



2013 RAA: Registrar-Registrant Agreement and New Compliance Certificate Requirement

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Agenda

- Overview of changes to Registrar-Registrant Agreement
- Section 3.7.7 of 2013 RAA
- Compliance Certificate (Section 3.15 of RAA)
- Question and Answer (Q&A Pod)

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Changes to Registrar-Registrant Agreements under 2013 RAA

Highlights of Rr-RNH Agreement under the 2013 RAA

- Registered Name Holders must be a person or legal entity separate from registrar (RAA 3.7.7)
- Registrar must use commercially reasonable efforts to enforce compliance with the provisions of agreement re: RNH and Consensus Policies (RAA 3.7.7)
- Registration agreements must contain 3.7.7.1 – 3.7.7.12 (RAA 3.7.7)
- “promptly” has been changed to “within seven days” in Sections 3.7.7.1, 3.7.7.2, 3.7.7.3

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Section 3.7.7 of RAA

Section 3.7.7

- Registered Name Holders must be a person or legal entity separate from registrar (**RAA 3.7.7**)
- Registrar may be RNH “for domains registered for the purpose of conducting its Registrar Services”
- Registrars who register names under this exception must submit to Sections 3.7.7.1 – 3.7.7.12

Section 3.7.7

- Section 1.19 defines Registrar Services
- Services subject to this Agreement provided by a registrar in connection with a gTLD, and includes
 - contracting with Registered Name Holders,
 - collecting registration data about the Registered Name Holders; and
 - submitting registration information for entry in the Registry Database.

Section 3.7.7

Example:

- ICANN operates a registrar
- ICANN registers the name “icann.com” through its registrar
- “icann.com” is a domain name ICANN registrar uses to provide Registrar Services
- ICANN must submit to provisions in 3.7.7.1 – 3.7.7.12

Section 3.7.7

- Agreements can be paper or electronic
- Registrar must use commercially reasonable efforts to enforce compliance with the provisions of agreement ([RAA 3.7.7.1 – 3.7.7.12](#)) and Consensus Policies
- Commercially reasonable is determined on a case-by-case basis

Additional Changes

- **3.7.7.1:** RNH must provide accurate and reliable contact details and correct and update details within 7 days of any change during registration period
- **3.7.7.2:** RNH's willful provision of inaccurate or unreliable information, its willful failure to update within 7 days or respond for 15 days to registrar inquiries shall constitute material breach
- **3.7.7.3:** RNH that licenses use of name shall accept liability for wrongful use unless it discloses identity and contact information of licensee within 7 days

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Compliance Certificate

Compliance Certificate

- Section 3.15 of RAA
- Registrar shall complete and deliver to ICANN within twenty (20) days following the end of each calendar year, a certificate executed by the president, chief executive officer, chief financial officer or chief operating officer (or their equivalents) of Registrar certifying compliance with the terms and conditions of this Agreement.
- Form is Compliance Certificate (Table of Contents – 11)



Thank You

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Questions