

Application for .Brand TLD Designation for TLD .theguardian

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

Date: 18 September 2014

RE: Application for .Brand TLD Designation for TLD .theguardian

The Guardian Media News and Media ("Registry Operator" or "The Guardian"), in connection with the execution of the Registry Agreement for .theguardian TLD (the "Registry Agreement"), hereby applies for .theguardian 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.

For consideration the Registry Operator submits the following:

- The TLD string "theguardian" is identical to the textual elements protectable under applicable law of UK and European Union where the trademark "theguardian" is registered.
- The TLD string "theguardian" is recorded with an issued with a signed mark data filed by the Trademark Clearinghouse. (See Exhibit C)
- The Guardian trademark and the TLD .theguardian will be used the newspaper and digital media services currently offered by The Guardian and its Affiliates.
- The "Theguardian" Trademark was issued prior to the filing of the Application back in December 5, 2005.
- The Trademark is owned and used by the Registry Operator and/or its Affiliates in the ordinary course of The Guardian's and/or its Affiliates' business in connection with newspaper and media publications, etc.
- The trademark does not begin or end with a dot.
- The trademark "The Guardian" will be used by the Registry Operator and its Affiliates in the conduct of one or more of businesses that are unrelated to the provision of TLD registry services throughout the Term in the ordinary course of business for the provision of services consistent with the trademark registration.

- The TLD is not a generic TLD (as defined Specification 11).
- Only the Registry Operator, its Affiliates or Trademark Licensees are the registrants of the domain names in the TLD and control the DNS records associated with domain names at any level in the TLD.

Registry Operator also represents that the trademark registration (together with a certified English translation) are complete and accurate copies of the official trademark registration attached hereto as Exhibit A. Further the Registry represents that the registration policies attached hereto as Exhibit B and the TMCH signed mark data identification attached hereto as Exhibit C, are accurate and complete copies of the documents for .theguardian TLD.

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 provided 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 [REDACTED]

Sincerely,

Submitted by: [REDACTED]
Position: Secondary Contact
Dated: 18 September 2014
Email: [REDACTED]

EXHIBIT A

TRADEMARK REGISTRATION

RECEIVED

- 2 JUL 2012

**OFFICE FOR HARMONIZATION IN THE INTERNAL MARKET**
(TRADE MARKS AND DESIGNS)OPERATIONS SUPPORT DEPARTMENT
Register and Fees Service
Inspection of files/Renewals

L607

OLSWANG LLP
90 High Holborn
London WC1V 6XX
REINO UNIDO

Fax: 00 44-2070673999

Alicante, 02/07/2012

Renewal of Community Trademarks**Notification of Entry on the Register (Rules 84(3)(k) and 84(5) CTMIR)**

<i>Our reference:</i>	006109592
<i>Registration number:</i>	002761047
<i>Your reference:</i>	CUB/G3800.127
<i>CTM:</i>	THE GUARDIAN
<i>ID number:</i>	56588
<i>Name and address of CTM proprietor(s):</i>	Guardian News & Media Limited Kings Place, 90 York Way London N1 9GU REINO UNIDO

Please be informed that the renewal of the above CTM registration was entered in the CTM Register on 01/07/2012. This renewal is valid for a period of ten years and takes effect from the date on which the existing registration expires.

Please note that the Office does not issue renewal certificates, this notification serves as the official confirmation. For further information, such as the next expiry date, please consult CTM-Online on:
<http://oami.europa.eu/ows/rw/pages/CTM/index.en.do>.

Guido FAEL
Tel. +34 96 513 8865

T006109592 / 002761047

Guardian News & Media Limited

European Community

THE GUARDIAN

Application No: 2761047

Application Date: 3 July 2002

Priority Date: No priority claimed

Registration No: 2761047

Registration Date: 5 December 2005

Next Renewal Due: 3 July 2022

Class 09:

Computer programmes; computer software; computer data published by electronic means; CD ROMs; CDIs; compact discs, optical discs; books or periodicals in the form of electronic publications; electronic publications (downloadable) provided online from databases or the internet; digital music (downloadable) provided from the internet; cassettes; computer discs and tapes; media for storing information, data signals, images and sound; machine readable media; photographic films; cinematographic films or photographic films all prepared for exhibition; publications in electronic form; all goods in this class.

