Internet Corporation for Assigned Names and Numbers ("ICANN")
12025 Waterfront Drive, Suite 300
Los Angeles, California 90094
Attention: New gTLD Program Staff

RE: Application for .Brand TLD Designation

Starbucks (HK) Limited ("Registry Operator"), in connection with the execution of the Registry Agreement for the .nowtv TLD (the "Registry Agreement"), hereby applies for .nowtv TLD to be qualified by ICANN as a .Brand TLD.

Registry Operator confirms and represents to ICANN that the TLD meets each of the criteria for the TLD to be qualified as a .Brand TLD, as described in the .Brand TLD Application Process and Specification 13 attached thereto, and that all supplemental material accompanying this application is accurate and not misleading in any respect. Registry Operator also represents that the trademark registration attached hereto as Exhibit A and the registration policies attached hereto as Exhibit B are complete and accurate copies of the official trademark registration and Registry Operator's registration policies for the TLD, respectively.

Registry Operator agrees that if Registry Operator makes any changes to its registration policies for the TLD (whether before or after this application has been approved) that may disqualify the TLD as a .Brand TLD, it will promptly provide ICANN with a complete and accurate copy of the revised registration policies. In addition, if Registry Operator fails to maintain the trademark registration underlying its .Brand TLD application, it shall promptly notify ICANN of such failure. Registry Operator also agrees to maintain the criteria required to qualify as a .Brand TLD and to immediately notify ICANN of any changes in circumstances that could alter the statements made, and supporting materials provide with, this application.

Registry Operator acknowledges and agrees that this letter is binding on Registry Operator and, if any of the foregoing representations and agreements becomes untrue or not complied with, it shall be deemed a breach of the Registry Agreement by Registry Operator, and ICANN may assert its rights under the Registry Agreement, including by determining that the TLD no longer qualifies as a .Brand TLD pursuant to the terms of Specification 13.

Questions about this request should be directed to Mr. at

Submitted by: 
Position: Primary Contact 
Dated: Aug 28, 2014 
Email: 
Exhibit A

Trademark Registration

[to be attached by Registry Operator]
CERTIFICATE OF REGISTRATION
Trade Marks Ordinance (Chapter 559)

I hereby certify that the Trade Mark with the following particulars has been entered in the register today:

商標編號: 300038132
Trade Mark No.: 300038132

商標: A NOW TV
Mark: A NOW TV
B now tv
C Now TV
D nowtv

商標種類: Ordinary
Mark Type: Ordinary

商標描述: N/A
Mark Description: N/A

 SERIES MARK: Yes
Series Mark: Yes

擁有人姓名/名稱: PCCW-HKT DATAacom SERVICES LIMITED
Owner(s)' Name, Address: PCCW-HKT DATAacom SERVICES LIMITED
39/F., PCCW TOWER, TAIKOO PLACE,
979 KING'S ROAD, QUARRY BAY,
HONG KONG.

擁有人的送達地址: SO, KEUNG, YIP & SIN
Owner(s)' Address for Service: SO, KEUNG, YIP & SIN
17TH FLOOR, STANDARD CHARTERED BANK BUILDING,
4 DES VOEUX ROAD CENTRAL,
HONG KONG.

類別及貨品/服務說明: Class 9
Class(es) & Specification(s): voice mail system; telephone dialling apparatus by vocal synthesizer; answering machine; telephone answering apparatus; automatic answering apparatus for communications apparatus; computer programs; computer software supplied on the Internet;
on-line electronic publications (downloadable from the Internet); scientific, surveying, electric, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision) and teaching apparatus and instruments; apparatus and instruments for recording, receiving, transmitting and/or reproducing data, information, pictures, images, and/or sound; telephones, pagers, mobile phones, facsimile machines; apparatus and instruments for displaying and/or printing out data, information, pictures and/or images; magnetic data carriers, recording discs none of the aforesaid featuring musical performances; automatic vending machines and mechanisms for coin-operated apparatus; video tapes, audio cassettes, compact discs, floppy discs, CD ROMS and DVD ROMS, none of the aforesaid featuring musical performances; data processing equipment and computers; computer software for searching of data; cards, wires, discs and semiconductor devices carrying computer programs; telecommunications apparatus, instruments, networks, circuitry; cables, cable installations, optical fibres, optical communication apparatus and circuitry, all for telecommunications purposes; electronic and computer apparatus and instruments for debiting and/or crediting financial accounts and/or for paying for goods or services; machine-readable debit and/or credit and/or charge cards; electronic and computer apparatus, instruments and software for communicating with computer networks and the world-wide web; television, radio, video and audio apparatus, equipment and devices; MP3 (Moving Picture Experts Group-1 audio layer 3) players; computer software for event scheduling and for managing, viewing and editing address books and personal and professional contact information; apparatus for coding and decoding signals; mouse pads; and parts and fittings for all the aforesaid goods; none of the aforementioned goods being electronic transmission recordings featuring musical performances; all included in Class 9.

