for Internet Domain Registration in the Netherlands

Appeal against : Decision of the Foundation for Internet Domain Registration in the Netherlands
dated 8 September 2003

Concerning : The domain name *sandersimons.nl*

Introduction

- 1.1 From the documentation made available to the Complaints & Appeals Board (also referred to below as 'the C&AB') by the parties, it is apparent that, on 19 August 2003, the Appellant, acting through his registrar, XS4ALL Internet B.V., made a request to the Appellant (also referred to below as 'SIDN') in the manner prescribed in the Regulations on the Registration of '.nl' Domain Names (referred to below as 'the Regulations') and as provided for in Article 23, clause 4, of the Regulations. The provisions of the said passage allow a domain name registrant or domain name applicant who, due to the existence of exceptional circumstances, has grounds for objection to the inclusion of certain personal details in the public section of the (Electronic) Register of Domain Names and Third-Level Domain Names (referred to below as 'the Register'), to make a written reasoned request to SIDN for his or her details to be withheld from the public section of the Register, and the details of his/her registrar to be inserted instead. On 26 August 2003, the Appellant sent SIDN supplementary information in support of his request. Specifically, the Appellant asked SIDN to remove his address and phone number from the entry for the domain name *sandersimons.nl* in the public section of the Register, and to replace them with those of XS4ALL Internet B.V.
- 1.2 From the documentation made available to the C&AB, it is apparent that when making his request, the Appellant indicated that in September 2003 a book written by the proprietor of the sole-proprietor business was due to appear, which would include certain controversial statements about criminality, immigration and other political and sensitive subjects. The Appellant added that it had recently become apparent that participation in public debate in the manner described could lead to threats and hazards to one's personal safety. Because the address of the sole-proprietor business was also the home address of the proprietor, the Appellant stated, inclusion of the registrant's details in the public section of the Register implied the public disclosure of his home address and home phone number. The Appellant asserted that, in consequence, anyone bearing the proprietor's name could easily trace him. According to the Appellant, this was more likely to be more problematic for him because he was still publicly recognisable on account of having previously worked as a newsreader. The Appellant accordingly requested that his address and phone number be withheld from the public section of the Register in order to protect the privacy and personal safety of the business's proprietor.
- 1.3 SIDN communicated its decision to decline the Appellant's request to the Appellant on 8 September 2003, quoting DRS ticket number 4734459. In the communication, SIDN stated that the request did not satisfy the formal conditions for the granting of such a request specified in Article 23, clauses 4 and 6, of the Regulations. SIDN indicated that a request as referred to in Article 23, clause 4, of the Regulations can be granted only if it is apparent from the written explanation of its justification provided by the requesting party that exceptional circumstances exist. When considering whether to grant a request made on the basis of Article 23, clause 4, of the Regulations, SIDN asserted, it

must seek to strike a balance between the interests of the requesting party and the interests served by the public availability of the details that the requesting party wishes to withhold. According to SIDN, the latter interests are identified in the definition of the purpose of the public section of the register contained in Article 2, clause 1, sub e, of SIDN's Data Protection Policy.

Article 2 clause 1, sub e, of the SIDN's Data Protection Policy describes the said purpose as follows:

- *solving any technical problems regarding the operation of the Internet;*
- *applications for registration of (free) domain names;*
- *the protection of intellectual property rights;*
- *the prevention and combating of illegal and harmful content on the Internet.*

According to SIDN, exceptional circumstances that justify the granting of a request may be deemed to exist only if publication of the relevant details would result in disproportionate harm to the requesting party's interests. If that is the case, SIDN indicated, the interests of the requesting party outweigh the interests served by publication.

SIDN concluded that no such exceptional circumstances existed in the Appellant's case, and that the request should therefore be declined. In justification of this conclusion, SIDN stated that, since 29 August 2003, the Register has contained the Appellant's registrar's details in the fields for the registrant's address and the administrative contact person's details. Thus, SIDN asserted, the Appellant had already taken advantage of an alternative means of protecting his privacy, separate from those provided for in Article 23, clause 4, of the Regulations. According to SIDN, a registrant was free to provide a third party's details, such as those of his/her registrar, as his/her contact person's details, for listing in the public section of the Register. Since the Appellant had already arranged for his own details to be replaced by those of his registrar, SIDN argued that there was no longer any reason to grant his request. Finally, SIDN drew the Appellant's attention to the provisions of Article 23, clause 9, of the Regulations, which states that a party disadvantaged by a decision of SIDN may appeal to the C&AB within thirty days.