Class 16:

Paper; printed matter; publications; periodicals; magazines; newspapers; newsletters; books; directories; computer programmes recorded on paper or cardboard; pamphlets; graphic reproductions and representations; graphic prints; photographs; bags; calendars; diaries; stationery; posters; pictures; mouse mats; pens; pencils; greeting cards; writing materials; playing cards; note books; advertisement boards; boxes; all goods in this class.

Class 18:

Leather goods; imitation leather goods; bags; umbrellas; walking sticks; all goods in this class.

Class 25:
Clothing; headgear; footwear; all goods in this class.

Class 28:
Toys; games; playthings; all goods in this class.

Class 35:
The bringing together, for the benefit of others, of a variety of goods and services enabling customers to conveniently view and purchase those goods and/or order such services; the bringing together, for the benefit of others, of a variety of goods and services, through a general merchandise internet website, a general merchandise catalogue, newspaper, magazine or brochure by mail order and/or a television shopping channel, enabling customers to conveniently view and purchase those goods or order such services, by means of telecommunications, including ordering such goods/services by an internet-enabled phone; auctioneering provided on the internet; advertising and promotional services; marketing and public relations services; direct mail advertising; advertising monitoring services; employment services; personnel recruitment services; recruitment advertising; career information and advice; compilation of advertisements for use as web pages on the internet; compilation of directories for publishing on the internet; provision of space on websites for advertising goods and services; rental of advertising time on communication media; arranging and conducting conferences, trade shows and exhibitions; newsclipping services; news monitoring services; media monitoring services; current events monitoring services; conveying information relating to news monitoring, media monitoring and current events monitoring; opinion polling; market surveys; market research; business administration services for the processing of sales made on the internet; information services relating to all the aforesaid services; the provision of information on business management, administration and office functions; compilation and provision of business information, advice and statistics; provision of commercial information; all the aforesaid services also provided online from a computer database or from the internet; all services in this class.

Class 36:
Financial services; sponsorship services; real estate services; financial services relating to travel; provision of information relating to trade, insurance and financial services, monetary affairs, sponsorship services and real estate services; monitoring services relating to finance, investments, savings; all the aforesaid services also provided online from a computer database or from the internet; all services in this class.

Class 38:
Providing access to online information and/or communication services; communication services; provision of information about communication and/or broadcasting by electronic media; electronic mail; broadcasting services; computer aided transmission of messages and/or images; message sending; transmission/sending of news; electronic communication services; telecommunication services; communication utilising computers; telecommunication of information (including web pages), computer programs and any other data; providing access to digital music web sites on the internet; news agency services; information services relating to all the aforesaid services; all the aforesaid services also provided online from a computer database or from the internet; all services in this class.

Class 39:
Transport services; packaging and storage of goods; travel and tourism services; provision of information relating to all the aforesaid services; provision of information on parking, car rental and other services relating to travel and tourism; provision of information relating to water, electricity and energy supply and distribution; newspaper delivery services; all the aforesaid services also provided online from a computer

database or from the internet; all services in this class.

Class 40:

Provision of information relating to the treatment of materials, energy production, processing of oil, photography; all the aforesaid services also provided online from a computer database or from the internet; all services in this class.

Class 41:

Entertainment services; leisure services; education and training services; arranging and conducting seminars, exhibitions and conferences; publication services; publication of newspapers, newsletters; publication of printed and education material; editing and journalism services; providing online electronic publications (not downloadable); publication of electronic books and journals online; news reporters services; provision of news; provision of news online; providing access to and leasing access time to computer databases or online information; provision of interactive information; operating chat rooms; providing digital music (not downloadable) from the internet; organisation of competitions, awards, quizzes, games, recreational activities, amusements, cultural activities; electronic games services provided by means of the internet; provision of information relating to the aforesaid services; provision of information relating to fashion, photography, sporting activities, cultural activities, education, politics, current events; all the aforesaid services also provided online from a computer database or from the internet; all services in this class.