Class 38

telecommunication services; provision of telecommunication access and links to computer database and to the Internet; electronic communication services; interactive telecommunications services; telecommunication of information (web pages), computer programs and data; providing telecommunications connections to the Internet or data bases; telecommunication gateway services; computer network communication services; provision of telecommunication access to world-wide web facilities and structures; communication by computer terminals, communication by fibre optic networks, computer aided transmission of messages and images, facsimile transmission, message sending, paging services, rental of modems, data communication services by electronic means; telephone services, telegraph services, telex services; telegraphic-wire services; wire services; satellite communication services; electronic
mail service; rental of telecommunication equipment; electronic message sending, receiving and forwarding services; collection, transmission and delivery of data by electronic means; collection, transmission and delivery of mail messages, still picture and/or moving picture information such as characters, messages, music and images, telegrams, information and data by mechanical, electronic, telephone, telex, cable, computer and satellite means; electronic messaging, conferencing and order-transmission services; radio and television communication services; communication services between computers; communication by electronic bulletin board that enables users to perform a real-time interactive talk between a computer terminal and an electronic bulletin board containing still picture and moving picture information and voice information such as characters; provision of telecommunication access to signal coding and decoding apparatus; broadcasting and transmission of radio and television programmes; cable television broadcasting; music broadcasting; transmission of music, films, interactive programmes, videos, electronic computer games; preparation of reports in relation to the foregoing services; provision of telecommunication facilities for interactive discussion and conversation; telecommunication services provided by means of pre-paid telephone cards; telephone services relating to credit card authorization; providing access to digital music web sites on the Internet; providing telecommunication access to MP3 (Moving Picture Experts Group-1 audio layer 3) web sites on the Internet; delivery of digital music by telecommunications; operating search engines; computerized consultation of telephone directories; transmission of information relating to on-line shopping and general retail services; video-on-demand services; leasing of telecommunication equipment; news services for communication media; consultancy, information and advisory services in relation to the aforesaid services; all included in Class 38.

N/A

N/A

N/A

N/A

25 June, 2003
聲稱具有優先權的日期: N/A
Dates of Priority Claimed: N/A
優先權申請編號: N/A
Priority Application No.: N/A
優先權申請的
國家、地區、地方: Country, Territory, Area of Priority Applications:

日期：二○○四年十二月六日
Dated this 06 December, 2004

\( \begin{align*} \end{align*} \)

