gTLD Compliance Program

Contractual Compliance

Contractual Compliance Process Guidelines and Clarifications

Informal Resolution Process Guidelines

Notice VS Inquiry

Notice

- Sent regarding an alleged area of noncompliance
- Proactive compliance monitoring (if above applies)
- Complaint from third party (upon validation)

Note: Subject line will indicate whether Notice or Inquiry

Inquiry

- Information gathering is required
- No known compliance violation
- Proactive compliance monitoring effort (if above applies)

Note: Non-response to Inquiry may result in a Notice

Escalated compliance notices apply to compliance matters that:

- ⊙ Require immediate resolution
- ⊙ Are a repeat of a matter that was claimed to be previously cured
- ⊙ Are grounds for termination (e.g., insolvency, conviction, stability issue)

Informal Resolution Process – Clarifications

- Deadlines are generated on UTC time

- Due dates advance at 00:00 UTC

- Staff processing across 3 global hubs

  - Notices or inquiries sent on same day may have different deadlines

Informal Resolution Process – Clarifications

<u>NOTE</u>: Early response allows for follow up and collaboration

- ICANN will generally send a follow up for:

    - Insufficient response received before due date and time remains

    - Insufficient response received early and ICANN review/response past due date

    - Extension requested by contracted party by due date (with reason)

    - Clarification requested by contracted party before due date

- ICANN will advance to next phase for:

    - No response from contracted party

    - Insufficient response received near or on due date

Informal Resolution Process – Contacts

ICANN staff uses various contacts in the informal resolution process

⊙ <u>Registrars:</u> 1-2-3 notices sent to designated email contacts depending on complaint type; primary contact is also copied on 3rd notice and sent 3rd notice fax

⊙ <u>Registries:</u> 1-2-3 notices and 3rd notice fax sent to compliance contact; primary contact and legal notice contact also copied on 3rd notice

⊙ Reminder calls are made to contracted parties after 2nd and 3rd notices (if response is insufficient)

   ⊙ Primary contact for registrars and compliance contact for registries

   ⊙ Telephone numbers are encouraged to be direct lines (rather than general customer service lines), with voicemail

Communicating With ICANN

Tips for communicating with ICANN Contractual Compliance

- ⊙ Whitelist emails from icann.org

- ⊙ Check that your mail servers are not blocking emails from ICANN

- ⊙ Reply to compliance notices ASAP and state what you are doing

  - ⊙ Ensure all questions are answered and documents provided

  - ⊙ But no later than notice deadline

  - ⊙ Early response allows for follow up and collaboration if insufficient

- ⊙ Do not change the subject lines in any way when responding to compliance notices

- ⊙ Make sure response + attachments are less than 4 MB size total

Contractual Obligations Guidelines

Registry Program Scope

- The [Registry Agreement](#) and applicable [Consensus Policies](#)

- The Dispute Resolution Procedures

    - Public Interest Commitments

    - Community Registration Restrictions

    - Trademark Post-Delegation

    - Uniform Rapid Suspension

- The Sunrise Processes

- The Claims Services Processes

- The Audit is limited to the representations and warranties in Article 1, and the covenants in Article 2

Selected Obligations Due Upon Signing of the RA

- Comply with Temporary & Consensus Policies, as applicable (Spec 1)

- Reserve Special Domain Names (Spec 5)

- Meet Interoperability/Continuity Standards(Spec 6)

- Implement Rights Protection Mechanisms (Spec 7)

- Maintain Continued Operations Instrument (Spec 8)

- Comply with Code of Conduct (Spec 9)

- Comply with Public Interest Commitments (Spec 11)

- Implement Community Registration Policies, as applicable (Spec 12)

- Pay Registry RPM Access Fees (Article 6)

- Comply with Name-Collision Occurrence Assessment

Selected Obligations Due Upon Delegation

- Within 14 days, ensure daily escrow deposits are made and that escrow agent delivers daily verification notifications & Registry notifies ICANN (Spec 2)

