Policy Overview and Definitions

Overview

The following policies, which govern the top level domain (TLD or Registry) indicated on Schedule A, are based on policies and best practices drawn from ICANN, WIPO, and other relevant sources, and is written to be consistent with ICANN Consensus Policies. Specifically, the Registry Policies include the following interrelated policies, terms, and conditions (together the "Registry Policies"):

a. This <u>Overview</u>, including <u>Definitions</u>.

b. The <u>Naming Policy</u>, which describes reserved and blocked (prohibited) domain names;

c. The <u>Acceptable Use Policy</u> (AUP), which describes the types of acceptable uses for domain name registrations;

d. The <u>Registrant Agreement</u>, which Registrars must present to Registrants (as a requirement of the terms of the Registry-Registrar Agreement), and which Registrants must acknowledge and agree to in order to register a domain name; the Registrant Agreement binds Registrants, at the time of initial registration, domain renewal, or domain transfer, to the Registry Policies (which also includes by reference: ICANN-mandated rights protection mechanisms such as the Uniform Rapid Suspension service ("URS"), Uniform Domain Name Dispute Resolution Policy ("UDRP"), and other ICANN Consensus Policies, as may be amended from time to time);

e. The <u>Privacy & Whois Policy</u>, which describes how a Registrant's Personal Information may be used by the Registry and in some cases, third parties;

f. The <u>Complaint Resolution Service</u> (CRS), which provides for the Registry, in cooperation with the Registrar, to provide a mechanism for Registrants and complainants to settle disputes concerning domain name registrations and/or uses; the CRS is a formal mediation-based dispute resolution process that provides a low-cost, efficient, neutral mechanism for fair adjudication of complaints including those from the public concerning alleged intellectual property abuses, illegal content, abusive or disruptive use of a domain name (e.g., phishing or spam) or other inappropriate conduct in the TLD; the CRS is complementary to the ICANN-mandated URS and UDRP.

g. The <u>Registry-Registrar Agreement</u> (RRA), is the agreement between the Registry and each accredited Registrar authorized to sell domain names within this TLD.

The Registry policies form a cohesive framework and must be read in conjunction with one another, as well as with other applicable agreements, policies, laws, and regulations which, taken together, represent the entirety of the obligations and responsibilities with regard to any domain name registration.

Background

The Registry Polices are designed to promote transparent and non-discriminatory rules for the registration of domain names within this TLD, including fair and competitive pricing and competition at the Registrar level; protection of Registrant data and privacy; adherence by Registrants to the AUP; protection of intellectual property rights; protection of certain terms; prevention of the registration of illegal terms; prevention of violations of the law or abuse of the Domain Name System (DNS), including criminal acts; and to align use of the TLD with the applicable self-regulatory environment.

These polices provide that the TLD may, when necessary, implement Registry-level "Registration suspensions" for AUP violations. The registration and use of a domain is subject at all times to the Registry Polices, which provide the means to address crime, prohibited content, intellectual property abuses and other issues of concern.

Definitions

<u>Abuse Point of Contact</u>: an agent of the Registry appointed to review complaints for compliance with these Policies.

<u>Acceptable Use Policy (or AUP)</u>: a policy that describes the types of acceptable uses for domain name registrations.

<u>Blocked Names</u>: a list of domain names, appearing on a list of blocked names, which list is subject to additions and modifications from time to time, which are indefinitely unavailable for registration.

<u>Complaint Resolution Service (or CRS)</u>: which provides for the Registry, in cooperation with the Registrar, to provide a mechanism for Registrants and complainants to settle disputes concerning domain name registrations and/or uses; the CRS is a formal mediation-based dispute resolution process that provides a low-cost, efficient, neutral mechanism for fair adjudication of complaints including those from the public concerning alleged intellectual property abuses, illegal content, abusive or disruptive use of a domain name (e.g., phishing or spam) or other inappropriate conduct in the TLD; the CRS is complementary to the ICANN-mandated URS and UDRP.

<u>Complainant</u>: a party who files a complaint using the CRS.

<u>Complaint</u>: the complaint filed by a Complainant using the CRS.

<u>Critical Issue Suspension (or CIS)</u>: a modification of the DNS records temporarily disabling a domain name from resolving; it may be undertaken when specifically requested by a Complainant in a CRS complaint.