簡標註冊處處長謝爾方
Stephen Selby
Registrar of Trade Marks

註：Note:
1. 註冊由上述註冊日起計為期 10 年，在該期間届滿時，可再每次續期 10 年。
Registration is for a period of 10 years beginning on the date of registration. At the end of that period, it may be renewed successively for further periods of 10 years.
2. 本證明書不可用於法律程序，或用以取得境外註冊。
This certificate is not for use in legal proceedings or for obtaining registration abroad.
3. 本簡標的所有權如有改變，或簡標人的姓名/名稱及/或地址改變，必須立刻向處長申請將改變註冊。
Upon any change of ownership of this trade mark, or change of name and/or address of the registered owner, application should AT ONCE be made to the Registrar to register the change.
<table>
<thead>
<tr>
<th>Trade Mark No.:</th>
<th>300038132</th>
</tr>
</thead>
<tbody>
<tr>
<td>Status:</td>
<td>Registered</td>
</tr>
<tr>
<td>Mark:</td>
<td>NOW TV now tv Now TV nowtv</td>
</tr>
<tr>
<td>Mark Type:</td>
<td>Ordinary</td>
</tr>
<tr>
<td>Series Mark:</td>
<td>Yes</td>
</tr>
<tr>
<td>Owner's Name, Address:</td>
<td>STARBUCKS (HK) LIMITED 38th Floor, Citibank Tower, Citibank Plaza, 3 Garden Road, Central, HONG KONG</td>
</tr>
<tr>
<td>Owner's Address for Service:</td>
<td>So Keung Yip &amp; Sin, Solicitors &amp; Notaries, Agents for Trade Marks, Patents and Designs 1009-1012, 10/F, Nan Fung Tower, 173 Des Voeux Road, Central, Hong Kong</td>
</tr>
<tr>
<td>Agent's Address:</td>
<td>1009-1012, 10/F, Nan Fung Tower, 173 Des Voeux Road, Central, Hong Kong</td>
</tr>
<tr>
<td>Class No.:</td>
<td>9, 38</td>
</tr>
<tr>
<td>Specification:</td>
<td>voice mail system; telephone dialling apparatus by vocal synthesizer; answering machine; telephone answering apparatus; automatic answering apparatus for</td>
</tr>
</tbody>
</table>
communications apparatus; computer programs; computer software supplied on the Internet; on-line electronic publications (downloadable from the Internet); scientific, surveying, electric, photographic, cinematographic, optical, weighing, measuring, signalling, checking (supervision) and teaching apparatus and instruments; apparatus and instruments for recording, receiving, transmitting and/or reproducing data, information, pictures, images, and/or sound; telephones, pagers, mobile phones, facsimile machines; apparatus and instruments for displaying and/or printing out data, information, pictures and/or images; magnetic data carriers, recording discs none of the aforesaid featuring musical performances; automatic vending machines and mechanisms for coin-operated apparatus; video tapes, audio cassettes, compact discs, floppy discs, CD ROMS and DVD ROMS, none of the aforesaid featuring musical performances; data processing equipment and computers; computer software for searching of data; cards, wires, discs and semiconductor devices carrying computer programs; telecommunications apparatus, instruments, networks, circuitry; cables, cable installations, optical fibres, optical communication apparatus and circuitry, all for telecommunications purposes; electronic and computer apparatus and instruments for debiting and/or crediting financial accounts and/or for paying for goods or services; machine-readable debit and/or credit and/or charge cards; electronic and computer apparatus, instruments and software for communicating with computer networks and the world-wide web; television, radio, video and audio apparatus, equipment and devices; MP3 (Moving Picture Experts Group-1 audio layer 3) players; computer software for event scheduling and for managing, viewing and editing address books and personal and professional contact information; apparatus for coding and
decoding signals; mouse pads; and parts and fittings for all the aforesaid goods; none of the aforementioned goods being electronic transmission recordings featuring musical performances; all included in Class 9.

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enables users to perform a real-time interactive talk between a computer terminal and an electronic bulletin board containing still picture and moving picture information and voice information such as characters; provision of telecommunication access to signal coding and decoding apparatus; broadcasting and transmission of radio and television programmes; cable television broadcasting; music broadcasting; transmission of music, films, interactive programmes, videos, electronic computer games; preparation of reports in relation to the foregoing services; provision of telecommunication facilities for interactive discussion and conversation; telecommunication services provided by means of pre-paid telephone cards; telephone services relating to credit card authorization; providing access to digital music web sites on the Internet; providing telecommunication access to MP3 (Moving Picture Experts Group-1 audio layer 3) web sites on the Internet; delivery of digital music by telecommunications; operating search engines; computerized consultation of telephone directories; transmission of information relating to on-line shopping and general retail services; video-on-demand services; leasing of telecommunication equipment; news services for communication media; consultancy, information and advisory services in relation to the aforesaid services; all included in Class 38.