- Submit Monthly Reports (Spec 3)

- Operate a WHOIS service & web-based RDDS per Spec 4

- Grant access to ICANN of daily Zone File (Spec 4, Section 2.3)

- Grant access to ICANN of weekly Thin Registration Data (Spec 4, Section 3)

- Maintain Registry Performance (Spec 10)

Comply with Temporary & Consensus Policies

⊙ Consensus Policies are developed by the community and adopted by the ICANN Board

⊙ Temporary Policies are ICANN Board-established specifications or policies necessary to maintain stability or security of Registrar Services, Registry Services, DNS or Internet

Data Escrow Requirements

Specification 2 of Registry Agreement

◉ Daily deposits by Registry Operator

- ◉ Sunday: full deposits to Data Escrow Agent by 23:59 UTC
  - ◉ Full deposit consists of entire set of registry database objects as defined

- ◉ Monday-Saturday: differential deposits by 23:59 UTC (or full deposit)
  - ◉ Differential deposit includes all registry database objects created, deleted or updated since previous full or differential deposit

◉ Registry Reporting Interface (RRI):
- ◉ Registry Operator must ensure Data Escrow Agent sends daily status notifications to ICANN per Specification 2, Part B, Section 7

- ◉ Registry Operators also sends daily notification of deposit to ICANN per Specification 2, Part A, Section 7

Data Escrow Requirements (continued)

Compliance Data Escrow Ongoing Activities

⊙ To ensure Registry Operators are complying with data escrow (DE) provisions of registry agreement per Section 2.3 and Specification 2

⊙ Review DE agent (DEA) notifications to ICANN - DEA verifies format and completeness of each deposit and notifies ICANN via Registry Reporting Interface (RRI)

⊙ Review Registry Operator notifications to ICANN – Registry Operators or its Designee (other than DEA or Affiliate) notify ICANN via RRI, provide report generated upon deposit and states deposit was inspected by Registry Operator and is complete and accurate

⊙ Review list of recently delegated gTLDs – staff ensures recently delegated gTLDs commence depositing within 14 days of delegation by verifying exception report against RRI onboarding status

Data Escrow Requirements (continued)

Compliance Data Escrow Audit Activities

- For the selected Registry Operators, ICANN verifies that:

  - The number of domains agrees between data escrow file, gTLD zone file and monthly per-registrar transaction report

  - Format and content of sampling of domain registration information agrees across data escrow file, bulk registration file and public Whois information

Monthly Reporting

Complying with Monthly Reporting requirements (Specification 3)

⊙ Two reports are required: Registry Functions Activity and Per Registrar Transaction Report

⊙ Registry operator must provide one set per TLD, using API described in draft–lozano-icann-registry-interfaces, see Specification 2, Part A, Section 9, reference 5

⊙ Reports are required to be uploaded by 20th day of month for any prior month TLD is delegated

  ⊙ Even if TLD is delegated on last day of the month (e.g., TLD delegated 31 October, October reports must be uploaded by 20 November)

  ⊙ If delegation occurs after 15th of month, reporting may be deferred to next reporting period

Reserved Names

Article 2.6 & Specification 5 of the Registry Agreement

⊙ In part for Registry Operations and Marketing

⊙ Other Requirements

- ⊙ Two-character labels at the second level (unless otherwise approved by ICANN)

- ⊙ Names on the list of Inter-governmental organizations (IGO), at the second level

- ⊙ Names on the list of International Olympic Committee, International Red Cross & Red Crescent, at the second level

- ⊙ Country and Territory names at all levels (and IDN variants as applicable)

Reserved Names (continued)

- NIC.<tld> must be activated upon delegation with registrar ID 9999

  - For internationalized domain names, translation of NIC or abbreviation for translation of "Network Information Center" may be used

- Activation of up to 100 names with registrar ID 9998 allowed if necessary for operation or promotion of top-level domain

