

# Closure of Member and Deregistration of Internet Number Resources

RIPE NCC

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Section A of this document describes the valid reasons for terminating the RIPE NCC Standard Service Agreement that leads to the closure of a Member, the procedure that applies in each circumstance, and the consequences of termination.

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## **A. Closure of Member - Termination of the RIPE NCC Standard Service Agreement**

An organisation or an individual person can receive services from the RIPE NCC if they:

- Agree and sign the RIPE NCC Standard Service Agreement (SSA); and
- Conform to RIPE Policies.

An organisation or an individual person signing the SSA is called a “Member”. The RIPE NCC SSA is entered into for an indefinite period of time, unless terminated by either party.

### **1. Grounds for Termination and Procedure in Each Case**

The SSA can be terminated by the Member (see section 1.1) or by the RIPE NCC. The termination by the RIPE NCC can either be with a notice period of three months (see section 1.2.1.) or, for specific reasons, with a shorter notice period and immediate effect (see section 1.2.2.).

#### **1.1. Termination by the Member**

According to Article 9.2 of the SSA, the Member can terminate the SSA with a notice period of three months. Possible reasons why Members might want to terminate their SSA include:

- The Member decides to close or to change their business
- The Member decides to merge with another Member and therefore they do not need to be Members themselves
- The Member decides to assign Internet number resources from another Member

#### **Procedure**

The notice will formally request the termination of the SSA.

It must be:

- Dated and signed by an authorised representative of the Member. A registered contact cannot give notice unless the registered contact is an authorised representative.
- Sent to the RIPE NCC by email to [<ncc@ripe.net>](mailto:ncc@ripe.net) or by postal mail to: RIPE NCC, Singel 258, 1016 AB Amsterdam, The Netherlands.

The RIPE NCC will send an acknowledgement of the receipt of the notice. Upon receipt of such notice, the progress of any open requests for RIPE NCC services is terminated.

The termination of the SSA will take place three months after the receipt of the notice by the RIPE NCC.

#### **Billing Issues**

If the termination takes place in the course of a financial year, the annual contribution shall nevertheless remain due, in full, by the Member (see also paragraph 6.6 of the [RIPE NCC Articles of Association \(AoA\)](#) and the [RIPE NCC Billing Procedure](#)).

### **1.2. Termination by the RIPE NCC**

#### **1.2.1. Termination with a Three-Month Notice Period**

According to Article 9.3 of the SSA, the RIPE NCC can terminate the SSA with a notice period of

three months. Grounds for such termination may be the following:

#### **1.2.1.1 Violation of RIPE Policies and RIPE NCC Procedures**

The Member must comply with RIPE Policies and RIPE NCC procedures (see Article 6 of the SSA). The RIPE NCC will terminate the SSA if the Member commits any of the following violations of RIPE Policies or RIPE NCC procedures:

##### **a Unresponsiveness**

The Member is unresponsive for a significant period of time.

Members are considered to be unresponsive if they do not react to a specific email/request made by the RIPE NCC relating to an incorrect/ambiguous registration of Internet number resources, regardless of whether they are, at the same time, responsive to a different email/request from the RIPE NCC or continue paying the RIPE NCC fees.

##### **b Allocations/assignments in contravention to RIPE policies**

Allocations or transfers of allocations and assignments are not made and used in accordance with the RIPE community's policies.

##### **c Incorrect registration in the RIPE Database**

Registration data is repeatedly maintained incorrectly (allocations and assignments must be properly registered in the RIPE Database).

Proper registration must be as follows:

- The **inetnum** and the **inet6num** object(s) for approved assignments must use the netname(s) approved by the RIPE NCC and must not be larger than the size approved by the RIPE NCC
- The date in the first "changed:" attribute must not be earlier than the date of approval from the RIPE NCC
- The data must be valid and must allow the RIPE NCC to contact the natural person referenced directly in the **inetnum** or **inet6num** object(s) or via the maintainers of the **inetnum** or **inet6num** object(s) within a reasonable time without having to get information from another source

##### **d Non-compliance with an arbiter ruling**

For more information, please see [RIPE NCC Conflict Arbitration Procedure](#).