<u>Data Escrow</u>: the process of keeping a copy of critical data, including Whois data, with an independent third party.

<u>Domain Name</u>: an identification string that represents an Internet Protocol resource, usually a server computer hosting a web site. Is to the left of the dot in a URL; in "internic.net", the domain name is "internic".

<u>Domain Name System (or DNS)</u>: the system that helps people find their way around the Internet. Every computer on the Internet has a unique address, which is a string of numbers, called an "IP address" (IP stands for "Internet Protocol"). Because IP addresses are hard to remember, the DNS makes using the Internet easier to navigate by allowing a familiar string of letters (the domain name) to be used instead of the IP address; so instead of typing 192.0.43.9, Internet users can type www.internic.net.

<u>Domain Lock</u>: a status code that can be set on a domain name in order to prevent unauthorized, unwanted or accidental changes to the domain name's ownership or technical information. When set, the following actions are prohibited: (i) modification of the domain name, including transferring the domain name; (ii) deletion of the domain name; and (iii) modification of the domain name contact details. Where a Domain Lock is applied, renewal of the domain name is still possible.

<u>EPP (Extensible Provisioning Protocol)</u>: an industry standard for how Registrars communicate with Registries.

<u>Escrow Agent</u>: a third party contracted to perform data escrow services for the Registry.

<u>ICANN (the Internet Corporation of Assigned Names and Numbers)</u>: the organization that creates the rules for, and ensures the technical stability of, the Internet.

ICANN Consensus Policies: domain name–related policies created through ICANN's multi–stakeholder consensus–based consultation process to govern certain actions related to domain names, Whois, and other ICANN-related functions; the current list of ICANN consensus polices can be found here.

Identical Match: means that a domain name consists of the complete and identical textual elements of a Trademark Clearinghouse–validated trademark. In this regard: (a) spaces contained within a mark that are either replaced by hyphens (and vice versa, as the context allows) or omitted; (b) only certain special characters contained within a trademark are spelled out with appropriate words describing it ("@" and "&"); (c) punctuation or special characters contained within a mark that are unable to be used in a second level domain name may either be (i) omitted or (ii) replaced by spaces, hyphens or underscores and still be considered Identical matches; and (d) no plural and no "marks contained" (i.e., "brandx" in "brandxproducts") qualify for inclusion.

Identifier: a number assigned by the Registry to a Registrant to uniquely identify the Registrant for the purposes of the Registry's operations and to preserve the Registrant's privacy; an individual's name is not used as an Identifier.

IP (Internet Protocol): the technical protocol that allows computers to find and communicate with each other on the Internet.

IP Address: a numerical address for a computer connected to the Internet.

Naming Policy: the policy that describes reserved and blocked (prohibited) domain names.

Name Server: the server that maps the domain name to an IP address.

Ombudsperson: an independent third party appointed by the Registry to identify and provide a neutral assessment of the interests of participants in the Complaint Resolution Service. In appropriate situations, may act as a mediator.

Personal Information: means information about an individual person, including any Registrant, whose identity can reasonably be ascertained from such information, but does not include indexes or aggregations of Personal Information relating to more than one person, such as logfiles, DNS Zone Files, databases or backups. This information may include the name, address, telephone number, and email address of the Registrant. This may include the home address and personal email of the Registrant, if the Registrant uses those as their primary contact information for the domain name.

Primary Purpose: the reasons for the Registry's collection of Personal Information, which is the storage and maintenance of such information in the Whois database (a copy of which ICANN requires is provided to the Escrow Agent) as required by ICANN, which is searchable and publicly available.

Privacy & Whois Policy: a policy document that describes how a Registrant's Personal Information may be used by the Registry and in some cases, third parties.

Prohibited Use: a use of the domain name that is illegal or expressly prohibited by the Policies, especially the Acceptable Use Policy.

Registrant: a person, whether an individual or business entity, in whose name a domain name is registered.

Registrant Agreement: the document which Registrars must present to Registrants (as a requirement of the terms of the Registry-Registrar Agreement), and which Registrants must acknowledge and agree to in order to register a domain name; the Registrant Agreement binds Registrants, at the time of initial registration, domain renewal, or domain transfer, to the Registry Policies (which also includes by reference, ICANN-mandated rights protection mechanisms

such as the Uniform Rapid Suspension service ("URS"), Uniform Domain Name Dispute Resolution Policy ("UDRP"), and other ICANN Consensus Policies);

Registrar: an entity, accredited by ICANN and under contract with the Registry, through which a business entity or individual may register a domain name.

