

2 May 2006

Lesley Cowley
Nominet.uk
Chief Executive
Sandford Gate
Sandy Lane West
Oxford OX4 6LB

Dear Lesley,

ICANN's Role

The mission of ICANN is to coordinate, at the overall level, the global Internet's systems of unique identifiers, and in particular to ensure the stable and secure operation of the Internet's unique identifier systems.

This letter sets out our understanding of what we do in order to demonstrate our commitment to securing and enhancing the stability and interoperability of the Internet's Domain Name System (DNS) for the benefit of the local and global Internet community.

I hope that, with this exchange of letters, we demonstrate a willingness to develop cooperation between ICANN and Nominet, and create a stable relationship between our organizations.

The main principle is the principle of subsidiary, which in this context means that ccTLD policy should be set locally, unless it can be shown that the issue has global impact and needs to be resolved in an international framework. Most of the ccTLD policy issues are local in nature and should therefore be addressed by the local Internet Community, according to national law.

ICANN:

- In accordance with our publicly available policies and procedures, maintains or causes to be maintained, a stable, secure, authoritative and publicly available database of relevant information for ccTLDs, including .uk, the country code Top Level Domain for the United Kingdom. This Authoritative Root Database shall contain information for the public authoritative name servers in respect of .uk, contact information for Nominet as the registry for .uk, the designated administrative contact(s) and the designated technical contact(s) as notified by Nominet to ICANN;
- Implements on notification by Nominet a change to the domain name or IP address(es) of the name servers for .uk as recorded in the Authoritative-Root Data according to ICANN's publicly available policies and procedures. The initial format and technical requirements shall be mutually agreed upon. We will formally notify you of any future changes to these policies and procedures.

- Publishes data maintained in the Authoritative Root Database about ccTLDs including .uk which shall include at least the names of Nominet as the ccTLD Registry, the administrative contact(s), the technical contact(s), and the domain names and IP addresses of the authoritative name servers for the domain. Nominet will provide the information using agreed procedures.
- Coordinates the Authoritative Root Server System and causes the Authoritative Root Server System to publish accurate DNS resource records with respect to the .uk TLD to the name servers recorded in the Authoritative Root Database and informs the named administrative contact(s) and technical contact(s) of .uk in a timely manner of any changes to the authoritative root zone database. "Accurate" means "will correspond to information provided by or changes made at the request of the ccTLD Registry";
- Maintains authoritative records and audit trail regarding changes to .uk delegations and records related to those delegations and inform Nominet of the status of a requested change related to .uk in accordance with our publicly available policies, procedures and format as mutually agreed upon; and
- Ensures that changes to the root zone database are made in a timely manner, on the basis of reliable authentication procedures confirming the authority and identity of the requesting party;
- Informs ccTLD's including Nominet in a timely manner of any changes to ICANN's contact information.

It is the intention of both parties that this exchange of letters will not form the basis for any claim for any legal or equitable relief, or create reliance on the part of either party. Nothing contained in this letter shall give rise to any liability, monetary or otherwise, by either one of us to the other.

We look forward to a long and mutually beneficial relationship with you.

Yours sincerely

Dr Paul Twomey
President and Chief Executive Officer

Internet Corporation for Assigned Names and Numbers
(ICANN)
Suite 330, 4676 Admiralty Way
Marina Del Rey, California 90292 USA

Dear Dr Twomey,

Nominet's purpose is to excel in the management of the .uk domain and the provision of registry services in response to the needs of our customers and stakeholders. With respect to the global Internet community, our responsibility is to ensure that our systems conform to relevant standards, enabling global interoperability.

I hope that, with this exchange of letters, we demonstrate a willingness to develop cooperation between ICANN and Nominet, and create a stable relationship between our organizations.

The main principle is the principle of subsidiarity, which in this context means that ccTLD policy should be set locally, unless it can be shown that the issue has global impact and needs to be resolved in an international framework. Most of the ccTLD policy issues are local in nature and should therefore be addressed by the local Internet Community, according to national law.

Nominet's Role:

Nominet:

- Causes to be operated and maintained in a stable and secure manner the authoritative primary and secondary name servers for .uk, adequate to resolve names within .uk for users throughout the Internet, and the sub-domains over which we retain administrative authority, and in compliance with relevant technological standards and policies we generate in conjunction with the Internet community in the UK, consistent with national law.
- Informs the IANA in a timely manner of any changes to the contact information of our administrative or technical contact(s), and any change of the contact information of any change to the administrative and /or technical contact details about .uk in the Authoritative-Root Database.
- Is resident or incorporated in the UK, and will remain so unless formally decided otherwise as a result of dialogue with the UK government. Nominet will operate in a way that is consistent with the laws of the UK, and its administrative contact is a representative of Nominet.
- Generates regular updates of the .uk zone data in compliance with relevant technological standards and subject to and within the limits of United Kingdom law.
- Provides a WHOIS service, and other related information-release services, developed in consultation with the internet community in the UK and in accordance with relevant laws in the UK; and

- Contributes towards the development of relevant technological standards.

Nominet IANA Expectations

We believe it is important that the IANA function is seen to be fair, and operated in an open, transparent manner. We share ICANN's vision of creating a modern, secure, efficient, swift, and reliable IANA system. We believe that in line with the ICANN Governmental Advisory Committee Principles (GAC Principles), the IANA entry for each ccTLD needs to respond to decisions and requests made at the local level, even with respect to changes of ccTLD manager. In this respect, we refer to section 7 of the ICANN GAC Principles, which we believe sets out a helpful framework for processing changes to a ccTLD manager.

We support the publication of IANA policies and processes, and the development of a more automated and efficient IANA operation.

We would be pleased to work with ICANN in developing best practice and escalation processes for dealing with authentication, correction of errors and disputes. Of course, both ICANN and Nominet have complete independence to decide whether or not to adopt any specific practice and are not required to adopt any practice because the other party does so.

Nominet Aspirations

We agree that the GAC Principles provide a non-binding framework for the relationships between ICANN and ccTLDs. We also recognize the outcome of the World Summit on the Information Society, and have committed to work within the framework of the Tunis Agenda, in particular in developing enhanced cooperation. We believe this is an important aspect of the three-way relationship between ccTLDs, their national governments and ICANN.

Policy

Nominet believes that the policy and structure of the .uk domain should be operated at a local level, to meet the needs of the local Internet community since in a diverse community such as ccTLDs, individual structures and offerings will likely reflect the particular needs and aspirations of diverse local Internet communities.

ICANN Funding

Nominet stands ready to fund our fair share of ICANN services that are directly relevant to ccTLDs.

Like many ccTLDs, Nominet already funds a local/national policy development process that seeks to involve all relevant local stakeholders.

Nominet is ready to contribute purely on a voluntary basis to ICANN's cost of operations in the amount of US\$85,000 for the first year from the date of this letter. We acknowledge that the ccTLD community and ICANN are working together to obtain a formula to determine permanent and satisfactory contribution to you. If there is no agreement on a permanent solution for ccTLD contributions to you or we do not agree with the formula devised we agree to review in good faith on the first anniversary of the date of this letter, taking into account all the relevant

circumstances, our voluntary contribution to you set out above with a view to making continued annual contributions on a voluntary basis.

It is the intention of both parties that this exchange of letters will not form the basis for any claim for any legal or equitable relief, or create reliance on the part of either party. For avoidance of doubt, nothing contained in this letter shall give rise to any liability, monetary or otherwise by either one of us to the other.

We look forward to a long and mutually beneficial relationship with you.

Yours sincerely

Lesley Cowley
Chief Executive Officer
Nominet