#### **Procedure**

If the RIPE NCC becomes aware of any of the aforementioned reasons for terminating the SSA, the RIPE NCC will send an email to the registered contact(s) indicating:

- the violation
- the Member's obligation to stop/repair the violation
- the termination of the SSA in three (3) months if the violation continues

The RIPE NCC will also terminate the progress of any open requests for RIPE NCC services

If the Member does not comply within 30 days of the date of the email, the RIPE NCC will send a reminder email to the registered contact(s) indicating:

- The violation

- The Member's obligation to stop/repair the violation
- The termination of the SSA in two (2) months if the violation continues

After 60 days from the date of the first email, if the Member still does not comply, the RIPE NCC will send a second reminder email and a reminder by postal mail to the registered email and email addresses indicating:

- The violation
- The Member's obligation to stop/repair the violation
- The termination of the SSA in one (1) month if the violation continues

After 90 days from the date of the first email, if the Member continues not to comply, the RIPE NCC Managing Director will send an official notification of termination of the SSA (i.e., closure of the Member's account) to all registered postal and email addresses of the Member.

The RIPE NCC concludes the SSA and provides services to Members in good faith. The Member is in breach of good faith in the following cases:

#### **1.2.1.2. Other Reasons**

Termination for any other reason by the RIPE NCC is only executed when the Member consents to the termination, unless the termination is for reasons above and beyond control of the RIPE NCC.

For example, such termination has taken place in the past in the case of the emergence of AfriNIC, the RIR for the African region, when, with the consent of the African Members, the SSAs with the RIPE NCC were terminated and new contracts with AfriNIC were signed.

#### **Procedure**

The notice will officially inform about the termination of the SSA, state the reasons for the termination and detail the planned arrangements regarding the Internet number resources that were distributed to the Member.

Unless otherwise required by the circumstances:

- The RIPE NCC will terminate the progress of any open requests for RIPE NCC services
- Section A.2. (Consequences of termination of the SSA) and section B (Deregistration of Internet number resources) of this document are applicable

The notice will be dated and signed by an authorised representative of the RIPE NCC.

Notice will be sent to the registered contact(s) of the Member by electronic and postal mail.

Upon receipt of such notice, the progress of any open requests for RIPE NCC services is terminated. The termination of the SSA will take place after three months from the date the RIPE NCC sends the notice, unless the Member requests a longer period and this is agreed upon.

#### **Billing Issues**

All outstanding amounts for the full year must be settled unless otherwise agreed.

#### **1.2.2. Termination with Immediate Effect**

According to Article 9.4 of the SSA, the RIPE NCC is entitled to terminate the SSA with immediate effect in the following cases:

- a Member files for bankruptcy, is liquidated, suspends its payments or becomes**

## **insolvent**

Upon receipt of the documents stating the bankruptcy, liquidation, suspension of payments or insolvency of the Member by the relevant authority or by public announcement of the fact, the RIPE NCC will terminate the SSA. If the relevant national authority decides that the Member's operations can continue, and provided that the Member fulfils the obligations coming from the SSA, the RIPE NCC will not terminate the SSA.

## **Procedure**

The RIPE NCC will:

- Send an email to the registered contact(s) and/or to the legal successor indicating:
  - The reason for termination of the SSA
  - The immediate termination of the SSA
- Terminate the progress of any open requests for RIPE NCC services

The RIPE NCC Managing Director will send an official notification of termination of the SSA (i.e., closure of the member) to all registered contacts of the Member or to the legal successor, both by electronic and registered postal mail.

