

## SPECIFICATION 11

### PUBLIC INTEREST COMMITMENTS

1. Registry Operator will use only ICANN accredited registrars that are party to the Registrar Accreditation Agreement approved by the ICANN Board of Directors on 27 June 2013 in registering domain names. A list of such registrars shall be maintained by ICANN on ICANN's website.
2. (Intentionally omitted. Registry Operator has not included commitments, statements of intent or business plans provided for in its application to ICANN for the TLD.)
3. Registry Operator agrees to perform the following specific public interest commitments, which commitments shall be enforceable by ICANN and through the Public Interest Commitment Dispute Resolution Process established by ICANN (posted at <http://www.icann.org/en/resources/registries/picdrp>), which may be revised in immaterial respects by ICANN from time to time (the "PICDRP"). Registry Operator shall comply with the PICDRP. Registry Operator agrees to implement and adhere to any remedies ICANN imposes (which may include any reasonable remedy, including for the avoidance of doubt, the termination of the Registry Agreement pursuant to Section 4.3(e) of the Agreement) following a determination by any PICDRP panel and to be bound by any such determination.
  - a. Registry Operator will include a provision in its Registry-Registrar Agreement that requires Registrars to include in their Registration Agreements a provision prohibiting Registered Name Holders from distributing malware, abusively operating botnets, phishing, piracy, trademark or copyright infringement, fraudulent or deceptive practices, counterfeiting or otherwise engaging in activity contrary to applicable law, and providing (consistent with applicable law and any related procedures) consequences for such activities including suspension of the domain name.
  - b. Registry Operator will periodically conduct a technical analysis to assess whether domains in the TLD are being used to perpetrate security threats, such as pharming, phishing, malware, and botnets. Registry Operator will maintain statistical reports on the number of security threats identified and the actions taken as a result of the periodic security checks. Registry Operator will maintain these reports for the term of the Agreement unless a shorter period is required by law or approved by ICANN, and will provide them to ICANN upon request.

- c. Registry Operator will operate the TLD in a transparent manner consistent with general principles of openness and non-discrimination by establishing, publishing and adhering to clear registration policies.
  - d. Registry Operator of a “Generic String” TLD may not impose eligibility criteria for registering names in the TLD that limit registrations exclusively to a single person or entity and/or that person’s or entity’s “Affiliates” (as defined in Section 2.9(c) of the Registry Agreement). “Generic String” means a string consisting of a word or term that denominates or describes a general class of goods, services, groups, organizations or things, as opposed to distinguishing a specific brand of goods, services, groups, organizations or things from those of others.
4. Registry Operator agrees to perform the following specific public interest commitments, which commitments shall be enforceable by ICANN and through the PICDRP. Registry Operator shall comply with the PICDRP. Registry Operator agrees to implement and adhere to any remedies ICANN imposes (which may include any reasonable remedy, including for the avoidance of doubt, the termination of the Registry Agreement pursuant to Section 4.3(e) of the Agreement) following a determination by any PICDRP panel and to be bound by any such determination. Nothing in Section 4 of this Specification shall limit any obligations of Registry Operator under Sections 1 and 3 of this Specification. In the event Section 4 of this Specification conflicts with the requirements of any other provision of the Registry Agreement (including any Section of this Specification), such other provision shall govern.

a. **Anti-Abuse Policy**

Registrants in the TLD will be required to agree to the terms of Registry Operator’s Anti-Abuse Policy under the Registry-Registrant Agreement and the Anti-Abuse Policy will be posted on the Registry Operator’s web site and will include the following terms:

- i. Accurate Registration Information. Registrant represents and warrants to have provided current, complete, and accurate information in connection with its registration and agrees to correct and update this information to ensure that it remains current, complete, and accurate throughout the term of any resulting registration in the TLD. Registrant’s obligation to provide current, accurate, and complete information is a material element of the Registry-Registrant Agreement, and the registry reserves the right to immediately deny, cancel, terminate, suspend, lock, or transfer any registration if it determines, in its sole discretion, that the information is materially inaccurate.