[220] 提交日期：
(D-M-Y) 25-06-2003

[442] 公布獲接納註冊申請日期：
(D-M-Y) 05-09-2003
for Registration:
(D-M-Y)

[151] 註冊日期：
(日-月-年)
Date of
Registration:
(D-M-Y)

實際註冊日期：
(日-月-年)
Actual Date of
Registration:
(D-M-Y)

[180] 註冊屆滿日期：
(日-月-年)
Expiry date:
(D-M-Y)

詳細背景資料：
Historical Details:

作出記項日期　事項
Date of entry Matters
08-06-2012 APPLIcation FOR REGISTRATION OF / NOTICE TO
REGISTER PARTICULARS OF ASSIGNMENT / TRANSFER
FILEd

08-10-2012 ASSIGNMENT/TRANSFER

New Owner's Name and Address:
STARBUCKS (HK) LIMITED
38th Floor, Citibank
Tower, Citibank Plaza, 3
Garden Road, Central,
HONG KONG

New Owner's Address for Service:
So Keung Yip & Sin,
Solicitors & Notaries,
Agents for Trade Marks,
Patents and Designs
2203 - 2205, 22nd Floor,
Wheelock House, No. 20
Pedder Street, Central,
HONG KONG

Previous Owner's Name and Address:
PCCW-HKT DATACOM SERVICES
LIMITED
39/F., PCCW TOWER, TAIKOO
PLACE,
979 KING'S ROAD, QUARRY
BAY,
HONG KONG.
Previous Owner's Address for Service:
SO KEUNG YIP & SIN, SOLICITORS & NOTARIES, AGENTS FOR TRADE MARKS, PATENTS & DESIGNS 2203-2205, 22ND FLOOR, WHEELOCK HOUSE, NO.20 PEDDER STREET, CENTRAL, HONG KONG.

Date of Assignment: 01-01-2011

Date of entry Matters
06-12-2004 REGISTRATION
Exhibit B

TLD Registration Polices

[to be attached by Registry Operator]
Mission

Starbucks (HK) Limited intends to operate the proposed TLD to be managed solely by Starbucks (HK) Limited, its Affiliates or Trademark Licensees.

.NOWTV TLD Registration Policy

Starbucks (HK) Limited is the Sponsor and Registry Operator for the .NOWTV Sponsored TLD, designated by ICANN. As the duly recognized and delegated authority, Starbucks (HK) Limited sets and enforces operational and registration policies for the .NOWTV Registry. Such decisions include but are not limited to:

- Registration eligibility requirements
- Valid Characters for Domain Names
- Acceptable Use
- Dispute policies
- Technical policies, including SRS security and access.

1.0 Definitions

<table>
<thead>
<tr>
<th>.NOWTV Registrar / Accredited Registrar</th>
<th>Accredited Registrar means an ICANN Accredited Registrar that is also Accredited for the .NOWTV Registry in this document</th>
</tr>
</thead>
<tbody>
<tr>
<td>.NOWTV Registry</td>
<td>The &quot;.NOWTV Registry&quot; is the TLD Registry Sponsored and operated by Starbucks (HK) Limited. Starbucks (HK) Limited is a corporation incorporated in Hong Kong</td>
</tr>
<tr>
<td>.NOWTV TLD Registration Policy</td>
<td>.NOWTV TLD Registration Policy means the .NOWTV Domain Name Registration Policy which sets out the eligibility criteria for domain names in the .NOWTV TLD</td>
</tr>
<tr>
<td>Applicant</td>
<td>The Applicant of a domain name is the collective of entities implicated by the associated contacts of a domain registration application</td>
</tr>
<tr>
<td>ICANN</td>
<td>Internet Corporation for Assigned Names and Numbers</td>
</tr>
<tr>
<td>IDN</td>
<td>Internationalized Domain Name</td>
</tr>
<tr>
<td>Registrant</td>
<td>The holder of a domain-name registration in the TLD</td>
</tr>
<tr>
<td>Registry Operator</td>
<td>Starbucks (HK) Limited</td>
</tr>
<tr>
<td>Registry Agreement</td>
<td>The agreement between Registry Operator and ICANN for the TLD</td>
</tr>
<tr>
<td>TLD</td>
<td>Top Level Domain</td>
</tr>
<tr>
<td>UDRP</td>
<td>Uniform Dispute Resolution Policy means the ICANN UDRP as described in <a href="http://www.icann.org/dndr/udrp/policy.htm">http://www.icann.org/dndr/udrp/policy.htm</a></td>
</tr>
<tr>
<td>URS</td>
<td>Uniform Rapid Suspension means the ICANN URS as described in <a href="https://www.icann.org/resources/pages/urs-2014-01-09-en">https://www.icann.org/resources/pages/urs-2014-01-09-en</a></td>
</tr>
</tbody>
</table>
2.0 Registration Eligibility Requirements

Eligibility to register or use a .NOWTV domain name (including controlling associated DNS records) is limited to Starbucks (HK) Limited, and upon Starbucks (HK) Limited’s sole discretion and prior written approval, its Affiliates, and/or Trademark Licensees who agree to be bound by the .NOWTV TLD Registration Policy.