- Reserved names released for registration must go through Rights Protection Mechanisms set forth in Specification 7

- After No Activation Period, icann-sla-monitoring.<tld> must be allocated to ICANN testing registrar

Reserved Names (continued)

- Release of ASCII letter-letter second level domains authorized
  - Dependent on implementation of confusion mitigation measures

- Mandatory measures:

  - Published registration policy must require registrant to not misrepresent or falsely imply government or country code affiliation

  - Investigate and respond to reports from governments and country code managers of confusing conduct

- Voluntary measures:

  - Exclusive 30-day pre-registration period for governments and country code managers

  - Engaging Governmental Advisory Committee members

Registry Interoperability & Continuity Specifications

Specification 6 of the Registry Agreement

⊙ Compliance with Standards: DNS, EPP, DNSSEC, IDN, IPv6, IDN Tables

- ⊙ Comply with relevant Request For Comments (RFC) and ICANN IDN Guidelines

- ⊙ Sign the TLD zone files implementing Domain Name System Security Extensions ("DNSSEC") sign its TLD zone files implementing Domain Name System Security Extensions

- ⊙ Accept IPv6 addresses as glue records in its Registry System and publish them in the DNS

⊙ gTLD Registry Advisory for Correction of non-compliant ROIDs: https://www.icann.org/resources/pages/correction-non-compliant-roids-2015-08-26-en

Registry Interoperability & Continuity Specifications

Specification 6 of the Registry Agreement

⊙ Comply with Approved Registry Services & Wildcard Prohibition

⊙ Establish a Business Continuity Plan & Conduct Annual Testing

⊙ Publish Abuse Contact Data & Establish Process for Malicious Use of Orphan Glue Records

⊙ Requirements about Initial & Renewal Registrations

⊙ Comply with Name Collision Occurrence Management

Name Collision, Controlled Interruption (CI)

Complying with Assessment Letter(s) and Approved CI Methodologies

- Ensure compliance with Wildcarded Controlled Interruption or Wildcarded Second Level Domain (SLD) Controlled Interruption

  - 4 Aug 2014 Assessment letter

  - 12 Sep 2014 SLD Variations Letter

- Ensure zone files are available for ICANN review

- Ensure no SLDs on the SLD Block List are delegated

- Remove Pre-Delegation Testing (PDT) domains from zone file

Name Collision, Controlled Interruption (CI)

1

TLDs delegated on or after 18 Aug 2014
⊙No activation of names (other than nic.tld) for 90 days after delegation
⊙The TLD chooses when to start Controlled Interruption
⊙Implement CI per Section 1 of Name-Collision Occurrence Assessment (the "Assessment")

2

TLDs delegated before 18 Aug 2014 and names activated other than nic.tld
- ⊙ The TLD chooses when to start CI; meanwhile, blocking SLDs on Alternate Path to Delegation (APD) List
- ⊙ Once CI starts, implement per Section II of Assessment and 12 Sep 2014 SLD Controlled Interruption Variations
- ⊙ After CI period ends, may release APD List per Section II (c) of Assessment

3

TLDs delegated on or after 18 Aug 2014 and no names activated, other than nic.tld
- ⊙ The TLD chooses when to start Controlled Interruption
- ⊙ Choose whether to follow Section I or II of the Assessment
- ⊙ Implement CI per the chosen section of the Assessment

TMCH Rights Protection Mechanisms (RPM)

Specification 7 of the Registry Agreement

- Comply with Trademark Clearinghouse Rights Protection Mechanisms Requirements

- Registry-Registrar Agreement with at least one ICANN accredited registrar required:

  - prior to allocating any names under Qualified or Approved Launch Program

  - at least thirty days prior to expiration of Sunrise Period if not conducting programs above; or

  - prior to Claims Commencement Date if effective Specification 13

TMCH Rights Protection Mechanisms (continued)