- 1.4 In an e-mail dated 7 October 2003, and by letter received on 10 October 2003, Mr J.E.L. Schouten, company lawyer to XS4ALL Internet B.V., acting in an authorised representative capacity, submitted notice of appeal on behalf of the Appellant. In addition to the justification given for the original request, the notice of appeal asserted that continuous inclusion of the Appellant's address and phone number in the public section of the Register constituted a serious intrusion on his private life. It was argued that sufficient exceptional circumstances existed to justify the withholding of his details, as provided for in Article 23, clause 4, of the Regulations. In view of the planned publication date of the Appellant's book, and the time that it was anticipated SIDN would require to consider the original request, the Appellant and his registrar had taken the interim step of temporarily entering the registrar's address and phone number in the public section of the Register, as the details of the registrant of the domain name

sandersimons.nl. In conclusion, the notice of appeal asserted that SIDN had unjustly declined the Appellant's original request, apparently on the grounds that the interim arrangement made by the Appellant was considered to have removed the Appellant's interest in having the request granted. The point was made that the Regulations made no provision for the urgent consideration of a request pursuant to Article 23, clause 4, of the Regulations.

Pending the outcome of SIDN's consideration of the original request, the registrar had considered the interim solution acceptable in view of the urgent nature of the request and the Appellant's right to anonymity. It was indicated that the solution in question was not in accordance with the Regulations and could therefore only be of a temporary nature. By referring to the interim solution as a legitimate course of action in its decision of SIDN of 8 September 2003, SIDN was in practical terms creating a permanent extra-regulatory 'opt-out' option. According to the Appellant, this gave the impression that SIDN did not consider itself bound by the Regulations. It was suggested that SIDN had knowingly sustained the existing situation and unjustifiably avoided making a proper decision regarding the request. By doing so, SIDN had failed to address the material arguments in favour of the Appellant's original request. The notice of appeal went on to elaborate on the said arguments. The point was made that the Appellant's request was motivated by his wish not to be traceable via the public section of the Register. In that context, it was argued that, under certain circumstances, the right to freedom of expression could justify the desire to remain untraceable or anonymous. In the context of freedom of expression, the importance of anonymity lay mainly in the protection that it afforded the citizen against possible reprisal by parties who, for whatever reason, were unhappy with the published information. Such protection derived from the source not being traceable. It was argued that, if the request to withhold the Appellant's address from the public section of the Register were declined, the Appellant would be traceable from the information in the public section of SIDN's Register, and therefore at risk of becoming 'a victim of threats directed to his home address and of other potential forms of reprisal triggered by the contents of his book'.

In addition to presenting the above-mentioned arguments regarding freedom of expression, the notice of appeal stated that the importance of (informational) privacy was also relevant in relation to the publication of personal data regarding natural persons. It was asserted that, insofar as registered data related to businesses or other legal persons, its publication was not problematic, but publication became potentially problematic when natural persons (private individuals) registered domain names. The legal considerations surrounding the registration of domain names by private individuals were, according to the Appellant, different from those surrounding registration by businesses or other legal persons. The publication of personal data relating to natural persons was inconsistent, it was argued, with the individual's right to decide whether he or she wished his/her details to be included in a public record, and, if so, in view of Article 12, clause 2, of European Directive 2002/58/EC on the processing of personal data and the protection of privacy in the electronic communications sector, in which such record. It was further contended that the publication of personal data regarding a natural person was at odds with the Personal Data Protection Act. Moreover, SIDN's reasons for including such data in the public section of the Register, as stated in Article 2 of SIDN's Data Protection Policy, did not require the publication of

personal data according to the Appellant. In conclusion, the Appellant asserted that SIDN had not actually weighed up the interests of the Appellant against those that SIDN sought to serve using the public section of the Register. By concluding that, by means of a surrogate solution, the address and Appellant's phone number had already been removed from public view, thereby justifying denial of the request, SIDN had, in the Appellant view, avoided making any such comparative assessment, especially given that the solution was inconsistent with the Regulations. Since the requesting party's fundamental rights were at issue, the Appellant argued that SIDN ought always to make a genuine, thorough and properly reasoned assessment when considering any such request. Furthermore, it should be possible for any party considering such a request to predict with some degree of confidence whether it was likely to be granted.