Starbucks (HK) Limited reserves the right to periodically review .NOWTV registration eligibility at its sole discretion. Starbucks (HK) Limited reserves the right to deny, suspend, transfer, cancel or take appropriate action should a .NOWTV domain name registration cease to meet the registration eligibility requirements.

Starbucks (HK) Limited reserves the right to amend the .NOWTV TLD Registration Policy without prior notice and in its sole discretion. Changes to the .NOWTV TLD Registration Policy shall be reflected at (TBD), and Registrants shall be notified of any such changes.

Starbucks (HK) Limited reserves the right in its sole discretion to deny, suspend, transfer and/or cancel at any time a domain name registration or request for registration found to be in violation of this Policy, any other registry policy, and/or any applicable law, rule or regulation.

3.0 Valid Characters for Domain Names

For a .NOWTV domain name to be available for registration, it must meet the following requirements:

- It must contain at least 1, and at most 63 characters (after conversion to A-Label for IDN)
- It may only contain alphanumeric characters (a-z, 0-9) and hyphens (letter-digit-hyphen)
- Hyphens cannot be used for the first or last character of the second level domain names, and may not be in the third or fourth position of the second level domain name unless it corresponds to a valid Internationalized Domain Name (IDN) in ASCII form (i.e. "xn--nlq685e")
- It must not be a Reserved Name under the Reserved Names Policy as set forth in the .NOWTV Registry’s website
- It must comply with all .NOWTV naming policies and guidelines

4.0 Obligations of Registrants

4.1 Indemnification Required of Registrants

A Registrant must indemnify, to the maximum extent permitted by law, defend and hold harmless Starbucks (HK) Limited, and its directors, officers, employees and agents from and against any and all claims, damages, liabilities, costs and expenses, including reasonable legal fees and expenses, arising out of or relating to the Registrant’s domain name registration and or use. This indemnification obligation survives the termination or expiration of the domain registration.
4.2 Registrant Compliance

A Registrant is required to:

- Comply with the Registration Eligibility Requirements at all times;
- Comply with ICANN requirements, standards, policies, procedures, and practices for which Starbucks (HK) Limited has monitoring responsibility in accordance with the Registry Agreement or other arrangement with ICANN. A Registrant also acknowledges that delay or failure by Starbucks (HK) Limited to identify or take action upon the identification of such breaches shall not be construed as consent by Starbucks (HK) Limited for such non-compliance, nor shall such delay or failure be deemed as a waiver of Starbucks (HK) Limited to exercise any power under this policy or any policies published by Starbucks (HK) Limited;
- Comply with operational standards, policies, procedures, and practices for the .NOWTV Registry established from time to time by Starbucks (HK) Limited in a non-arbitrary manner as Registry Policies, applicable to all registrars and/or Registrants, and consistent with the Registry Operator Agreement with ICANN;
- Agree to be bound by the terms and conditions in the initial launch and general operations of the Registry TLD, including without limitation the Start-Up Policies. Where such terms and conditions include the submission to a binding arbitration for disputes arising from the Start-Up process or any allocation of domain names; and
- Submit to proceedings commenced under dispute policies as set forth below in section 6.0.

5.0 Reserved Names

The .NOWTV Registry may designate from time to time certain domain names as Reserved Names:

- in compliance with the specifications and guidelines in the Registry Agreement; and
- any term as decided by Registry Operator in its sole discretion

6.0 Acceptable Use/Anti-Abuse Policy

Abusive use(s) of .NOWTV domain names will not be tolerated.

The nature of such abuses creates security and stability issues for the registry, registrars and registrants, as well as for users of the Internet in general. Starbucks (HK) Limited’s definition of abusive use of a .NOWTV domain name includes, without limitation, the following:

- **Illegal or fraudulent actions**;
- **Spam**: The use of electronic messaging systems to send unsolicited bulk messages. The term applies to email spam and similar abuses such as instant messaging spam, mobile messaging spam, and the spamming of Web sites and Internet forums;
- **Phishing**: The use of counterfeit Web pages that are designed to trick recipients into divulging sensitive data such as personally identifying information, usernames, passwords, or financial data;
- **Pharming**: The redirecting of unknowing users to fraudulent sites or services, typically through, but not limited to, DNS hijacking or poisoning;
• **Willful distribution of malware:** The dissemination of software designed to infiltrate or damage a computer system without the owner’s informed consent. Examples include, without limitation, computer viruses, worms, keyloggers, and Trojan horses.