- ⊙ Comply with all dispute resolution procedures

  - ⊙ <u>Uniform Rapid Suspension</u>

    - ⊙ Lock domain within 24 hours of notice by URS provider and perform actions required upon notification of URS decision

  - ⊙ <u>Registry Restriction Procedure and Trademark-Post Delegation Procedure</u>

    - ⊙ Perform remedial actions if reporter of dispute prevails

Improper Allocation / Earmarking

Trademark Clearinghouse RPM Requirements Sections 2.1.1 & 2.2.4

⊙ Definition: to "Allocate" is to "designate, assign, or otherwise earmark" a Domain Name

⊙ Subject to exceptions, Registry Operator cannot Allocate name to registrant that is not a Sunrise-eligible rights holder prior to Allocation or registrations of all Sunrise-Registrations

⊙ Improper Allocation occurs regardless of sunrise preemption or whether the earmarked name was converted to a registration

Uniform Rapid Suspension

Specification 7 of the Registry Agreement

- Registry must lock domain in dispute under URS within 24 hours of receipt of Notice of Lock from URS Provider

  - If URS Provider submits complaint to ICANN, 1-2-3 expedited notices (24 hours each) to Registry Operator

- Registry must perform steps in Section 10.2 of URS procedure upon receipt of URS Determination in favor of complainant

  - ICANN enforces based on report by complainant that prevailed

Uniform Rapid Suspension

Complying with lock and suspension requirements

◉ Within 24 hours of receiving notice of complaint from URS provider, Registry Operators must lock the domain

  ◉ Restrict all changes to registration data – including transfer and deletion

◉ Registry Operator must notify the URS provider immediately upon lock

◉ Upon receipt of determination, Registry Operator immediately suspends name and redirects nameservers to Provider's informational URS site

  ◉ Whois shall reflect the name is not able to be transferred, deleted or modified for the life of the registration

◉ Lock, suspension and notification requirements must be met regardless of weekends, holidays or other absences

Registration Restriction Dispute Resolution Procedure

Specification 7 of the Registry Agreement

- ⦿ Comply with community registration policies per Article 2.19 and Specification 12

- ⦿ ICANN conducts preliminary review of complaint to ensure it is complete, has claim of non-compliance with at least one registration restriction and that reporter is in good standing

- ⦿ If report passes initial review, complaint is sent to Registry Operator; if dispute remains unsettled reporter may file complaint with approved Service Provider

Continued Operations Instrument (COI)

Specification 8 of the Registry Agreement

- ⊙ COI for sufficient financial coverage of critical registry functions of Section 6 of Specification 10 (EBERO Thresholds)

    - ⊙ 6 years from effective date of Registry Agreement

    - ⊙ If terminated or not renewed, required to obtain replacement COI

- ⊙ No amendment without ICANN approval
  https://www.icann.org/news/announcement-3-2015-09-15-en

- ⊙ Subject to review and/or audit to determine sufficiency based on number of domains under management