## **b Member damages the name, trademarks or intellectual property rights of the RIPE NCC**

Examples:

- The Member pretends to be, or to act on behalf of, the RIPE NCC through misuse of the RIPE NCC name or logo
- The Member unreasonably makes allegations against the RIPE NCC in order to damage the RIPE NCC's reputation and operations, resulting in irreversible damage to the RIPE NCC

## **Procedure:**

The RIPE NCC will

- Send an email to the registered contact(s) indicating:
  - The violation
  - The Member's obligation to stop/repair the violation
  - The termination of the SSA if the violation continues
- Terminate the progress of any open requests for RIPE NCC services

If the Member does not comply within 30 days of the date of the email, the RIPE NCC will send a reminder email to the registered contact(s) indicating the same as above.

After 60 days from the date of the first email, if the Member still does not comply, the RIPE NCC will:

- Send a second reminder email to the registered contact(s) indicating the same as above
- Not approve any Internet number resource requests

After 90 days from the date of the first email, if the Member continues not to comply,

the RIPE NCC will:

- Send a third reminder email and a reminder by postal mail to the registered email and postal addresses indicating the same as above
- Stop providing any services to the Member

After 120 days from the date of the first email, if the Member still does not comply, the RIPE NCC Managing Director will send an official notification of termination of the SSA (i.e., closure of the Member's account) to all registered postal and email addresses of the Member.

**c Member fails to submit to the RIPE NCC a valid extract from the Commercial Trade Register or equivalent register**

When initially signing the SSA, the Member must submit to the RIPE NCC an extract from the Commercial Trade Register or equivalent document providing the registration of the Member's business with the national authorities (see Article 2.2 of the SSA).

If the Member is a natural person, the RIPE NCC requires submission of any identification papers (passport, driving license or other official document proving the identity of the individual).

If the Member is a legal person, identification papers are also required for the authorised person signing the SSA on behalf of the legal person.

If there is any change in the Member's business after signing the SSA (for example, the Member has merged with another company, has changed name, etc.) and, because of this change, the Member's registration with the relevant register has been changed, then the Member is obliged to submit the updated registration papers to the RIPE NCC.

If the Member does not submit the aforementioned documents within one month of them being requested by the RIPE NCC, the RIPE NCC will terminate the SSA (see Article 9.4.d of the SSA).

**Procedure**

The RIPE NCC will:

- Send an email to the registered contact(s) indicating:
  - the Member's obligation to submit the relevant documents
  - the termination of the SSA if the documents are not submitted
- Terminate the progress of any open requests for RIPE NCC services

If the Member does not comply within 15 days of the date of the email, the RIPE NCC will send a reminder email and a notification by postal mail to the registered email and postal addresses indicating the same as above.

After 30 days from the date of the first email, if the Member continues to not comply, the RIPE NCC Managing Director will send an official notification of termination of the SSA (i.e., closure of the Member's account) to all registered postal and email addresses of the Member.

**d The Member fails to observe any rule of applicable law**

The SSA is exclusively governed by the laws of the Netherlands because the RIPE NCC is an association under Dutch law. The RIPE NCC is allowed to terminate the SSA of a Member with immediate effect, provided it receives a Dutch court order to do so.

## **Procedure**

The RIPE NCC will:

- Send an email to the registered contact(s) indicating:
  - The reason for termination of the SSA
  - The immediate termination of the SSA
- Terminate the progress of any open requests for RIPE NCC services

The RIPE NCC Managing Director will send an official notification of termination of the SSA (i.e., closure of the Member's account) to all registered postal and email addresses of the Member.

### **e Non-payment.**

In case of non-payment, in accordance with the RIPE NCC Billing Procedure, the SSA is terminated after 120 days. For more information, please see the [RIPE NCC Billing Procedure](#).

### **f Termination of the RIPE NCC member status**

By signing the SSA, Members become members of the RIPE NCC association. If Members terminate their member status with the RIPE NCC association, the SSA is automatically terminated (see also Article 6 of the AoA).