Registrar Registration Fee: payment by the Registrar to the Registry for registration of a domain name.

Registration Fee: payment by the Registrant to the Registrar for registration of a domain name.

Registry: a database of all domain names and the associated registrant information in the top level domain; the entity that operates the TLD Registry database.

Registry Policies: the policy framework governing domain name registrations in the TLD, which includes the Naming Policy, Acceptable Use Policy, Registrant Agreement, Privacy & Whois Policy, Complaint Resolution Service, Registry–Registrar Agreement, ICANN consensus polices, and applicable laws, as amended from time to time.

Registry Related Parties: any natural or juristic person who is or is related to the Registry or the Registrar, including the officers, directors, shareholders, owners, managers, employees, agents, representatives, contractors, affiliates, successors, assigns, and attorneys of either the Registry or a Registrar.

Registry-Registrar Agreement (or RRA): the agreement between the Registry and each ICANN-accredited Registrar which is authorized to sell domain names within the TLD.

Reserved Names: domain names currently unavailable for registration but which may be released in the future.

Respondent: the party against whom a CRS Complaint is filed; usually a Registrant.

Response: the reply by the Respondent in a CRS to the Complaint.

Root Servers: the authoritative name servers that serve the DNS root zone; a network of hundreds of servers in many countries around the world.

Sunrise: the exclusive period in which trademark owners may register the Identical Match of their trademark as a domain name prior to general domain name availability in the TLD.

Term: the period of registration of a domain name. The initial Term may be between one (1) and ten (10) years, but registration renewals may extend the Term.

Top Level Domain (or TLD): anything to the right of the final dot in a domain name; e.g., ".com", ".net", ".ie".

Trademark Claims Service: the service which gives notice to a prospective domain name registrant at the time of registration that the desired domain name may infringe a trademark; also provides electronic notice to a trademark rights holder that a domain name is an Identical Match to their trademark or to a previously-adjudicated infringing string has been registered. The prospective Registrant must warrant that: (i) they have received notification that the mark is registered in the Trademark Clearinghouse; (ii) they have received and understood the notice; and (iii) to the best of their knowledge, the registration and use of the requested domain name will not infringe on the rights that are the subject of the notice. If the domain name is registered subsequent to the notice being issued and the registrant attesting to its non–infringement, the registrar (through an interface with the Clearinghouse) will notify the mark holder(s) of the registration.

Trademark Clearinghouse (TMCH): the central storage repository of validated (authenticated) trademark rights–related data and information for dissemination with respect to trademark rights

protection mechanisms and other registry-related services; more information can be found [at their website](#).

UDRP (Uniform Domain Name Dispute Resolution Policy): an ICANN Consensus Policy that provides for independent adjudication of trademark-related domain name disputes concerning alleged trademark abuse.

URS (Uniform Rapid Suspension): similar to the UDRP, a complimentary rights protection mechanism that offers a lower-cost, faster path to relief for rights holders experiencing the most clear-cut cases of infringement.

Shared Registry System (SRS): the system that allows multiple Registrars to register domain names in a Registry.

Whois: an ICANN-mandated tool that displays the Registrant, Name Server, expiration date, and contact information for a domain name. Whois information is public and searchable, and may include Personal Information, including but not limited to:

a. Technical information on the DNS Name Servers resolving a domain name;
b. The date the domain name was inserted into the Registry's database;
c. The date of last modification;
d. The date of expiration;
e. The current status of the domain name;
f. The Registrar's contact details;
g. The Registrant's name;
h. The Registrant's physical address and/or alternate address;
i. The Registrant's email and phone numbers and/or alternate address;
j. The Registrant's state and/or alternate address;
k. The Registrant's country and/or alternate address.
l. Details of nominated administrative, technical and billing contacts.

WIPO: the World Intellectual Property Organization, an international body responsible for the promotion of the protection of intellectual property throughout the world and historic partner with ICANN for UDRP proceedings.

Zone File: the file on a Root Server that contains the domain name registration information necessary to resolve the domain names to their relevant IP addresses.