Class 42:

The provision of information relating to scientific matters, scientific and industrial research, science and industry, technological matters, research and design, design and development of computer hardware and software, fashion design, design of fashion accessories, legal matters, computers, information technology, computer programming, the environment, architecture and urban planning; design, drawing and commissioned writing, all for the compilation of web pages on the internet; information provided online from a computer database or from the internet; creating and maintaining websites; hosting others websites; industrial analysis and research services; commissioned writing services; syndicated writing services concerning the internet and online computer services; provision of database services; downloading of information from a database; search and retrieval of information; weather forecasting; information services relating to all the aforesaid services; all the aforesaid services also provided online from a computer database or from the internet; all services in this class.

Class 43:

Providing information relating to the provision of food and drink, cookery, restaurants, eateries and temporary accommodation including hotels; accommodation and travel services in this class; all the aforesaid services also provided online from a computer database or from the internet; all services in this class.

Class 44:

The provision of information relating to medical matters, healthcare, veterinary services, hygienic and beauty care for human beings and animals, agriculture, gardening, horticulture, forestry and farming; all the aforesaid services also provided online from a computer database or from the internet; all services in this class.

Class 45:

The provision of information relating to personal and social services rendered by others to meet the needs of individuals; provision of information relating to security services for the protection of property

and individuals; all the aforesaid services also provided online from a computer database or from the internet; all services in this class.

EXHIBIT B

Policies



.theguardian Registration Policies

Contents

1. Eligibility Requirements
2. Registration Policies
3. Acceptable Use Policy
4. Rights Protection
5. Reserved and Restricted Names Policy
6. Name Collision
7. Privacy Policy
8. Whois Access Policy
9. Definitions

Brand Registry Version
Date 1 September 2014

.theguardian Registration and Eligibility Policies

Revised date: 1 September 2014

BRAND TLD - .theguardian Registry Policies

Guardian News and Media Limited operates .theguardian as a closed, restricted brand Top Level Domains for the exclusive use of Guardian News and Media Limited, its subsidiaries and Affiliates.

Guardian News and Media (GNM) has chosen to apply for the TLD to provide an accessible, safe, secure, and globally recognized service for high quality, open journalism that simultaneously promotes awareness of GNM services and products and facilitates the digital growth and geographic expansion of the brands under the Guardian News and Media umbrella. The TLD will control and protect Guardian News and Media's brands and services by providing an official digital hub for readers, information-seekers, and investors worldwide as well as fostering consumer trust by creating a secure, reliable, resilient, and technically stable zone that is as renowned for its excellence as are the brands within the GNM aegis. GNM's highly distinctive, open approach to publishing on the web is part of its digital-first strategy, and the choice to apply for the TLD falls squarely within Guardian News and Media's reputation for innovation, excellence, independence, and longevity while echoing its firm commitment to the primacy of digital technology to the future of journalism and publishing. The global deployment of the TLD in parallel with the digital expansion of GNM's brands will therefore contribute to ICANN's commitment to innovation, consumer protection, security, and stability.

Please note that the Registry may modify this Policy from time to time in its sole discretion. Any modifications or amendments to this Policy shall be effective upon posting on: **.theguardian** Registry website and internal circulation to the Domain Managers at Guardian News and Media Limited.

1 .theguardian Domain Name Eligibility Requirements

The TLD ".theguardian" Domain Registration Eligibility policy sets forth the guidelines that dictate the allowable labels for domain name registrations, who or what entities may register the names, how the names may be used as well as the technical criteria each name must meet.

Only Guardian News and Media Limited and its Affiliates will be allowed to request second level domain registrations. Guardian News and Media Limited will implement an internal process that will define how they can submit second-level registration requests and the approval process for such registrations.

Guardian News and Media Limited envisions having a domain management department that will be responsible for the receipt of domain name registration requests from specially designated and approved managers (Domain Manager(s)) through a documented internal request form. Once the Domain Manager receives a registration request, an internal review will be completed to ensure the name complies with internal policies and procedures, the policies herein, and all technical ICANN specifications in the ICANN Agreement. Once the name has undergone the standard review, and is deemed in compliance with internal rules and procedures, the name will be approved and submitted through an ICANN-Accredited Registrar for registration. If the

registrant ceases to be eligible at any time in the future then Guardian News and Media Limited may cancel or suspend the domain name immediately.

