



# 2013 RAA: Dealings with Resellers

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# Key Changes to Agreement

- “Reseller” now a defined term (RAA 1.24)
- Written agreement now required for all “resellers” (RAA 3.12)
- Registrar required to enforce reseller agreement related to RAA (previously, only required to notify resellers of breaches) (RAA 3.12 & 3.12.6)
- Clarified: Registrar is ultimately responsible for all obligations in the 2013 RAA for its sponsored names (RAA 3.12)

# Definition of Reseller

RAA 1.24: A “Reseller” is a person or entity that participates in Registrar’s distribution channel for domain name registrations (a) pursuant to an agreement, arrangement or understanding with Registrar or (b) with Registrar’s actual knowledge, provides some or all Registrar Services, including collecting registration data about Registered Name Holders, submitting the data to Registrar, or facilitating the entry of the registration agreement between the Registrar and the Registered Name Holder.

# Reseller Agreements

- Agreement must enable registrar to comply with all of its obligations under the RAA (RAA 3.12)
- If a reseller causes a registrar to breach its RAA, the registrar must take reasonable steps to enforce its reseller agreement to cure and prevent further instances of non-compliance (RAA 3.12.6)
- Registrars must use commercially reasonable efforts to enforce compliance with the provisions of the agreement that relate to the provision of “Registrar Services” (RAA 3.12)

# Registrar Obligations

Registrars must ensure that resellers:

- do not use ICANN logos (or represent themselves as ICANN accredited) (RAA 3.12.1)
- use RAA-compliant registration agreements (RAA 3.12.2)
- identify the registrar upon registrant request (RAA 3.12.3)
- comply w proxy/privacy spec (RAA 3.12.4)
- link to ICANN educational page (RAA 3.12.5)
- link to Rt Benefits & Responsibilities page (RAA 3.12.7)

# Important Considerations

- Privacy & Proxy Registrations Spec applies to resellers when the P/P service is run by the registrar (P/P Spec sect. 2)
- Data Retention Spec applies to all registrations (Data Ret. Spec sect. 1)
- List of resellers to be provided to ICANN upon request (Rr. Info. Spec. sect. 26)
- Registration agreement is always required b/t Rr and Rt (RAA 3.7.7)



Thank You