- ii. Child Protection Labeling. Registrant understands that Registry Operator may label the sites in the TLD and any site to which such sites are automatically redirected irrespective of the top-level domain for child protection purposes; registrant consents to such labeling.
- iii. Prohibition on Child Abuse Images and Conduct or Content Designed to Suggest the Presence of Child Abuse Images. The term “child abuse images” is defined as any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, depicting child sexual abuse as stated in the United Nations Convention on the Rights of the Child. Registrant’s sites in the TLD shall not display any child abuse images. Registrant’s sites in the TLD shall not engage in practices that are designed to suggest the presence of child abuse images, including, without limitation, the use of meta-tags for that purpose. Registry Operator will refer any sites in the TLD that are reported to the Registry Operator to be in violation of this policy to child safety hotlines like the National Center for Missing and Exploited Children (NCMEC), the Internet Watch Foundation (IWF), or the International Association of Internet Hotlines (INHOPE).
- iv. Prohibition on Abusive Registrations. No registrant may register an abusive second-level domain name in the TLD including, without limitation, domain names that infringe the intellectual property rights of a third party, including common law trademark rights; domain names that are obvious variants of well-known trademarks not belonging to the registrant; or domain names that suggest the presence of child abuse images.
- v. Prohibition on Malicious Conduct. No registrant shall use or permit use of a domain name in the TLD for or in connection with email spoofing, phishing, spam, or other forms of malicious behavior.
- vi. Ongoing Best Practices Policies. Registry Operator will revise this TLD Anti-Abuse Policy or the Registry-Registrant Agreement to include commercially reasonable best practices policies developed by the .XXX top-level domain and/or the International Foundation for Online Responsibility (IFFOR) that are designed to promote responsible business practices related to (i) combating online child abuse images, (ii) facilitating user choice and parental control regarding access to online adult entertainment, (iii) protecting free expression rights, and/or (iv)

protecting the privacy, security, and consumer rights of consenting adult consumers of online adult entertainment goods and services; registrant consents to adhere to such policies.

- b. **Child Protection Name Reservation.** Prior to the launch of the TLD, Registry Operator will develop a proprietary child protection keyword list. Prior to the launch of the TLD, Registry Operator will reserve the exact match second-level domain names on its proprietary child protection keyword list from registration in the TLD; Registry Operator will reserve such names from registration throughout the duration of Registry Operator's operation of the TLD.
- c. **Child Protection Zone File Review.** On a quarterly basis, Registry Operator will apply its proprietary child protection keyword list against the TLD zone file. In the event a second-level domain name has been registered in the TLD that includes a keyword on Registry Operator's proprietary child protection keyword list and is a second-level domain name designed to suggest the presence of child abuse images, Registry Operator will report such domain name(s), on a quarterly basis, to child safety hotlines like National Center for Missing and Exploited Children (NCMEC), the Internet Watch Foundation (IWF), or the International Association of Internet Hotlines (INHOPE). Registry Operator will take appropriate actions as indicated by such child safety hotline(s) and/or law enforcement with respect to the domain name(s) it reports.
- d. **Registry Operator's Right to Disqualify Registration.** Registry Operator will reserve the right under the Registry-Registrant Agreement, at its sole discretion, at any time and without limitation, to immediately deny, cancel, terminate, suspend, lock, hold, or transfer any domain name and/or registration for any of the following reasons:
  - i. to comply with any applicable laws, government rules or requirements, requests of law enforcement, or any dispute resolution process;
  - ii. to ensure registrant's compliance with the terms of the Registry-Registrant Agreement including the TLD's Anti-Abuse Policy;
  - iii. in the event the domain name and/or its use violates the Registry Operator's policies, or a third party's rights, including, without limitation, the infringement of any copyright or trademark;

- iv. in the event registrant fails to provide accurate Whois information; or
  - v. as needed during resolution of a dispute.
- e. **Abuse Point of Contact.** Registry Operator will provide an abuse point of contact (APOC). This contact will be posted on the Registry Operator's web site and Registry Operator will provide a convenient web form for Internet stakeholders to file abuse complaints directly with Registry Operator.

Abuse reports submitted to Registry Operator regarding suspected child abuse content in the TLD will be routed to child safety hotlines like the National Center for Missing and Exploited Children (NCMEC), the Internet Watch Foundation (IWF), or the International Association of Internet Hotlines (INHOPE).