2 .theguardian Registration Policies

- 2.1 Term. Names may be registered for a period of no less than one (1) year and no more than ten (10) years, commencing on the date on which the Registry accepts the request for registration submitted by the accredited registrar.
- 2.2 Names registered in **.theguardian** must have at least 1 character and not more than 63. All 2 character domain names are reserved in accordance with ICANN policy and the terms of its Agreement with ICANN.
- 2.3 Names registered in **.theguardian** may contain the 26 letters of the Latin alphabet, "a-z", the ten digits, "0-9", a hyphen, "-", and a dot, ".". The dot is used exclusively to separate labels. The hyphen may not appear at the beginning or end of a label. A label may not contain more than 63 characters and the total number of characters in a name may not exceed 255 (including a final dot that is not normally displayed as a part of the name).
- 2.4 Two hyphens may appear in the third and fourth positions in a label in a **.theguardian** name only in accordance with the policies and procedures for Internationalized Domain Names (IDN) referenced below.
- 2.5 IDNs may be supported in **.theguardian** TLD. IDNs will be subject to specific terms and policies set forth by ICANN and/or Registry. The limitations on the length of individual labels and the total length of a name stated in Section 2.2, above, apply to the encoded form ("Punycode") of a name containing characters from the extended range, as further described in the separate IDN documentation.
- 2.6 For further information on the IDN tables applicable to **.theguardian** please see https://manage.centralnic.com/support/idn_tables/theguardian.
- 2.7 Mixed scripts are not permitted.
- 2.8 Registry reserves the right to implement IDNs in **.theguardian**.
- 2.9 Dotless domains are not permitted in the TLD. Dotless domain names are those that consist of a single label (e.g., <http://example>, or mail@example). Dotless names would require the inclusion of, for example, an A, AAAA, or MX, record in the apex of a TLD zone in the DNS (i.e., the record relates to the TLD-string itself).
- 2.10 All names registered in **.theguardian** TLD are subject to the TLD's strict Eligibility Requirements at 1 above.
- 2.11 All names registered in **.theguardian** TLD are subject to the Reserved and Restricted Domain Names Policy.

3 Acceptable Use Policy

- 3.1 All **.theguardian** names are subject to this Acceptable Use Policy. Please note that the Registry may modify this Policy from time to time in its sole discretion. Any modifications or amendments to this Policy shall be effective upon posting on the **.theguardian** Registry website and internal circulation within Guardian News and Media Limited. The Registry reserves the right, in its sole discretion, to take any administrative and operational actions

necessary, including the use of computer forensics and information security technological services, among other things, in order to implement its Acceptable Use Policy. Guardian News and Media Limited reserves the right to cancel or place any domain name(s) on registry lock, hold, delete or other status, as it deems necessary, at its sole discretion and without notice:

- 3.1.1 to protect the integrity, security, and stability of the domain name system;
 - 3.1.2 to comply with any applicable court orders, laws, requests or rulings from law enforcement agencies, government agencies, or other organizations, or dispute resolution proceedings;
 - 3.1.3 to avoid any liability, civil or criminal, on the part of the Registry, as well as its affiliates, subsidiaries, officers, directors, and employees or its service providers;
 - 3.1.4 per the terms of the Registration Agreement;
 - 3.1.5 to respond to or protect against any form of malware (which includes, without limitation, malicious code or software that may affect the operation of the Internet);
 - 3.1.6 to comply with specifications of any industry group or recognized authority on Internet stability (i.e., RFCs);
 - 3.1.7 to correct mistakes made by the Registry or any registrar in connection with the domain name registration;
 - 3.1.8 to comply with Registry and or “company policies” of Guardian News and Media Limited.
- 3.2 The following activities are prohibited, and constitute registration abuse which may result in cancelling, and/or or deleting of the domain name and possibly disciplinary action on behalf of the Registry if such action is found to be from an employee of Guardian News and Media Limited. The Registrant and/or user of domain names in the TLD agrees to the following:
- a. Not upload, post, email, publish, transmit or otherwise make available (collectively, **"Transmit"**) any Content that in the Registry’s sole discretion is unlawful, harmful, threatening, abusive, harassing, tortious, defamatory, vulgar, obscene, libellous, invasive of another's privacy, hateful, or racially, ethnically or otherwise objectionable;
 - b. Not harm minors in any way;
 - c. Not distribute malware; or operate botnets; or attempt to gain unauthorised access : a computer, information system, user account database or a security system
 - d. Not engage in phishing, piracy, trademark or copyright infringement, fraudulent or deceptive practices, counterfeiting or other activity contrary to applicable law;
 - e. Not impersonate any person or entity, including, but not limited to, an official, forum leader, guide or host, or falsely state or otherwise misrepresent your affiliation with a person or entity;
 - d. Not forge headers or otherwise manipulate identifiers in order to disguise the origin

