

gTLD String: .gay

Applicant Entity Name: dotgay LLC

Application ID#: 1-1713-23699

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 [date to be determined at time of contracting], 2013(or any subsequent form of Registrar Accreditation Agreement approved by the ICANN Board of Directors) in registering domain names. A list of such registrars shall be maintained by ICANN on ICANN's website.

2. X_ Registry Operator will operate the registry for the TLD in compliance with all commitments, statements of intent and business plans stated in the following sections of Registry Operator's application to ICANN for the TLD, which commitments, statements of intent and business plans are hereby incorporated by reference into this Agreement. Registry Operator's obligations pursuant to this paragraph shall be enforceable by ICANN and through the Public Interest Commitment Dispute Resolution Process established by ICANN ((posted at [url to be inserted when final procedure is adopted])), as it may be amended 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 Registry Agreement) following a determination by any PICDRP panel and to be bound by any such determination.

The following is a draft of the PIC submitted in time for the 5 March 2013 deadline. As the process for PIC statements is still in flux and still under review, dotgay LLC maintains its prerogative to modify this PIC as the ICANN process begins to take form. All of the commitments made in this PIC are consistent with the details contained in the dotgay LLC's application for .gay (Application ID 1-1713-23699)

As a community applicant, dotgay LLC welcomes the opportunity to affirm its public interest commitments. In our applications we made four types of commitments:

- Commitments to the Gay Community
- Commitments to governments
- Commitments to trademark holders
- General commitments

The commitments described below are taken directly from our application, and are presented as a PIC in order to give the ICANN community access to the 3rd party dispute resolution methods to be organized by ICANN.

Commitments to the Community

- In its application, dotgay LLC "commits to designating funds from registration fees to support gay organizations and other initiatives in the community."

- In its application, dotgay LLC commits to “provide an online authentication tool that will provide the registry with the information necessary to insure that only bona fide members of the community are allowed to register.”
- In its application, dotgay LLC commits to “Establish a “community watch” of the name space,” and that the “Registry will use a Community Watch mechanism, wherein the members of the community can easily report any infraction of Registry policies.”
- In its application dotgay LLC commits to “register and maintain a series of community relevant key word based domain names that will be established and managed as community resource websites, referred to as the “index directory.”
- In its application dotgay LLC commits to “provide a registration period before General Availability for community members with registrations obtained before May 1, 2012 on other IANA TLDs” to provide “a level of protection based on domain names that community members have built their organizations and businesses around on other IANA-recognized TLDs.”
- In its application dotgay LLC commits “to providing a minimum of 67% of profits from domain name registrations to the dotgay Foundation, a separate entity created after ICANN approval, with a Board of Directors that will guide redistribution of funds to support initiatives in the community.”
- In its application dotgay LLC commits that “Upon ICANN approval, dotgay LLC will also establish a Registry Advisory Board (RAB), comprised of leaders in the community around the world committed to developing and evolving policy for the .gay TLD that reflects the true needs of the community.”
- dotgay LLC commits to continue to recruit new Gay Community organizations as authentication partners in order to broaden its access to all members of the Global Gay Community.

Commitments to governments

- In its application dotgay LLC commits to reserve “geographical names will only be eligible for release and delegation to the government agency to which the geographical name represents.”
- dotgay LLC commits to consult with governments on putting sensitive names on the reserved list.

Commitments to trademark holders

- In its application dotgay LLC commits that in “addition to ICANN defined trademark rights, trademark owners will have the option to request their name be placed on a reserved list on a cost only basis during Sunrise.” dotgay LLC further commits that names put on the reserve list will only be removed if a Community member with a trademark request that it be removed.

General Commitments

- dotgay LLC will insure that the domain names will only be used for legal activities by members of the Gay Community
- dotgay LLC will insure that all second level registrations will have verified, authentic and accessible, according to prevailing law, WHOIS entries.
- dotgay LLC will insure that all registrants are accorded their human rights.

Caveat

Given the undefined nature of the PIC Dispute Resolution Methods (PICDRP) dotgay LLC makes the following stipulation concerning the PICDRP.

The Gay Community is under attack in much of the world; it is estimated that there are more countries in which a person can be imprisoned for being a member of the Gay Community than there are countries where we can be wed. Given that the contents of this PIC include dotgay LLC's commitment to defending the safety and Human Rights of global Gay Community members, dotgay LLC will not agree to be bound by any process where it does not have the right to reject a dispute panelist for cause.

3. Registry Operator agrees to perform 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 Registry Agreement) following a determination by any PICDRP panel and to be bound by any such determination.

[Registry Operator to insert specific commitments here, if applicable]