



## Registry Services Evaluation Policy (RSEP) Request

April 28, 2022

### Registry Operator

BestTLD Pty Ltd

### Request Details

Case Number: 01118358

This Registry Services Evaluation Policy (RSEP) request form should be submitted for review by ICANN org when a registry operator is adding, modifying, or removing a Registry Service for a TLD or group of TLDs.

The RSEP Process webpage provides additional information about the process and lists RSEP requests that have been reviewed and/or approved by ICANN org. If you are proposing a service that was previously approved, we encourage you to respond similarly to the most recently approved request(s) to facilitate ICANN org's review.

Certain known Registry Services are identified in the Naming Services portal (NSp) case type list under "RSEP Fast Track" (example: "RSEP Fast Track – BTAPPA"). If you would like to submit a request for one of these services, please exit this case and select the specific Fast Track case type. Unless the service is identified under RSEP Fast Track, all other RSEP requests should be submitted through this form.

## Helpful Tips

- Click the "Save" button to save your work. This will allow you to return to the request at a later time and will not submit the request.
- You may print or save your request as a PDF by clicking the printer icon in the upper right corner. You must click "Save" at least once in order to print the request.
- Click the "Submit" button to submit your completed request to ICANN org.
- Complete the information requested below. All fields marked with an asterisk (\*) are required. If not applicable, respond with "N/A."

## 1. PROPOSED SERVICE DESCRIPTION

### 1.1. Name of proposed service.

Best Protection

### 1.2. Provide a general description of the proposed service including the impact to external users and how it will be offered.

BestTLD Pty Ltd would like to offer the Best Protection as a service to block second level domains in .Best .

This Best Protection service provides additional protection to intellectual property holders, business and brands owners by allowing trademark holders to block second level labels in the .Best top level domain extension that are related to the holders' registered trademarks.

This Best Protection service will be offered as a service to the .Best accredited registrars, resellers and partners that will be able to offer this service to end-users and registrants.

### 1.3. Provide a technical description of the proposed service.

The Best Protection service will allow .Best accredited registrars, resellers and partners to submit applications to block a second-level string that strictly contains more than 4 letters on behalf of a registrant with a validated trademark.

Final approval to block a second-level trademark that strictly contains more than 4 letters will remain as by BestTLD Pty LTD in its sole discretion.

Approval from an existing Best Protection user would not be required for a third party to also block a trademark if they own the same mark.

No prior TMCH registration of its trademarks is required to the registrants to submit their validated trademarks to the Best Protection.

### 1.4. If this proposed service has already been approved by ICANN org, identify and provide a link to the RSEP request for the same service that was most recently approved.

This type of blocking service and request has been approved for .club, .XXX (ICM Registry) and Donuts among others.

<https://www.icann.org/en/system/files/files/rsep-2019077-club-request-25feb19-en.pdf>  
<https://www.icann.org/en/system/files/files/rsep-2019086-xxx-et-al-request-30apr19-en.pdf>  
<https://www.icann.org/en/system/files/files/rsep-2018058-donuts-request-13jun18-en.pdf>

1.5. Describe the benefits of the proposed service and who would benefit from the proposed service.

Adding the Best Protection as a service will be beneficial to the entire community, as it will enable the Best Protection participants to block a trademark across the .Best TLD, thereby preventing third parties from registering protected marks.

1.6. Describe the timeline for implementation of the proposed service.

BestTLD is ready to launch this service upon ICANN approval.

1.7. If additional information should be considered with the description of the proposed service, attach one or more file(s) below.

1.8. If the proposed service adds or modifies Internationalized Domain Name (IDN) languages or scripts that have already been approved in another RSEP request or are considered pre-approved by ICANN org, provide (a) a reference to the RSEP request, TLD(s), and IDN table(s) that were already approved or (b) a link to the pre-approved Reference Label Generation Rules (LGR). Otherwise, indicate “not applicable.”

The most current IDN requirements will be used to evaluate a submitted table.

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## 2. SECURITY AND STABILITY

2.1. What effect, if any, will the proposed service have on the life cycle of domain names?

If a new domain is registered with a validated trademark that is protected by the Best Protection service, the registered domain will be automatically deleted.

2.2. Does the proposed service alter the storage and input of Registry Data?

No

2.3. Explain how the proposed service will affect the throughput, response time, consistency or coherence of responses to Internet servers or end systems.

n/a

2.4. Have technical concerns been raised about the proposed service? If so, identify the concerns and describe how you intend to address those concerns.

No technical concerns have been raised.

2.5. Describe the quality assurance plan and/or testing of the proposed service prior to deployment.

BestTLD has already placed few names on a block list for test. The Best Protection used Centralnic API and OTE for its test.

2.6. Identify and list any relevant RFCs or White Papers on the proposed service and explain how those papers are relevant.

n/a

### 3. COMPETITION

3.1. Do you believe the proposed service would have any positive or negative effects on competition? If so, please explain.

The Best Protection service will fairly compete with other TLD blocking programs already in place in other new gTLD registries that provide name blocking services to trademark holders.