of any Content transmitted;

e. Not Transmit any Content that the Registrant or user does not have a right to make available under any law or under contractual or fiduciary relationships (such as inside information, proprietary and confidential information learned or disclosed as part of employment relationships or under nondisclosure agreements);

f. Not Transmit any Content that infringes any patent, trademark, trade secret, copyright or other proprietary rights ("Rights") of any party;

g. Not Transmit any unsolicited or unauthorized advertising, "junk mail," "spam," "chain letters," "pyramid schemes," "phishing" or "pharming";

h. Not Transmit any content that contains software viruses or any other computer code, files or programs designed to interrupt, destroy or limit the functionality of any computer software or hardware or telecommunications equipment;

i. Not disrupt the normal flow of dialogue, cause a screen to "scroll" faster than other users are able to or otherwise act in a manner that negatively affects other users' ability to engage in real time exchanges;

j. Not interfere with or disrupt servers or networks, or disobey any requirements, procedures, policies or regulations of networks;

k. Not relay email from a third party's mail servers without the permission of that third party.

l. Not use "robots" or otherwise harvest other's email addresses for purposes of sending unsolicited or unauthorized material;

m. Not upload, post, email, or transmit the same message, URL, or post multiple times;

n. Not intentionally or unintentionally violate any applicable local, state, national or international law, including, any rules of any national or other securities exchange, and any regulations having the force of law; and,

o. Not "stalk" or otherwise harass another, or engage in cyber bullying.

3.3 All Registrants must comply with all applicable laws including those that relate to privacy, data collection, consumer protection (including in relation to misleading and deceptive conduct) and applicable consumer laws.

3.4 In the event that a Registrant has registered a domain name that infringes the rights of another, the Registry reserves the right in cooperation with the sponsoring Registrar to cancel or transfer such domain name registration, and take further action against the Registrant.

3.5 All **.theguardian** domain names are subject to ICANN's policies, including the dispute resolution procedures of UDRP, URS and the rights of trademark holders as enforced by courts of law. (See further at 4 below.)

3.6 This AUP is to assist Registrants in the lawful use of **.theguardian** domain names and does not exhaustively cover all potential abuses of domain names which may result in the suspension, transfer, cancellation or locking of a domain name under this policy.

- 3.7 The Registrant information must be complete and accurate in accordance with the 2013 RAA including the Registrant company name, registered or principle place of business, telephone number and contact email. Any changes must be promptly notified within 1 month of any change.

4. Rights Protection Mechanisms

4.1 Guardian News and Media Limited is committed to following all mandatory ICANN rights protection mechanisms aimed at protecting third party intellectual property rights within .theguardian. Guardian News and Media Limited plans to operate and maintain the TLD .theguardian space as an extension of its current branding activities, therefore, it is highly unlikely that names in the zone will interfere with the rights of other third parties.

4.2 Nevertheless, Guardian News and Media Limited plans to implement all Rights Protection Mechanisms (RPMs) as required by ICANN. These RPMs include, but are not limited to the following:

Registry's dispute resolution procedures, including:

- Uniform Domain Name Dispute Policy (<http://www.icann.org/en/help/dndr/udrp>),
- Uniform Rapid Suspension Policy (<http://newgtlds.icann.org/en/applicants/urs>),

4.3 Trademark Claims Notices

All domain names in the first ninety days of general availability will be subject to Claims notification in accordance with ICANN policy.

5. Reserved and Restricted Names Policy

Reserved and Restricted Names Policy ("Policy") of **.theguardian**.

