

## Updates to Module 5: Registry Agreement Specifications

30 May 2009

These changes are illustrative – for discussion purposes. The potential changes are a result of recent community discussions regarding the registry obligation to maintain a Whois database and also regarding possible protections for certain geographical names at the second level. Both have been the subject matter of recent Board resolutions concerning trademark protections and handling of geographical names. It is thought that putting the potential changes into Guidebook form would sharpen discussion on these issues.

Module 5 of the draft Applicant Guidebook describes procedures applicable at the concluding stages of the gTLD application process, including the execution of a Registry Agreement between the applicant and ICANN. The module includes a reference to the draft Registry Agreement; see the full text of the agreement at <http://www.icann.org/en/topics/new-gtlds/draft-agreement-clean-18feb09-en.pdf>.

Potential changes to two of the specifications in the agreement have been drafted based on community discussion and comment (see also the analysis of public comments on draft Applicant Guidebook v2). The updates are:

- Registration Data Publication Services (Specification 4). As described in the accompanying Explanatory Memorandum, “Thick vs. Thin Whois for New gTLDs,” ICANN has drafted the specification to reflect a requirement for a thick Whois service to be provided by all new gTLD registry operators. Changes are based on input from a large number of commenters, including the recommendations of the IRT (see <http://www.icann.org/en/announcements/announcement-4-29may09-en.htm>) and the perceived stability benefits that could accrue to registrants. The adoption of this one IRT recommendation does not preclude in any way consideration and incorporation of the remaining solutions proposed by the IRT. That consideration will occur in public consultations during the coming weeks.
- Schedule of Reserved Names (Specification 5). This specification contains names to be reserved from second-level registration in new gTLDs. The specification been updated with a requirement for reservation of country and territory names at the second level, in accordance with the recent GAC report in response to the ICANN Board resolution requesting clarification of protections for geographical names at the second level (<http://www.icann.org/correspondence/karklins-to-twomey-29may09-en.pdf>). Under the additional draft provision, a new gTLD registry operator would be required to enforce the reservation of certain country and territory names as identified in specific sources listed in the text. It is important to note that the proposed rule is straightforward to implement as it affords protections only for country / territory names explicitly listed in the three reference documents and no translations, transliterations or other representations of the country names.

The relevant excerpts are included below. Redlined versions showing the changes from v2 of the draft specifications are included for ease of reference.

ICANN encourages comment on the interim language provided here. This language is for discussion only, and has not yet been incorporated into the Applicant Guidebook. Comments will be considered for version 3 of the full draft Applicant Guidebook, scheduled to be published in September 2009. As discussed more fully in the summary/analysis of comments on version 2 of the draft Applicant Guidebook, numerous other changes to the Registry Agreement can be expected in version 3 of the draft Registry Agreement to accompany version 3 of the draft Applicant Guidebook.

# SPECIFICATION 4

## SPECIFICATION FOR REGISTRATION DATA PUBLICATION SERVICES

1. **WHOIS Service.** Registry Operator will operate a registration data publication service available via both port 43 and a website at <whois.nic.(TLD)> providing free public query-based access to at least the following elements in the following format:

- 1.1. **Domain Name Data:**

- 1.1.1. **Query format:** whois EXAMPLE.TLD

- 1.1.2. **Response format:**

Domain Name: EXAMPLE.TLD  
Whois Server: whois.example.tld  
Referral URL: http://www.example.tld  
Updated Date: 2009-05-29T20:13:00Z  
Creation Date: 2000-10-08T00:45:00Z  
Expiration Date: 2010-10-08T00:44:59Z  
Sponsoring Registrar: EXAMPLE REGISTRAR LLC  
Sponsoring Registrar IANA ID: 5555555  
Status:DELETE PROHIBITED  
Status:RENEW PROHIBITED  
Status:TRANSFER PROHIBITED  
Status:UPDATE PROHIBITED  
Registrant ID:5372808-ERL  
Registrant Name:EXAMPLE REGISTRANT  
Registrant Organization:EXAMPLE ORGANIZATION  
Registrant Street1:123 EXAMPLE STREET  
Registrant City:ANYTOWN  
Registrant State/Province:AP  
Registrant Postal Code:A1A1A1  
Registrant Country:EX  
Registrant Phone:+1.555.555.1212  
Registrant Phone Ext: 1234  
Registrant Email:EMAIL@EXAMPLE.TLD  
Admin ID:5372809-ERL  
Admin Name:EXAMPLE REGISTRANT ADMINISTRATIVE  
Admin Organization:EXAMPLE REGISTRANT ORGANIZATION  
Admin Street1:123 EXAMPLE STREET  
Admin City:ANYTOWN  
Admin State/Province:AP  
Admin Postal Code:A1A1A1  
Admin Country:EX  
Admin Phone:+1.555.555.1212  
Admin Phone Ext: 1234  
Admin Email:EMAIL@EXAMPLE.TLD  
Tech ID:5372811-ERL  
Tech Name:EXAMPLE REGISTRAR TECHNICAL