    - ⊙ EBERO agreement fee table provides guidance

https://www.icann.org/resources/pages/ebero-2013-04-02-en

EXHIBIT D-1
Standard Emergency Event Fee Table

DUM	EBERO Fee	DUM	EBERO Fee	DUM	EBERO Fee	DUM	EBERO Fee	DUM	EBERO Fee
1	$ 18,000								
500	$ 18,000	30,500	47,826	60,500	92,016	90,500	$ 128,016	120,500	$ 154,496
1,000	$ 18,000	31,000	48,636	61,000	92,616	91,000	$ 128,616	121,000	$ 154,864
1,500	$ 18,000	31,500	49,446	61,500	93,216	91,500	$ 129,216	121,500	$ 155,231
2,000	$ 18,000	32,000	50,256	62,000	93,816	92,000	$ 129,816	122,000	$ 155,599
2,500	$ 18,000	32,500	51,066	62,500	94,416	92,500	$ 130,416	122,500	$ 155,967
3,000	$ 18,000	33,000	51,876	63,000	95,016	93,000	$ 131,016	123,000	$ 156,335
3,500	$ 18,000	33,500	52,686	63,500	95,616	93,500	$ 131,616	123,500	$ 156,703
4,000	$ 18,000	34,000	53,486	64,000	96,216	94,000	$ 132,216	124,000	$ 157,070
4,500	$ 18,000	34,500	54,306	64,500	96,816	94,500	$ 132,816	124,500	$ 157,438
5,000	$ 18,000	35,000	55,116	65,000	97,416	95,000	$ 133,416	125,000	$ 157,806
5,500	$ 18,000	35,500	55,926	65,500	98,016	95,500	$ 134,016	125,500	$ 158,174
6,000	$ 18,000	36,000	56,736	66,000	98,616	96,000	$ 134,616	126,000	$ 158,542
6,500	$ 18,000	36,500	57,546	66,500	99,216	96,500	$ 135,216	126,500	$ 158,909
7,000	$ 18,000	37,000	58,356	67,000	99,816	97,000	$ 135,816	127,000	$ 159,277
7,500	$ 18,000	37,500	59,166	67,500	100,416	97,500	$ 136,416	127,500	$ 159,645
8,000	$ 18,000	38,000	59,976	68,000	101,016	98,000	$ 137,016	128,000	$ 160,013
8,500	$ 18,000	38,500	60,786	68,500	101,616	98,500	$ 137,616	128,500	$ 160,381
9,000	$ 18,000	39,000	61,596	69,000	102,216	99,000	$ 138,216	129,000	$ 160,748
9,500	$ 18,000	39,500	62,406	69,500	102,816	99,500	$ 138,816	129,500	$ 161,116
10,000	$ 18,000	40,000	63,216	70,000	103,416	100,000	$ 139,416	130,000	$ 161,484
10,500	$ 18,697	40,500	64,026	70,500	104,016	100,500	$ 139,784	130,500	$ 161,852
11,000	$ 19,394	41,000	64,836	71,000	104,616	101,000	$ 140,152	131,000	$ 162,220
11,500	$ 20,092	41,500	65,646	71,500	105,216	101,500	$ 140,519	131,500	$ 162,587
12,000	$ 20,789	42,000	66,456	72,000	105,816	102,000	$ 140,887	132,000	$ 162,955
12,500	$ 21,486	42,500	67,266	72,500	106,416	102,500	$ 141,255	132,500	$ 163,323
13,000	$ 22,183	43,000	67,860	73,000	107,016	103,000	$ 141,623	133,000	$ 163,691
13,500	$ 22,880	43,500	68,886	73,500	107,616	103,500	$ 141,991	133,500	$ 164,059
14,000	$ 23,578	44,000	69,696	74,000	108,216	104,000	$ 142,358	134,000	$ 164,426
14,500	$ 24,275	44,500	70,506	74,500	108,816	104,500	$ 142,726	134,500	$ 164,794
15,000	$ 24,972	45,000	71,316	75,000	109,416	105,000	$ 143,094	135,000	$ 165,162
15,500	$ 25,669	45,500	72,126	75,500	110,016	105,500	$ 143,462	135,500	$ 165,530
16,000	$ 26,366	46,000	72,936	76,000	110,616	106,000	$ 143,830	136,000	$ 165,898
16,500	$ 27,064	46,500	73,746	76,500	111,216	106,500	$ 144,197	136,500	$ 166,265
17,000	$ 27,761	47,000	74,556	77,000	111,816	107,000	$ 144,565	137,000	$ 166,633

Code of Conduct

Specification 9 of the Registry Agreement

⦿ Provide registrars equal access to Registry Services

⦿ No front-running

⦿ Requirements for Registry Operators with cross-ownership

  ⦿ Must prevent unauthorized disclosures of Personal Data by Affiliated Registrar

  ⦿ By 20 January of each year: submit Code of Conduct Certification to ICANN signed by TLD Executive and with results of review