- 1.5 In response to the notice of appeal, the C&AB asked SIDN on 21 October 2003 to indicate whether and to what extent the 'interim solution' chosen by the Appellant's registrar was consistent with the rules and regulations governing the inclusion of information in the Register. SIDN was also asked how it generally dealt with an urgent request from a registrant to (temporarily) substitute the details of the Registrar for those of the registrant while a request pursuant to Article 23, clause 4, of the Regulations was being considered.
- 1.6 In a letter dated 4 November 2003 (reference SIDN/KV/2003/66), received 5 November 2003, SIDN responded to the questions posed by the C&AB. SIDN stated that the registration of a .nl domain name was based in the first instance on an electronic application submitted by an SIDN registrar. The name and address given for the registrant in this application should, for compliance with Article 11 of the Regulations, be the registrant's own. However, the *administrative* and *technical contact persons'* details may, if the registrant wishes, be those of a third party or parties, such as the registrar. With regard to the inclusion of the Appellant's registrar's address in the Register as the registrant's address, SIDN observed that the registrant and the registrar were responsible for the accuracy and currency of such details, according to the provisions of Article 11 of the Regulations and Article 8 of the Regulations for Registrars, respectively. The validity of such details was not proactively checked by SIDN. In this case, it came to SIDN's attention only when responding to the notice of appeal that the register information relating to the relevant domain name was not consistent with the registration conditions. In this context, SIDN also observed that the user of a domain name was at liberty to arrange for the domain name to be registered in the name of a third party, such as a registrar, while retaining (exclusive) usage rights. Under such circumstances, SIDN stated, the registrar took responsibility for the registration and was therefore formally acknowledged as the registrant in the Register, thus giving the user *de facto* anonymous use. SIDN recognised that such an arrangement was not uncommon and deemed it to be a form of service provision that was not inconsistent with the conditions of registration. With regard to urgent requests concerning domain names that are already active, made pursuant to Article 23, clause 4, of the Regulations, SIDN indicated that no provisional arrangements were made in the context of the processing of such requests, but that SIDN did seek to

expedite the decision-making process as far as possible. SIDN's letter to the C&AB was accompanied by a copy of the registration contract.

- 1.7 In a letter dated 18 November 2003, received 19 November 2003, SIDN provided the C&AB with its written response to the Appellant's notice of appeal. According to SIDN, its records indicated that the sole-proprietor business Sander Simons Produkties had been the registrant of the domain name *sandersimons.nl* since 8 August 2002, and that 'S. Simons' acted as the domain name's administrative contact person. SIDN confirmed that, while the Appellant's request was awaiting SIDN's decision, the registry entry for the domain name had been amended by the registrar on 29 August 2003. This amendment involved substituting the address of the registrar for that of the sole-proprietor business, and a phone number belonging to the registrar for that of the administrative contact person. However, the name of the domain name's registrant had remained unchanged, SIDN reported.

With regard to the substance of the request, SIDN acknowledged that privacy was pertinent to the case, insofar as the private address of the sole-proprietor business's proprietor was the same as that of the business itself, and the details of a sole-proprietor business could be regarded as personal data. SIDN emphasised that the Appellant's request related in principle to the address of the registrant (being also the proprietor's private address) and not to the details of the contact persons. The latter details, SIDN indicated, could be modified simply by means of a freeform request. The Appellant had already availed himself of this possibility. Hence, there was no (longer any) reason to grant the request in respect of the contact persons' details, SIDN contended. Furthermore, from his request, the Appellant did not appear to object to his (personal) name appearing in the Register as that of the registrant. This supposition was supported, SIDN suggested, by the fact that the domain name *sandersimons.nl* was inherently associable with the person. SIDN had therefore assumed that, in practical terms, the request related only to the registrant's address.