Tech Organization:EXAMPLE REGISTRAR LLC  
Tech Street1:123 EXAMPLE STREET  
Tech City:ANYTOWN  
Tech State/Province:AP  
Tech Postal Code:A1A1A1  
Tech Country:EX  
Tech Phone:+1.1235551234  
Tech Phone Ext: 1234  
Tech Email:EMAIL@EXAMPLE.TLD  
Name Server:NS01.EXAMPLEREGISTRAR.TLD  
Name Server:NS02.EXAMPLEREGISTRAR.TLD  
>>> Last update of whois database: 2009-05-29T20:15:00Z <<<

## 1.2. Registrar Data:

1.2.1. **Query format:** whois "registrar Example Registrar, Inc."

### 1.2.2. Response format:

Registrar Name: Example Registrar, Inc.  
Address: 1234 Admiralty Way, Marina del Rey, CA 90292, US  
Phone Number: +1.310.555.1212  
Email: registrar@example.tld  
Whois Server: whois.example-registrar.tld  
Referral URL: www. example-registrar.tld  
Admin Contact: Joe Registrar  
Phone Number: +1.310.555.1213  
Email: joeregistrar@example-registrar.tld  
Admin Contact: Jane Registrar  
Phone Number: +1.310.555.1214  
Email: janeregistrar@example-registrar.tld  
Technical Contact: John Geek  
Phone Number: +1.310.555.1215  
Email: johngeek@example-registrar.tld  
>>> Last update of whois database: 2009-05-29T20:15:00Z <<<

## 1.3. Nameserver Data:

1.3.1. **Query format:** whois "NS1.EXAMPLE.TLD" or whois "nameserver (IP Address)"

### 1.3.2. Response format:

Server Name: NS1.EXAMPLE.TLD  
IP Address: 192.65.123.56  
Registrar: Example Registrar, Inc.  
Whois Server: whois.example-registrar.tld  
Referral URL: http://www. example-registrar.tld  
>>> Last update of whois database: 2009-05-29T20:15:00Z <<<

## 2. Zone File Access

**2.1. Zone File Access Agreement.** Registry Operator will enter into an agreement with any Internet user that will allow such user to access an Internet host server or servers designated by Registry Operator and download zone file data.

**2.2. User Information.** Registry Operator may request each user to provide it with information sufficient to identify the user and its designated server. Such user information will include, without limitation, company name, contact name, address, telephone number, facsimile number email address and the Internet host machine name and IP address.

**2.3. Grant of Access.** Registry Operator will grant the User a nonexclusive, non-transferable, limited right to access Registry Operator's Server, and to transfer a copy of the top-level domain zone files, and any associated encrypted checksum files to its Server no more than once per 24 hour period using FTP or HTTP.

**2.4. Use of Data by User.** Registry Operator will permit user to use the zone file for lawful purposes; provided that, (a) user takes all reasonable steps to protect against unauthorized access to and use and disclosure of the data, and (b) under no circumstances will user use the data to, (x) allow, enable, or otherwise support the transmission by e-mail, telephone, or facsimile of mass unsolicited, commercial advertising or solicitations to entities other than user's own existing customers, or (y) enable high volume, automated, electronic processes that send queries or data to the systems of Registry Operator or any ICANN-accredited registrar.

**2.5. Term of Use.** Registry Operator will provide each user with access to the zone file for a period of not less than three (3) months.

**2.6. No Fee for Access.** Registry Operator will provide access to the zone file to user at no cost.

## SPECIFICATION 4

### SPECIFICATION FOR REGISTRATION DATA PUBLICATION SERVICES (Redlined to Show Changes from draft Registry Agreement v2)

12. **WHOIS Service.** Registry Operator will operate a registration data publication service available via both port 43 and a website at <whois.nic.(TLD)> providing free public query-based access to at least the following elements in the following format:

#### 12.1. **Domain Name Data:**

12.1.1. **Query format:** whois EXAMPLE.TLD

12.1.2. **Response format:**

Domain Name: EXAMPLE.TLD  
~~Registrar: Example Registrar, Inc.~~  
Whois Server: whois.example.comtld  
Referral URL: http://www.example.tld  
~~Name Server: NS1.EXAMPLE.TLD~~  
~~Name Server: NS2. EXAMPLE.TLD~~  
~~Name Server: NS3. EXAMPLE.TLD~~  
~~Name Server: NS4. EXAMPLE.TLD~~  
~~Status: REGISTRAR LOCK~~  
Updated Date: ~~2009-05-29T20:13:00Z~~~~oct 2008~~  
Creation Date: ~~08 oct 2000-10-08T00:45:00Z~~  
Expiration Date: ~~08 oct 2010-10-08T00:44:59Z~~  
Sponsoring Registrar: EXAMPLE REGISTRAR LLC  
Sponsoring Registrar IANA ID: 5555555  
Status: DELETE PROHIBITED  
Status: RENEW PROHIBITED  
Status: TRANSFER PROHIBITED  
Status: UPDATE PROHIBITED  
Registrant ID: 5372808-ERL  
Registrant Name: EXAMPLE REGISTRANT  
Registrant Organization:EXAMPLE ORGANIZATION  
Registrant Street1:123 EXAMPLE STREET  
Registrant City:ANYTOWN  
Registrant State/Province:AP  
Registrant Postal Code:A1A1A1  
Registrant Country:EX  
Registrant Phone:+1.555.555.1212  
Registrant Phone Ext: 1234  
Registrant Email:EMAIL@EXAMPLE.TLD  
Admin ID:5372809-ERL  
Admin Name:EXAMPLE REGISTRANT ADMINISTRATIVE  
Admin Organization:EXAMPLE REGISTRANT ORGANIZATION  
Admin Street1:123 EXAMPLE STREET  
Admin City:ANYTOWN  
Admin State/Province:AP  
Admin Postal Code:A1A1A1

Admin Country:EX  
Admin Phone:+1.555.555.1212  
Admin Phone Ext: 1234  
Admin Email:EMAIL@EXAMPLE.TLD  
Tech ID:5372811-ERL  
Tech Name:EXAMPLE REGISTRAR TECHNICAL  
Tech Organization:EXAMPLE REGISTRAR LLC  
Tech Street1:123 EXAMPLE STREET  
Tech City:ANYTOWN  
Tech State/Province:AP  
Tech Postal Code:A1A1A1  
Tech Country:EX  
Tech Phone:+1.1235551234  
Tech Phone Ext: 1234  
Tech Email:EMAIL@EXAMPLE.TLD  
Name Server:NS01.EXAMPLEREGISTRAR.TLD  
Name Server:NS02.EXAMPLEREGISTRAR.TLD  
>>> Last update of whois database: [2009-05-29T20:15:00Z 24 Oct 2008 09:45:24 UTC](#) <<<

## **12.2. Registrar Data:**

**12.2.1. Query format:** whois "registrar Example Registrar, Inc."

### **12.2.2. Response format:**

Registrar Name: Example Registrar, Inc.  
Address: 1234 Admiralty Way, Marina del Rey, CA 90292, US  
Phone Number: +1.310.555.1212  
Email: registrar@example.tld  
Whois Server: whois.example-registrar.tld  
Referral URL: www.example-registrar.tld  
Admin Contact: Joe Registrar  
Phone Number: +1.310.555.1213  
Email: joeregistrar@example-registrar.tld  
Admin Contact: Jane Registrar  
Phone Number: +1.310.555.1214  
Email: janeregistrar@example-registrar.tld  
Technical Contact: John Geek  
Phone Number: +1.310.555.1215  
Email: johngeek@example-registrar.tld  
>>> Last update of whois database: [2009-05-29T20:15:00Z 24 Oct 2008 09:45:24 UTC](#) <<<

## **12.3. Nameserver Data:**

**12.3.1. Query format:** whois "NS1.EXAMPLE.TLD" or whois "nameserver (IP Address)"

### **12.3.2. Response format:**

Server Name: NS1.EXAMPLE.TLD  
IP Address: 192.65.123.56  
Registrar: Example Registrar, Inc.

Whois Server: whois.example-registrar.tld  
Referral URL: http://www.example-registrar.tld  
>>> Last update of whois database: [2009-05-29T20:15:00Z](#)24 Oct 2008 09:45:24 UTC <<<

## **23. Zone File Access**

**23.1. Zone File Access Agreement.** Registry Operator will enter into an agreement with any Internet user that will allow such user to access an Internet host server or servers designated by Registry Operator and download zone file data.

**23.2. User Information.** Registry Operator may request each user to provide it with information sufficient to identify the user and its designated server. Such user information will include, without limitation, company name, contact name, address, telephone number, facsimile number email address and the Internet host machine name and IP address.

**23.3. Grant of Access.** Registry Operator will grant the User a nonexclusive, nontransferable, limited right to access Registry Operator's Server, and to transfer a copy of the top-level domain zone files, and any associated encrypted checksum files to its Server no more than once per 24 hour period using FTP or HTTP.