3.2. How would you define the markets in which the proposed service would compete?

Since the .Best TLD is authoritative and unique, strictly speaking, there is no competition. More broadly construed, however, the market in which we are competing with other registries offering similar services is the registrar market that services trademark holders.

3.3. What companies/entities provide services or products that are similar in substance or effect to the proposed service?

Donuts, Inc and ShortDot, ... all of which are registry operators, offer similar products.

3.4. In view of your status as a Registry Operator, would the introduction of the proposed service potentially affect the ability of other companies/entities that provide similar products or services to compete?

No

3.5. Do you propose to work with a vendor or contractor to provide the proposed service? If so, what is the name of the vendor/contractor and describe the nature of the services the vendor/contractor would provide.

We will be working with CentralNic, our existing backend service provider to offer the Best Protection to the market.

3.6. Have you communicated with any of the entities whose products or services might be affected by the introduction of your proposed service? If so, please describe the communications.

We have consulted with registrars that service trademark holders as well as registrars that serve the general public and have received positive feedback about the Best Protection and the service it provides.

3.7. If you have any documents that address the possible effects on competition of the proposed service, attach them below. ICANN will keep the documents confidential.

## 4. CONTRACTUAL PROVISIONS

4.1. List the relevant contractual provisions impacted by the proposed service. This includes, but is not limited to, Consensus Policies, previously approved amendments or services, Reserved Names, and Rights Protection Mechanisms.

We propose an amendment to Exhibit A of the .Best TLD RA to add the Proposed Services as an approved service.

4.2. What effect, if any, will the proposed service have on the reporting of data to ICANN?

n/a

4.3. What effect, if any, will the proposed service have on Registration Data Directory Service (RDDS)?\*

n/a

4.4. What effect, if any, will the proposed service have on the price of a domain name registration?

n/a

4.5. Will the proposed service result in a change to a Material Subcontracting Arrangement (MSA) as defined by the Registry Agreement? If so, identify and describe the change. Please note that a change to an MSA requires consent from ICANN org through the MSA change request process. The RSEP request must be approved prior to submitting the MSA change request.

n/a

## 5. AUTHORIZATION LANGUAGE

5.1. A Registry Agreement (RA) amendment is required when the proposed service: (i) contradicts existing provisions in the RA or (ii) is not contemplated in the RA and, therefore, needs to be added to Exhibit A of the RA and/or as an appropriate addendum/appendix. If applicable, provide draft language (or a link to previously approved RA amendment language) describing the service to be used in an RA amendment if the proposed service is approved. If an RA amendment is not applicable, respond with “N/A” and provide a complete response to question 5.2.\*

For examples or for IDN services, you may refer to the webpage for standard RA template amendments for commonly requested Registry Services.

Our Proposed Amendment to the RA is: Protected Marks – The Best Protection

The Best Protection is a service that allows trademark rights holders to block certain labels from registration.

The blocked names must comply with the provisions described in Specification 5, Section 3.3 of the Registry Agreement.

Domain Names blocked by the Best Protection service will be either an exact match of a label or will contain an exact match of such labels, or may include domain names that are a misspelling or contain a misspelling of a label.

Labels which are blocked as a result of participation in the Best Protection do not prevent other trademark rights holders or the Best Protection holders from unblocking a domain name associated with the blocked label and registering the domain name.

5.2. If the proposed service is permissible under an existing provision in the Registry Agreement, identify the provision and provide rationale. If not applicable, respond with “N/A” and provide a complete response to question 5.1.

n/a

## 6. CONSULTATION



6.1. ICANN org encourages you to set up a consultation call through your Engagement Manager prior to submitting this RSEP request. This is to help ensure that necessary information is assembled ahead of time.

Identify if and when you had a consultation call with ICANN org. If you did not request a consultation call, provide rationale.

n/a

6.2. Describe your consultations with the community, experts, and/or others. This can include, but is not limited to, the relevant community for a sponsored or community TLD, registrars or the registrar constituency, end users and/or registrants, or other constituency groups. What were the quantity, nature, and results of the consultations? How will the proposed service impact these groups? Which groups support or oppose this proposed service?

BestTLD had discussions with several registrars, registries and backend operators both those serving the trademark community and those serving the general public, by email and by phone. The purpose of those discussions was to determine potential demand as well as the best method for the Best Protection to function, and if there were any likely unintended consequences that had not been foreseen by the .Best TLD.

The consulted registrars were very supportive of the product offering.

The Best Protection as described here is the result of these discussions.

## 7. OTHER

7.1. Would there be any intellectual property impact or considerations raised by the proposed service?

No

7.2. Does the proposed service contain intellectual property exclusive to your gTLD registry?

No

7.3. Provide any other relevant information to include with the request. If none, respond with "N/A."

n/a

7.4. If additional information should be considered, attach one or more file(s) below.

**Affected TLDs**

<b>Current Registry Operator</b>	<b>Top Level Domain</b>	<b>Registry Agreement Date</b>
BestTLD Pty Ltd	best	2013-12-19