## **Procedure**

The RIPE NCC will:

- Send an email to the registered contact(s) indicating:
  - The reason for termination of the SSA
  - The immediate termination of the SSA
- Terminate the progress of any open requests for RIPE NCC services

The RIPE NCC Managing Director will send an official notification of termination of the SSA (i.e., closure of the Member's account) to all registered postal and email addresses of the Member.

### **g Untruthful information**

The RIPE NCC concludes the SSA and provides services to Members in good faith. The Member is in breach of good faith in the following cases:

- **Falsified/incorrect information**

If the Member repeatedly provides falsified data or information, or purposefully and/or repeatedly provides incorrect data or information (for example, falsified registration documents or IDs, incorrect/inaccurate contact details, etc.)

- **Fraudulent requests**

If the Member submits repeatedly fraudulent requests for Internet number resources (for example, providing incorrect purpose/need or falsified information about the network, etc.)

## **Procedure**

The RIPE NCC will:

- Send an email to the registered contact(s) indicating:
  - The reason for termination of the SSA
  - The immediate termination of the SSA
- Terminate the progress of any open requests for RIPE NCC services

The RIPE NCC Managing Director will send an official notification of termination of the SSA (i.e., closure of the Member's account) to all registered postal and email addresses of the Member.

#### **h Non-compliance with RIPE NCC audits**

Non-compliance with RIPE NCC audits includes repeated unresponsiveness to or failure to cooperate with the RIPE NCC auditors' requests regarding registrations of Internet number resources for the Member's own network. For more information about the audit procedure, please see [RIPE NCC audit activity](#).

##### **Procedure**

The RIPE NCC will:

- Send an email to the registered contact(s) indicating:
  - The reason for termination of the SSA
  - The immediate termination of the SSA
- Terminate the progress of any open requests for RIPE NCC services

The RIPE NCC Managing Director will send an official notification of termination of the SSA (i.e., closure of the Member's account) to all registered postal and email addresses of the Member.

#### **i Discontinuation of RIPE NCC services**

If the RIPE NCC cannot reasonably be required to continue the SSA for reasons that can not be attributed to the RIPE NCC and for which the RIPE NCC cannot be held accountable by virtue of law, a juridical act or generally accepted principles.

##### **Procedure**

The RIPE NCC will:

- Send an email to the registered contact(s) indicating:
  - The reason for termination of the SSA
  - The immediate termination of the SSA
- Terminate the progress of any open requests for RIPE NCC services

The RIPE NCC Managing Director will send an official notification of termination of the SSA (i.e., closure of the Member's account) to all registered postal and email addresses of the Member.

## **2. Consequences**

Upon termination of the SSA, Members lose all rights to RIPE NCC services and their RIPE NCC member status.

## **2.1. End of Provision of RIPE NCC Services**

### **2.1.1. General Services**

The RIPE NCC will stop providing RIPE NCC services, including:

- Distribution of Internet number resources
- Authority to maintain Internet number resource records in the RIPE Database
- Access to the LIR Portal
- Use of the RIPE NCC Certification Service
- Participation in RIPE NCC Training Courses

### **2.1.2. Registration of Distributed Internet Number Resources**

The RIPE NCC will deregister the relevant Internet number resource records. The procedure for deregistration is described in section B.2. The RIPE NCC will also revoke any certificates generated by the RIPE NCC Certification Service.

### **2.1.3. Request for Independent Internet Number Resources as a “Sponsoring LIR”**

Members lose their right to request independent Internet number resources as a “sponsoring LIR”. For independent Internet number resources already assigned by them, see below at section B.2.2.

## **2.2. End of RIPE NCC Member Status**

Members will also lose their RIPE NCC member status and all relevant rights, such as the right to attend and vote at RIPE NCC General Meetings.

## **B. Deregistration of Internet Number Resources**

### **1. Reasons for Deregistration of Internet Number Resources - Allocations and Independent Internet Number Resources Assigned for the Member’s Own Network or Assigned Through a “Sponsoring LIR”**

#### **a Termination of the SSA**

For more information, see section A. For independent Internet number resources through a “sponsoring LIR”, see [Independent Internet Number Resources – Contractual Relationship Changes between Sponsoring LIR and End User](#).