**23.4. Use of Data by User.** Registry Operator will permit user to use the zone file for lawful purposes; provided that, (a) user takes all reasonable steps to protect against unauthorized access to and use and disclosure of the data, and (b) under no circumstances will user use the data to, (x) allow, enable, or otherwise support the transmission by e-mail, telephone, or facsimile of mass unsolicited, commercial advertising or solicitations to entities other than user's own existing customers, or (y) enable high volume, automated, electronic processes that send queries or data to the systems of Registry Operator or any ICANN-accredited registrar.

**23.5. Term of Use.** Registry Operator will provide each user with access to the zone file for a period of not less than three (3) months.

**23.6. No Fee for Access.** Registry Operator will provide access to the zone file to user at no cost.



## SPECIFICATION 5

### SCHEDULE OF RESERVED NAMES AT THE SECOND LEVEL IN GTLD REGISTRIES

**[Note: the content of this schedule is the subject of continuing community discussion]**

Except to the extent that ICANN otherwise expressly authorizes in writing, the Registry Operator shall reserve names formed with the following labels from initial (i.e. other than renewal) registration within the TLD:

1. **Example. The label "EXAMPLE"** shall be reserved at the second level and at all other levels within the TLD at which Registry Operator makes registrations.
2. **Two-character labels.** All two-character labels shall be initially reserved. The reservation of a two-character label string shall be released to the extent that Registry Operator reaches agreement with the government and country-code manager. The Registry Operator may also propose release of these reservations based on its implementation of measures to avoid confusion with the corresponding country codes.
3. **Tagged Domain Names.** Labels may only include hyphens in the third and fourth position if they represent valid internationalized domain names in their ASCII encoding (for example "xn--ndk061n").
4. **Second-Level Reservations for Registry Operations.** The following names are reserved for use in connection with the operation of the registry for the TLD. Registry Operator may use them, but upon conclusion of Registry Operator's designation as of the registry for the TLD they shall be transferred as specified by ICANN: NIC, WWW and WHOIS.
5. **Country and Territory Names.** The country and territory names contained in the following internationally recognized lists shall be initially reserved at the second level and at all other levels within the TLD at which the Registry Operator provides for registrations:
  - 5.1. the short form (in English) of all country and territory names contained on the ISO 3166-1 list, as updated from time to time;
  - 5.2. the United Nations Group of Experts on Geographical Names, Technical Reference Manual for the Standardization of Geographical Names, Part III Names of Countries of the World; and
  - 5.3. the list of United Nations member states in 6 official United Nations languages prepared by the Working Group on Country Names of the United Nations Conference on the Standardization of Geographical Names.

## SPECIFICATION 5

### SCHEDULE OF RESERVED NAMES AT THE SECOND LEVEL IN GTLD REGISTRIES (REDLINED TO SHOW CHANGES FROM DRAFT REGISTRY AGREEMENT V2)

**[Note: the content of this schedule is the subject of continuing community discussion]**

Except to the extent that ICANN otherwise expressly authorizes in writing, the Registry Operator shall reserve names formed with the following labels from initial (i.e. other than renewal) registration within the TLD:

1. **Example. The label "EXAMPLE"** shall be reserved at the second level and at all other levels within the TLD at which Registry Operator makes registrations.
  
2. **Two-character labels**. All two-character labels shall be initially reserved. The reservation of a two-character label string shall be released to the extent that Registry Operator reaches agreement with the government and country-code manager. The Registry Operator may also propose release of these reservations based on its implementation of measures to avoid confusion with the corresponding country codes.
  
3. **Tagged Domain Names**. Labels may only include hyphens in the third and fourth position if they represent valid internationalized domain names in their ASCII encoding (for example "xn--ndk061n").
  
4. **Second-Level Reservations for Registry Operations**. The following names are reserved for use in connection with the operation of the registry for the TLD. Registry Operator may use them, but upon conclusion of Registry Operator's designation as of the registry for the TLD they shall be transferred as specified by ICANN: NIC, WWW and WHOIS.
  
5. **Country and Territory Names**. The country and territory names contained in the following internationally recognized lists shall be initially reserved at the second level and at all other levels within the TLD at which the Registry Operator provides for registrations:
  - a. the short form (in English) of all country and territory names contained on the ISO 3166-1 list, as updated from time to time;
  
  - b. the United Nations Group of Experts on Geographical Names, Technical Reference Manual for the Standardization of Geographical Names, Part III Names of Countries of the World; and

c. [the list of United Nations member states in 6 official United Nations languages prepared by the Working Group on Country Names of the United Nations Conference on the Standardization of Geographical Names.](#)