

MEMORANDUM OF UNDERSTANDING

between

The Internet Corporation for Assigned Names and Numbers

hereinafter referred to as "ICANN"

and

The International Chamber of Commerce

hereinafter referred to as the "ICC"

1. Whereas:

- (a) ICANN has developed a program for the introduction of new generic top-level domain names ("gTLD" and the "New gTLD Program").
- (b) The rules and procedures for the New gTLD Program are set out in the Applicant Guidebook (the "Guidebook"), the most recent version of which was published by ICANN on 11 January 2012.
- (c) The Guidebook, Module 3, includes a procedure by which third parties may object to an application for a new gTLD. A formal objection may be filed on any one of the following four grounds: (i) String Confusion Objection; (ii) Legal Rights Objection; (iii) Limited Public Interest Objection; and (iv) Community Objection. Guidebook, § 3.2.1.
- (d) Objections to applications for new gTLDs may be submitted after ICANN posts the public portions of all applications considered complete and ready for evaluation, which is anticipated to occur approximately two weeks after the close of the application submission period. Guidebook §§ 1.1.2.2 & 1.1.2.6.
- (e) A formal objection to an application triggers a dispute between the objector and the applicant that shall be heard and decided by an independent expert panel. A Dispute Resolution Service Provider ("DRSP") shall administer the proceedings, and shall appoint the panel of experts that will preside over the objection proceedings.
- (f) Disputes triggered by objections shall be resolved in accordance with the New gTLD Dispute Resolution Procedure (the "Procedure") and the rules of procedure of a particular DRSP that have been identified as being applicable to specific objection proceedings under the Procedure (the "DRSP Rules").

- (g) Upon publication by the DRSP, the findings of the panel will be considered an expert determination and advice that ICANN will accept within the dispute resolution process. Guidebook § 3.4.6.
- (h) The International Centre for Expertise of the ICC (the "Centre") has agreed to act as DRSP for Limited Public Interest Objections and Community Objections for at least the first round of applications in the New gTLD Program.

2. ICANN and ICC therefore agree as follows:

- (a) As previously set forth in the exchange of letters between ICANN and the ICC, the Centre shall for at the least the first Round of the New gTLD Program act as DRSP and administer all disputes arising from Limited Public Interest Objections and Community Objections, as foreseen by Guidebook § 3.2.3 and Procedure Article 3.
- (b) The DRSP Rules for Limited Public Interest Objections and Community Objections are the Rules for Expertise of the International Chamber of Commerce (the "ICC Rules"), including any applicable Appendices and other supplements to such Rules that may be adopted by the ICC.
- (c) The Centre shall select experts and administer dispute proceedings in accordance with the Procedure and the ICC Rules and any supplements to the Rules as adopted by ICC.
- (d) The Centre, with advice and support from ICANN, shall establish the necessary structure and procedures (comprising information technology, staffing, etc.) to perform its duties as DRSP in a timely and efficient manner.
- (e) ICANN and the Centre shall communicate regularly with each other and seek to optimize the service that the Centre provides as a DRSP in the New gTLD Program.

Dated: 12 June 2012



Kurt J. Pritz
Senior Vice President, Stakeholder
Relations
ICANN

Dated: 11 June 2012



Jean-Guy Carrier
Secretary General
International Chamber of Commerce