• **Malicious fast-flux hosting:** Use of fast-flux techniques with a botnet to disguise the location of web sites or other Internet services, or to avoid detection and mitigation efforts, or to host illegal activities.

• **Botnet command and control:** Services run on a domain name that are used to control a collection of compromised computers or "zombies," or to direct distributed denial-of-service attacks (DDoS attacks);

• **Distribution of child pornography; and**

• **Illegal Access to Other Computers or Networks:** Illegally accessing computers, accounts, or networks belonging to another party, or attempting to penetrate security measures of another individual's system (often known as "hacking"). Also, any activity that might be used as a precursor to an attempted system penetration (e.g., port scan, stealth scan, or other information gathering activity).

Starbucks (HK) Limited reserves the right to deny, cancel or transfer any registration that it deems necessary, in its sole discretion (i) to protect the integrity, security, and stability of the registry; (ii) to comply with all appropriate laws, government rules or requirements, requests of law enforcement, in compliance with any dispute resolution process; (iii) to avoid any liability, civil or criminal, on the part of Starbucks (HK) Limited as well as its affiliates, subsidiaries, officers, directors, representatives, employees, and stockholders; (iv) for violations of the terms and conditions herein: or (v) to correct mistakes made by Starbucks (HK) Limited, the Registry Services Provider or any registrar in connection with a domain name registration. Starbucks (HK) Limited also reserves the right to freeze a Registered Name such as placing a domain name on hold, lock, or other status during the resolution of a dispute.

Registrants must also submit to proceedings commenced under other dispute policies as set forth by Starbucks (HK) Limited from time to time in the Registry Policies, including but not limited to expedited processes for suspension of a domain name by claims sought by intellectual property rights holders, Internet engineering and security experts or other competent claimants in the purpose of upholding the stability, security and integrity of the .NOWTV Registry.

Starbucks (HK) Limited reserves the right to amend or otherwise modify this policy to keep abreast of changes in consensus policy or new and emerging types of abusive behaviour in the Internet.

### 7.0 Rights Protection Mechanisms

Starbucks (HK) Limited is committed to maintaining the integrity of the data within the .NOWTV Registry and to implement policies that deter infringements. The .NOWTV Registry will adopt and implement all the Rights Protection Mechanisms as required by ICANN including:

- The Uniform Domain Name Dispute Resolution Policy (UDRP),
- The Uniform Rapid Suspension (URS), and
- The Trademark Claims process

for facilitating the resolution of disputes over the registration and use of a second-level domain name registered under the .NOWTV Registry.
8.0 Privacy

Starbucks (HK) Limited shall ensure that the operation of the .NOWTV Registry shall comply with Starbucks (HK) Limited’s privacy policy as set forth in the .NOWTV Registry’s website.

9.0 Access to WHOIS

All rights are reserved for information retrieved through the WHOIS Service.

Access to .NOWTV WHOIS information is provided to assist persons in determining the contents of a domain name registration record in the registry database. The data is provided for informational purposes only, and Starbucks (HK) Limited does not guarantee its accuracy. The service is intended only for query-based access. WHOIS users must agree that they will use the data only for lawful purposes and that, under no circumstances will the data be used to: (a) allow, enable, or otherwise support the transmission by e-mail, telephone, or facsimile of mass unsolicited, commercial advertising or solicitations to entities other than the data recipient’s own existing customers; or (b) enable high volume, automated, electronic processes that send queries or data to the systems of Registry Operator or any ICANN-Accredited Registrar, except as reasonably necessary to register domain names or modify existing registrations.

Starbucks (HK) Limited reserves the right to modify these terms at any time. By submitting a WHOIS query, a user agrees to abide by this WHOIS policy. At the discretion of the registry, upon possible violations of the policy the source IP or IPs may be denied access to the WHOIS service. Access may be denied without notice.