When considering the request, SIDN established on 8 September 2003 that the Appellant and his registrar had amended the contact details registered for the domain name, entering the address of the registrar, with the result that the registrant's registered address was no longer the Appellant's actual address. SIDN reported that, in consideration of this state of affairs, it had concluded that there was no longer any reason to grant the request. SIDN acknowledged that no detailed investigations were conducted into the possible relocation of the sole-proprietor business, or the (possible) transactions conducted (and relations between the sole-proprietor business and the registrar), leading to the amendment. SIDN concluded that, in order to accommodate the Appellant's wishes, the registrar had made a sort of independent interim arrangement, so that the Appellant's details were immediately removed from the public domain from the time that the request was made pursuant to Article 23, clause 4, of the Regulations. According to SIDN, such an arrangement is in principle inconsistent with the Regulations, since the details recorded in the Register for the registrant of a *.nl* domain name should be accurate and current at all times. SIDN further asserted that a registrar was not permitted to independently amend registered information in connection with a request made pursuant to Article 23, clause 4, of the Regulations. The registrar's postscript note on the freeform to the effect that a request had been

submitted, had not promoted SIDN to investigate the matter further when the amendment was processed.

As well as explaining the purpose of the Register, SIDN reiterated the considerations, set out in the notice of its decision of 8 September 2003. In this information, SIDN indicated that a request made pursuant to Article 23, clause 4, of the Regulations was in principle granted if it was apparent from the written justification provided by the requesting party that exceptional circumstances existed, and if the particular circumstances outweighed the interests served by publication of the relevant details. According to SIDN, exceptional circumstances that justify the granting of a request may be deemed to exist only if publication of the relevant details would result in disproportionate harm to the requesting party's interests. In this context, SIDN conceded that, in hindsight and in consideration of the information contained in the notice of appeal, it would have been preferable if a more thorough investigation of the circumstances had been made when the original request was considered. If in the freeform request the registrar had provided an urgent justification for the address change and had thus been more forthcoming regarding the nature of the action undertaken, SIDN would very probably have asked for further details. SIDN went on to state that, in all probability, it would also have asked for further details if the substance of the original request had been considered at the time of its processing, in order to make a balanced assessments of the interests at stake. Finally, SIDN primarily asked that the appeal case be adjourned to enable the Appellant to respond to SIDN's more specific questions and to enable SIDN to then consider the substance of the Appellant's request. If and insofar as C&AB was minded to deny SIDN's primary request, SIDN took the subsidiary view that the appeal should be granted, on the grounds that SIDN should have considered the substance of the Appellant's original request when it was processed. SIDN indicated that, in this case and in compliance with the Board's decision, it would re-examine the Appellant's request and give due consideration to its substance, taking into account the further information that the Appellant was asked to supply.

- 1.8 The appeal was considered at the session held on 16 December 2003. Both the Appellant and SIDN indicated in advance that they did not wish to avail themselves of the opportunity to be heard in person by the Board at the session.

2 Judgement

- 2.1 The C&AB received the notice of appeal within the time limit specified in the Regulations and the Regulations Governing the Composition, Working Methods and Procedures of the Complaints & Appeals Board (referred to below as the 'Complaints and Appeals Regulations'). Hence, the Appellant's appeal against SIDN's decision of 8 September 2003 was punctually submitted. Furthermore, the Appellant made prompt payment to SIDN of the fee due in accordance with Article 13.4 of the Complaints and Appeals Regulations and the C&AB Costs Order.
- 2.2 At issue in this case was the legitimacy of SIDN's decision of 8 September 2003 to decline the Appellant's request, made pursuant to Article 23, clause 4, of the

Regulations, that his address and phone number should be withheld from the entry for the domain name *sandersimons.nl* in the public section of the Register and replaced by those of his registrar, XS4ALL Internet B.V. The C&AB denied SIDN's petition to adjourn the appeal case.