  ⦿ Separate legal entities and separate accounting books

Annual Compliance Certification

Complying with requirement to submit Annual Certification of Compliance and conduct internal review of Registry Operator

⊙ Who Executes the Certification

  ⊙ "an executive officer of the Registry Operator"

⊙ What to Submit

  ⊙ Certification of Continued Compliance with Specification 13

  ⊙ Certification of Continued Compliance with Exemption

  ⊙ Certification of Continued Compliance with Specification 9

    ⊙ If Registry Operator or Registry Related Party operates as a provider of registrar or registrar-reseller services and no Specification 13 or Exemption status granted

Annual Compliance Certification (continued)

- Registry Related Party (Specification 9):
  - Parent or subsidiary
  - Affiliate - person/entity that controls, is controlled by or is under common control (Section 2.9(c))
  - Subcontractor (e.g., service providers)
  - Other related entity

- Notification of Affiliation to ICANN required by Registry Operator (Section 2.9(b)) and registrar (2013 RAA Section 3.21)

- Internal review at least once per calendar year to ensure compliance – Certification and review results due by 20 January each year

- Requirement to conduct review and submit certification (if applicable) is effective upon signing Registry Agreement/Specification 13/Exemption

  - Not dependent on delegation, operation or registrations

Preferential Treatment Of Registrars Prohibited

- Preferential treatment is prohibited

- Potentially relevant provisions of Registry Agreement:
  - 2.9(a) (non-discriminatory access to Registry Services by registrar and use of a uniform non-discriminatory agreement with all registrars)
  - 2.10 (requiring pricing notification and uniform renewal pricing to registrars, and requirement that all registrars be provided the same opportunity to qualify for discounted Renewal Pricing)
  - Specification 9 Code of Conduct (prohibiting preference to registrar for operational access to registry systems and related registry services)

- Fact-based compliance determinations made on case-by-case basis

- Variable circumstances may exist:
  - Sponsorship of corporate event
  - Reaching certain sales milestones
  - Other?

Public Interest Commitments

Specification 11 of the Registry Agreement

- Comply with mandatory and voluntary (as applicable) commitments

- ICANN compliance can enforce PICs regardless of whether a PIC-DRP is filed.

- PIC-DRP: ICANN conducts preliminary review of complaint to ensure it is complete, has a claim of non-compliance with at least one commitment, and that reporter is in good standing

- Registry and reporter have 30 days to resolve dispute; if unsettled ICANN investigates or defers to Standing Panel

- Standing panel has 15 days to return a decision to ICANN

- If reporter prevails ICANN sends notice of breach to Registry Operator and it has 30 days to cure

Public Interest Commitments (continued)

- Registry and reporter have 30 days to resolve dispute; if unsettled ICANN investigates or defers to Standing Panel

- Decision to invoke panel case-by-case determination:
  - Complexity of alleged violations
  - Potential impact on community
  - Size of Registry Operator
  - Which PIC(s) are allegedly violated
  - How allegations relate to ICANN's mission of stability/security
  - Other factors raised by PIC report or responses

- Standing panel has 15 days to return a decision to ICANN

- If reporter prevails ICANN sends notice of breach to Registry Operator and it has 30 days to cure

Public Interest Commitments (continued): Security Reports Common Practices

Specification 11, Section 3b Security Threat Technical Analysis and Reporting

- ⊙ Analyses performed by external party or internally by Registry Operator / Registry Service Provider

- ⊙ Statistical reports most commonly include:
  - ⊙ Number of domain names reviewed during analysis
  - ⊙ List of domain names with potential threats
  - ⊙ Type of the threat identified - malware, botnets
  - ⊙ Type of actions taken in response to threats
  - ⊙ Status (open/pending/closed) and statistics on actions taken
  - ⊙ Additional details on threats such as IP address, geographic location and registrant information
  - ⊙ Trends and alerts

- ⊙ Most common periodicity was daily reporting

Safeguards Applicable To All New gTLDs
Summarized from the GAC Beijing Communique