#### **b Invalidity of original allocation/assignment criteria**

Internet number resources are allocated/assigned based on a specific need. When the original technical requirements or the business purpose for the use of the Internet number resources change, the allocation/assignment becomes invalid. If the RIPE NCC notices any change in the original technical criteria or the original business purposes for using the Internet number resources, the RIPE NCC is authorised to deregister the relevant Internet number resources.

#### **c Incorrect registration of the allocation/assignment in the RIPE Database**

If the allocation/assignment approved by the RIPE NCC is not properly registered in the RIPE Database, the RIPE NCC is authorised to deregister the relevant Internet number resources.

Proper registration must be as follows:

- The **inetnum** and the **inet6num** object(s) for approved assignments must use the netname(s) approved by the RIPE NCC and not be larger than the size approved by the RIPE NCC
- The date in the first “changed:” attribute must not be earlier than the date of approval from the RIPE NCC
- The data must be valid and must allow the RIPE NCC to contact the natural person mentioned directly in the **inetnum** or **inet6num** object(s) or via the maintainers of the **inetnum** or **inet6num** object(s) object within a reasonable time without having to get information from another source

#### **d Falsified/incorrect information**

If a Member has provided falsified data or information, or purposefully provided incorrect data or information (for example, falsified registration documents or IDs, incorrect/inaccurate contact details, etc.) regarding an allocation or an Independent resource, the RIPE NCC will deregister the relevant records.

#### **e Fraudulent request**

If a Member has submitted a fraudulent request for an allocation or an Independent resource (for example, by providing incorrect purpose/need or falsified information about the network, etc.), the RIPE NCC will deregister the relevant records.

#### **f Non-compliance with a RIPE NCC audit**

If a Member does not comply with a RIPE NCC audit regarding the registration of an Independent resource that the Member is responsible for as “sponsoring LIR”, the RIPE NCC will deregister the relevant records. Non-compliance includes, but is not limited to, unresponsiveness to or failure to cooperate with the RIPE NCC auditors’ requests. For more information about the audit procedure, please see [RIPE NCC Audit Activity](#).

#### **g Court order**

The RIPE NCC is an association under Dutch law. In the event a Dutch court orders deregistration of specific Internet number resources, the RIPE NCC must and will comply.

#### **h Independent Internet number resources assigned through a “sponsoring LIR” without an valid contractual relationship**

See [Independent Internet Number Resources – Contractual Relationship Changes between Sponsoring LIR and End User](#).

## **2. Procedures for Deregistration of Different Types of Internet Number Resources**

### **2.1 Allocations and Independent Internet Number Resources for Member’s Own Network**

The RIPE NCC will send an official notification by email to all registered contacts stating that the allocation/independent Internet number resources will be deregistered, explaining the reasons for this deregistration and the procedure of the deregistration. The Member will not be able make any further assignments from the allocations.

Should the Member respond within four weeks, the RIPE NCC will provide a timeframe of

three months for the Members to take care of any actions necessary for the deregistration of the Internet number resources. In the case of allocations, Members are responsible for requesting that their customers renumber immediately and for providing them with all available options. In particular, Members must refer their customers to the list of other Members. This list is available at:

<http://www.ripe.net/membership/indices>

During the three-month period:

- The Member must stop announcing the allocation/independent Internet number resources
- The RIPE NCC will change the **mnt-by** attribute on the Member's inetnum object to RIPE NCC maintainer and change the status attribute to "deregistered maintainer"
- A warning statement is added to the relevant records of the RIPE Database mentioning the upcoming deregistration of the Internet number resources
- The RIPE NCC will revoke any certificates generated by the RIPE NCC Certification Service

After the three-month period, the allocation/assignment will be deregistered from the RIPE Database.