- 2.3 The Appellant's petition to the effect that, in view of the nature of the appeal, his notice of appeal should be treated as confidential was denied by the C&AB, because the Regulations make no provision for confidential consideration and the publication of C&AB decisions contributes to jurisprudence regarding domain names and domain name registration. The C&AB reiterates that the Appellant and SIDN explicitly indicated that they had no interest in a personal hearing. Furthermore, the details that the Appellant is seeking to withhold from the Register are not included in this statement of the C&AB's decision. The C&AB is not therefore aware of any pressing interest that the Appellant might have, which would justify making an exception in this case.
- 2.4 Although the Appellant's original request and his notice of appeal give reason to assume that the proprietor of the sole-proprietor business is the registrant of the domain name *sandersimons.nl*, the Register names the business itself as the registrant. Since Article 29 of the Regulations states that the records maintained by SIDN shall be considered decisive in such matters unless evidence is provided to the contrary, the C&AB assumes that the sole-proprietor business is the registrant of the domain name *sandersimons.nl*.
- 2.5 SIDN declined the request made by the Appellant pursuant to Article 23, clause 4, of the Regulations, because SIDN concluded that exceptional circumstances had not been demonstrated to exist in the Appellant's case. In justification of its decision, SIDN drew attention to the fact that the Appellant had availed himself of the opportunity to have his registrar's details recorded in the Register as those of the administrative contact person for the relevant domain name. Furthermore, the registrar's address had been recorded as that of the registrant. Therefore, according to SIDN, there was no longer any reason to grant the request. The C&AB notes that, in arriving at its decision, SIDN had ignored the fact that the Appellant's request related not only to the administrative contact person's phone number, but also to the registrant's address. Furthermore, it is unclear to the C&AB why SIDN observed that the address details had been changed, so that they no longer matched the registrant's actual address, but did not conclude that the Appellant was consequently probably in breach of his obligations, arising out of Article 11 of the Regulations, regarding the completeness and accuracy of the information recorded in the Register. Further investigation by SIDN, and possibly a request to the registrant for additional information, was desirable under the circumstances. The C&AB rules that the explanation given in the notice of SIDN's decision to decline the request made by the Appellant pursuant to Article 24, clause 3, of the Regulations, does not provide an adequate basis for the decision.
- 2.6 The C&AB notes that the Regulations do not make any special provision for the processing of urgent requests of the kind referred to in Article 23, clause 4, of the Regulations. The Appellant's registrar therefore independently decided to make an

interim arrangement pending the outcome SIDN's consideration of the request, i.e. to temporarily enter into the public section of the Register the address and the phone number of the registrar as those of the registrant of the domain name *sandersimons.nl*.

The C&AB rules that the said arrangement was inconsistent with the Regulations. The fact that the registrar was motivated by the urgent nature of the request and the Appellant's asserted right to anonymity is immaterial in this context. In making this ruling, the C&AB does not exclude the possibility that, in certain circumstances, a regulatory provision allowing for the (temporary) replacement of a requesting party's details may be desirable. The possible desirability of such a provision does not, however, justify departing from the Regulations laid down by SIDN's Management Board.

- 2.7 The C&AB rules that, when considering a request made pursuant to Article 23, clause 4, of the Regulations, to the effect that some or all of the details referred to in Article 23.2 should be withheld from the public section of the Register, SIDN should weigh up the particular exceptional circumstances that exist in the requesting party's case against the interests served by publication of the details in question. Such a procedure would be consistent with that followed when considering the exceptional personal circumstances of a data subject in the context of Article 40 of the Personal Data Protection Act. According to SIDN, a request of the kind referred to may be granted only if publication of the relevant details would result in disproportionate harm to the requesting party's interests. However, the C&AB takes the view that the interests served by publication and those served by non-publication need to be weighed up in the light of the particular case; the general criterion for granting a request should be that the interests of the registrant outweigh those served by publication of the details in question (in this case, the registrant's details).
- 2.8 When weighing up the interests at stake in this particular case, the C&AB takes the view that distinction should be made between the phone number recorded in the public section of the Register and the Appellant's address. The Appellant's phone number, as recorded in the public section of the Register before amendment of the Register entry by the registrar, was listed as that of the administrative contact person for the domain name. Article 3, clause 3, of the Regulations requires a domain name applicant to nominate an administrative contact person and to provide a working e-mail address, at which the nominated person may be contacted. The fact that the domain name applicant him/herself nominates the administrative contact person implies that the applicant may him/herself decide what details are recorded in the Register for that person. Hence, the recorded details may be those of the domain name's registrant, or those of a third party, such as a registrar. As SIDN indicated in the notice of its decision of 8 September 2003, a registrant is also at liberty to amend the details in question via his/her registrar. In its written response to the notice of appeal, SIDN added that a registrar may arrange the amendment of such details by submitting a freeform request.
- 2.9 In this case, the Appellant's registrar adopted an extra-regulatory solution involving the replacement of the contact person's details with those of the registrar. At first sight, this

solution appears to resemble the other option referred to by SIDN, which also involves the replacement of the said contact details. However, the C&AB assumes that this other option was not chosen in the Appellant's case. This assumption is based partly upon the fact that the notice of appeal states that the registrar's chosen solution was of an explicitly temporary nature, implemented merely while the request was under consideration. Hence, the Appellant still had an interest in the consideration of the substance of the request he made pursuant to Article 23, clause 4, of the Regulations. It is not clear to the C&AB whether the registrar was aware of the other option for amendment of the phone details recorded in the public section of the Register.