Safeguards applicable to all new gTLDs:

1. WHOIS verification and checks (WHOIS Accuracy Reporting System)

2. Mitigating abusive activity (RA Specification 11, Section 3a)

3. Security checks (RA Specification 11, Section 3b)

4. Documentation (WHOIS Accuracy Reporting System and RA Specification 11, Section 3b)

5. Making and Handling Complaints (RA Specification 6, Section 4.1; RA Section 2.8)

6. Consequences (RA Specification 11, 3a; 2013 RAA Section 3.7.7.2)

Safeguards Applicable To Category 1
Summarized from the GAC Beijing Communique

Safeguards applicable to Category 1 gTLDs (consumer protection, sensitive strings and regulated markets)

Incorporated by Registry Agreement, Specification 11 of applicable strings

1. Acceptable Use Policy requirements

2. Notification to registrants by registrars at time of registration

3. Implementation of security measures for sensitive health and financial data

4. Establish working relationship with regulatory bodies, including developing mitigation strategy against fraud and illegal activities

5. Require registrants to provide up-to-date contact for notification of abuse reports and contact details of regulatory bodies

(Additional safeguards for specific risks associated with regulated markets)

6. Verification and validation of registrant's credentials for participation in that sector

7. Consultation with supervisory authorities to authenticate registrant credentials

Safeguards Applicable To Category 1 (continued)
Summarized from the GAC Beijing Communique

8. Periodic post-registration checks to ensure continued compliance with sector requirements and that activities are conducted in interests of served consumers

9. Develop and publish registration policies to minimize risk of cyber bulling and harassment

10. Registration requirement that registrant will avoid misrepresentation of endorsement by government military forces

Safeguards Applicable To Category 2
Summarized from the GAC Beijing Communique

Safeguards applicable to Category 2 gTLDs (restricted registration policies)

1. Restricted Access: registration restrictions should be appropriate for risks associated with TLD and access should not be preferential against any registrar or registrant (RA Specification 11, Section 3c)

2. Exclusive Access: exclusive access to generic strings should serve a public interest goal

Community Registration Policies

Specification 12 of the Registry Agreement

⊙ Criteria for eligibility to register names

⊙ Methods for validating Community eligibility

⊙ Required to be member of specified Community

⊙ Procedures for resolution of disputes concerning compliance with TLD registration policies

Whois Service & RDDS

Specification 4, Section 1 of the Registry Agreement

⊙ Operate a Whois service

⊙ Operate a web-based Registration Data Directory Service

⊙ Advisory on Whois Clarifications
https://www.icann.org/resources/pages/registry-agreement-raa-rdds-2015-04-27-en

⊙ Additional Whois Information Policy (AWIP) Consensus Policy:
https://www.icann.org/resources/pages/policy-awip-2014-07-02-en

⊙ Registry Registration Data Directory Services Consistent Labeling and Display Policy: https://www.icann.org/resources/pages/rdds-labeling-policy-2017-02-01-en

Zone File Access

Specification 4, Section 2 of the Registry Agreement

⊙ Must provide to ICANN, bulk access to the zone files by 00:00:00 UTC

⊙ Must provide zone data to end users who request it through the Centralized Zone Data Service (CZDS)

Zone File Access Requirements (CZDS)

Replying to Requests & Reasons for Denial under Specification 4

- Agreement is not explicit on when gTLD must reply to requests for access

  - Be reasonable, open and transparent

  - Establish, publish and adhere to policy that informs requestors by when to reasonably expect a response

  - ICANN inquiry forwards user complaints about pending requests

- Reasons for denying access under Specification 4:

  - Failure to satisfy credentialing requirements of Section 2.1.2

  - Incorrect or illegitimate credentialing requirements of Section 2.1.2

  - Reasonable belief requestor will violate terms of Section 2.1.5

Weekly Access to Thin Registration Data

Specification 4, Section 3 of the Registry Agreement

- ⊙ Registry Operators must provide ICANN weekly bulk access to registration data upon delegation of top-level domain