Should the Member not react within four weeks, the RIPE NCC will:

- Change the **mnt-by** attribute on the Member's inetnum object to RIPE NCC maintainer and change the status attribute to "deregistered maintainer"; and/or
- Add a warning statement to the relevant records in the RIPE Database mentioning the upcoming deregistration of the Internet number resources; and/or
- Withdraw the reverse delegation; and/or
- Contact the upstream to investigate possible hijacking of Internet number resources; and/or
- Delete all relevant objects in the RIPE Database, including allocation/assignment and **route** objects
- Revoke any certificates generated by the RIPE NCC Certification Service.

The sole purpose of these actions by the RIPE NCC is for deregistration of the Internet number resources to reflect reality. As a result, if the Internet number resources are no longer announced after one of these actions, the RIPE NCC might not perform any other actions.

Please note:

If the Member responds, but with no intention to comply, or objects at some point within the four-week period, the RIPE NCC will allow the time remaining in this four-week period for the Member to submit evidence that there is no reason for the deregistration of the Internet number resources or to request arbitration (see [RIPE NCC Conflict Arbitration Procedure](#)). However, if the four-week period expires without the submission of such evidence by the Member or without the submission of a request for arbitration, the RIPE NCC will proceed as if the Member had never reacted (see relevant procedure above). The Member may still request arbitration according to the timeframes of the RIPE NCC Conflict Arbitration Procedure. If the Member requests arbitration, the RIPE NCC will change the **mnt-by** object on the relevant records to the status "maintainer in dispute" and a warning statement will be added to the relevant records of the RIPE Database until the communication of the arbiter's ruling.

## 2.2 Independent Internet Number Resources Assigned Through a “Sponsoring LIR”

The RIPE NCC will send an official notification to all registered contacts stating that the Independent Internet number resources will be deregistered, explaining the reasons for this deregistration and the procedure for the deregistration. The Member must immediately inform the End User about the imminent deregistration.

During this period:

- The End User must stop announcing the Independent Internet number resources
- The RIPE NCC will change the **mnt-by** attribute on the relevant object to RIPE NCC maintainer and change the status attribute to “deregistered maintainer”
- A warning statement is added to the relevant records of the RIPE Database mentioning the upcoming deregistration of the Internet number resources

After the three-month period, the independent Internet number resources will be deregistered from the RIPE Database.

Should the Member not react within four weeks, the RIPE NCC will:

- Change the **mnt-by** attribute on the relevant object to RIPE NCC maintainer and change the status attribute to “deregistered maintainer”; and/or
- Add a warning statement to the relevant records in the RIPE Database mentioning the upcoming deregistration of the Internet number resources; and/or
- Withdraw the reverse delegation; and/or
- Contact the upstream to investigate possible hijacking of Internet number resources; and/or
- Delete all relevant objects in the RIPE Database, including allocation/assignment and **route** objects

The sole purpose of these actions by the RIPE NCC is for deregistration of the Internet number resources to reflect reality. As a result, if the Internet number resources are no longer announced after one of these actions, the RIPE NCC might not perform any other actions.

Please note:

If the Member responds, but with no intention to comply, or objects at some point within the four-week period, the RIPE NCC will allow the time remaining in this four-week period for the Member to submit evidence that there is no reason for deregistration of the Internet number resources or to request arbitration (see [RIPE NCC Conflict Arbitration Procedure](#)). However, if the four-week period expires without the submission of such evidence by the Member or without the submission of a request for arbitration, the RIPE NCC will proceed as if the Member had never reacted (see relevant procedure above). The Member may still request arbitration according to the timeframes of the RIPE NCC Conflict Arbitration Procedure. If the Member requests arbitration, the RIPE NCC will change the **mnt-by** object on the relevant records to the status “maintainer in dispute” and a warning statement will be added to the relevant records of the RIPE Database until the communication of the arbiter’s ruling.

<p>NOTE: This document might change due to future policy changes. If this happens, the RIPE NCC will send a notification to the RIPE NCC Services Working Group Mailing List.</p>
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