- 2.10 Article 23, clause 4, of the Regulations states that a request of the kind referred to in that Article may be made in respect of any or all of the details referred to in Article 23, clause 2, of the Regulations, which include the phone number of the administrative contact person. The registrant also has the option of taking independent action to have the administrative contact person's contact details replaced with those of his/her registrar. The existence of this other option is relevant to the question of whether the exceptional circumstances that exist in a particular case outweigh the interests served by publication of the details in question, which has to be addressed when considering a request made pursuant to Article 23, clause 4, of the Regulations. The fact that the Appellant could have had the contact details replaced with those of his registrar without giving any explanation has a bearing on the importance of the interest served by publication of the Appellant's phone number. In this particular case, the C&AB rules that appraisal of the relative importance of the interests at stake, which must be made when considering whether the Appellant's number should be replaced by that of his registrar, leads to the conclusion that the interests of the Appellant should prevail. The Appellant's particular reasons for not wishing the information to be published are more pressing. The C&AB nevertheless wishes to emphasise that, while certain details may be replaced by those of the registrar, this does not diminish the importance of valid contact details being included in the public section of the Register.

- 2.11 The Appellant's request related not only to the administrative contact person's phone number, but also to the address of the registrant. In this case, the address of the sole-proprietor business is also the home address of the business's proprietor. In relation to the registrant's address, as in relation to the administrative contact person's phone number, consideration of the request made by the Appellant pursuant to Article 23, clause 4, of the Regulations should involve weighing up the exceptional circumstances of the Appellant against the interests served by publication. In summary, the Appellant's original request asserted that inclusion of the registrant's address in the public section of the Register would expose the proprietor to the risk that anyone harbouring malicious intent towards him following the publication of a controversial book would be able to use the published information to trace him and thus to threaten his personal safety and privacy.

The notice of appeal added certain general circumstantial information, but provided no further specific matters for consideration. Moreover, the Appellant does not explain why a public medium such as the Internet was chosen to draw attention to a controversial book, using a domain whose name may readily be linked to the home

address of the author. Nor does the Appellant indicate why the alternative courses of action open to him have been discounted. Another consideration that carries substantial weight with the C&AB is that the same address is listed for the sole-proprietor business in the Trade Register of the Chamber of Commerce, which is open to public scrutiny, including on-line scrutiny. The C&AB rules that the Appellant has provided insufficient evidence to support the conclusion that exceptional circumstances exist, which outweigh the interests served by publication of the details in question. The C&AB accordingly dismisses the appeal insofar as it relates to the registrant's address. This ruling does not, however, preclude the Appellant from making a fresh request to SIDN pursuant to Article 23, clause 4, of the Regulations, if additional information can be provided to support it.

- 2.12 The C&AB rules that its authority is limited by the constitution of SIDN, by the Regulations and by the Complaints and Appeals Regulations. The C&AB notes that, in accordance with the provisions of Article 4, clause 3, of the Complaints and Appeals Regulations, the C&AB is obliged to base its ruling primarily on the current Regulations. The Board may additionally take account of jurisprudence regarding the application of the Regulations, general legal principles and its own interpretations. The C&AB is not permitted or able to take account of legal considerations that lie outside the terms of reference described above.

3 **Decision**

The Complaints & Appeals Board of the Foundation for Internet Domain Registration in the Netherlands hereby rules that the appeal against SIDN's decision of 8 September 2003 concerning the domain name *sandersimons.nl* with regard to the Appellant's request:

- is upheld in respect of the replacement of the Appellant's phone number, recorded as that of the administrative contact person for the said domain name, with that of the Appellant's registrar, and instructs SIDN to replace the Appellant's phone number, as entered in (the public section of) the Register, with that of his registrar within seven working days of the date of this ruling, insofar as making the said amendment is consistent with the other applicable regulatory provisions;
- is dismissed in respect of the replacement of the registrant's address with that of his registrar.

This decision has been issued by Meester A. Oskamp, chairman, in the presence of Meester A.P. Meijboom, R. Eissens and J.C.M. van Oers, members, and Meester H.J.M. Gardeniers, member of and secretary to the Complaints & Appeals Board.

The chairman

The secretary

Meester A. Oskamp

Meester H.J.M. Gardeniers