- ⊙ Access required at 00:00:00 UTC on day of week specified by ICANN during onboarding via Onboarding Information Request (ONBIR)

- ⊙ Data includes data committed as of 00:00:00 UTC on day prior to designated access day

Maintain Registry Performance

Specification 10 of the Registry Agreement

⊙ Meet the service level outlined in the Service Level Agreement matrix of Specification 10

⊙ Maintain records for a period of at least one year

SLA Monitoring Communications: DNS/DNSSEC

Trigger:	Communication type:	Means:	To RO Contacts:
Initial incident (3 min of downtime)	Compliance Escalated Notice	Auto Email + Efax + Call	Email: Primary, Legal, Compliance, Technical, 3 Emergency contacts, 2 Backend Technical contacts Efax: Compliance contact Call: Compliance contact
10%, 25%, 50%, 75%, & 100%	Tech Svcs SLA Monitoring Alert	Auto Email + Auto Call	Email: Compliance, Technical, 3 Emergency contacts, 2 Backend Technical contacts Call: Any of 3 Emergency contacts
100%	Semi-automated Compliance Breach Notice (upon validation)	Manual Email + Efax + Courier + Web	Email: Primary, Legal, Compliance contacts Efax: Legal contact Courier: Legal contact Web: Breach published on icann.org

SLA Monitoring Communications: RDDS

Trigger:	Communication type:	Means:	To RO Contacts:
10%, 25%, 50%, 75%, & 100%	Tech Svcs SLA Monitoring Alert	Auto Email + Auto Call	<u>Email</u>: Compliance, Technical, 3 Emergency contacts, 2 Backend Technical contacts <u>Call</u>: Any of 3 Emergency contacts
75%	Compliance Escalated Notice	Auto Email + Efax + Call	<u>Email</u>: Primary, Legal, Compliance contacts <u>Efax</u>: Compliance contact <u>Call</u>: Compliance contact
100%	Semi-automated Compliance Breach Notice (upon validation)	Manual Email + Efax + Courier + Web	<u>Email</u>: Primary, Legal, Compliance contacts <u>Efax</u>: Legal contact <u>Courier</u>: Legal contact <u>Web</u>: Breach published on icann.org

ICANN

SLA Monitoring Communications

Specification 10 of Registry Agreement – EBERO Thresholds

⊙ Service Level Agreement (SLA) monitoring alerts, including automated escalated compliance notices for DNS-DNSSEC and RDDS implemented

⊙ Requires registry operators to keep contacts with ICANN up to date

⊙ Upon resolution of the failure, Compliance will follow up to inquire about the cause and fix

⊙ Monitoring and alerts have been effective at obtaining increased response time of registry operators to downtimes

Fees

Article 6 of the Registry Agreement

⊙ Fees payable to ICANN are outlined in Article 6 of the Registry Agreement

⊙ Invoiced to Registry Operator by ICANN Accounting department

⊙ When fees are 30+ days past due and ICANN Accounting has exhausted attempts to obtain payment, past due fees are referred to ICANN Compliance

⊙ Upon receipt of an ICANN Compliance fees notice:

  ⊙ Respond to the Compliance notice by due date (whether payment has been made)

  ⊙ Make payment to ICANN Accounting

Assignments: Change of Control & MSA

Complying with requirements for notification to and approval by ICANN

- Section 7.5 of the Registry Agreement

- Assignment: direct or indirect change of registry operator or material subcontracting arrangement (MSA) related to Critical Function (including redundancies for those functions)

  - MSA Critical Function defined in Specification 10: DNS Service, DNSSEC, EPP, RDDS and Data Escrow

- Advance notice to ICANN

- Approval from ICANN required prior to some changes

- Additional Information, including how-to guides and required forms
  https://www.icann.org/resources/assignments