

Arbitration Case #3

Date: 2003-4

Summary

A dispute between RIPE NCC and one of its members, LIR C, regarding a legacy IP address range that had been assigned to Company Z more than ten years earlier. At the time of arbitration, Company Z had become a non-existent legal entity and LIR C proposed that, based on the legal trail of entities which over time had taken on the assignment of the IP address range in question, LIR C should be formally assigned this IP address range.

Details of Case

The address range was part of the legacy IP addresses assigned prior to the formation of the Regional Internet Registry (RIR) system in Europe and North America. Following the global policy on legacy space, the ERX project transferred the IP address range in question from ARIN to the RIPE NCC. At the point when the RIPE NCC was preparing to re-assign this space, LIR C made a claim to this IP address range and asked for arbitration.

A time-line of events was reconstructed for the history of the IP address range in question. Based on the clear evidence from the government registration of companies, together with other sources, it was possible to verify a trail of company acquisitions that connected LIR C to the address range in question. There did not appear to be any other parties asserting or with a valid claim to the address range.

The confusion regarding the IP address range in question would appear to have arisen from a combination of factors. In particular, the failure of the various entities through the above company acquisitions to keep their address registry database contact information up to date.

Arbitration Ruling

The Arbiter found that the IP address range in question should be assigned by the RIPE NCC to LIR C. The Arbiter also recommended that, since this ruling was based primarily on legal entity assignment history, before LIR C were assigned any further address space by any RIR, in line with current global IP address assignment policies, they should be required to document in detail their existing IP address utilisation efficiency including in particular the IP address range in question.

The Arbiter noted that this ruling did not in any way convey any principle of legal ownership over IP address space, but merely the right (in line with global RIR policy) for a particular legal entity to be assigned this address space via registration in the RIPE Database and to make use of it while so registered.