- 5.1 The Registry may reserve (i.e. withhold from registration or allocate to itself), restrict, or block certain domain names from registration ("Reserved List"). The Registry may add or remove domain names from its Reserved List at any time. This Reserved List of domain names shall generally consist of:
- 5.1.1 Names reserved for business purposes, marketing, branding;
 - 5.1.2 Names Reserved to comply with ICANN requirements such as, but not limited to, Specification 5 of the ICANN Registry Agreement;
- 5.2 Geographic names including two character labels, country and territory names will be reserved initially in accordance with the Registry Agreement. Guardian News and Media Limited intends to apply for their release, upon approval by ICANN and any rules or guidelines by applicable governments, the ICANN Governmental Advisory Committee this policy may be changed accordingly.

6. Name Collision Mitigation

Guardian News and Media Limited shall undertake the Name Collision Occurrence Management in accordance with ICANN policy as established by the Name Collision Occurrence Management Framework (adopted by ICANN Board New gTLD Program Committee on 30 July 2014 or as subsequently updated) and in accordance with Section 6.2 of Specification 6 of the Registry Agreement.

7. Privacy Policy of .theguardian

Introduction

7.1 Guardian News and Media Limited has appointed CentralNic Ltd as its Registry Service Provider. Both the Guardian News and Media and the Registry Service Provider are registered companies in England and Wales, subject to the privacy laws and regulations of England and Wales and are subject to data protection laws of England and the EU.

The Registry collects information about visitors to the Registry website. Visitors are subject to the privacy policy posted on its websites which may be changed from time to time.

This information is stored and used in a number of different ways. This Privacy Policy is intended to outline the information the Registry collects, how it's stored, how it's used and how it's protected. Please note that the Registry may modify this Policy from time to time in its sole discretion. Any modifications or amendments to this Policy shall be effective upon posting on the Registry website.

7.2 The Registry having considered the applicable laws on data protection principles, which have guided the development of this policy:

1. Personal data shall be processed fairly and lawfully.
2. Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
4. Personal data shall be accurate and, where necessary, kept up to date.
5. Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
6. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.

7.3 What information the Registry collects

7.3.1 All domain names registered in the TLD database has to be associated with the following information:

- **Registered Name Holder** (or registrant): the legal owner of the domain name.
- **Administrative Contact:** the entity authorized by the registrant to interact with the registrar on behalf of the registrant.
- **Technical Contact:** the entity authorized by the registrant to maintain the technical operations of the domain name.
- **Sponsoring registrar:** The entity authorized by the registrant to register and manage the domain.
- **Name servers:** the domain name servers to which the domain must be delegated in order to function.

7.3.2 The following information may also be provided:

- **Billing Contact:** the entity authorized by the registrant that is responsible for payment of registration and renewal fees to the registrar, if applicable.
- **DNSSEC DS records:** digests of the DNSSEC Secure Entry Point (SEP) for the domain name.

7.3.3 The Registrant and the Administrative, Technical and Billing Contacts described above include the following information:

- Contact Name/Role
- Organisation
- Street Address
- City
- State/Province
- Post code
- Country
- Phone
- Fax
- Email

7.3.4. The registrar provides this information to the Registry when the domain is registered. Registrars can also amend the above information at any time during the lifetime of the domain registration.

At the point of registration, the Registry also stores the following information:

- The creation date of the domain,
- The expiry date of the domain,
- Status codes used to lock the domain, prohibit updates, etc.,
- A random authorisation code used for transfers.

7.4 How information is stored

Domain name registration information is stored in a central database. This database is hosted in a secure colocation facility and is protected by enterprise-grade firewalls.

The Registry takes regular backups of the database to ensure continuity of service. All backups are stored in an encrypted format and are transmitted to off-site locations using encrypted communications channels to prevent unauthorized access.

7.5 How information is used

As a domain name registry, we use this information in the following ways:

1. We use the domain name, name servers, and DNSSEC DS records (if any) to publish DNS zone files to facilitate the functioning of the domains.

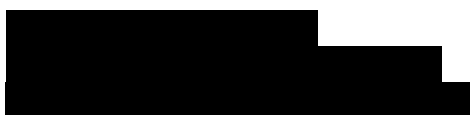
This information can be queried through our public DNS servers. Third parties can also access copies of the zone files after signing an agreement.

2. The Registrant, Administrative, Technical and Billing Contact information is published via our Whois service.

The Whois system is a standard service operated by all domain name registries and Regional Internet Registries (RIRs) and is used by third parties to obtain information about registered domain names, and has a variety of uses, including:

- a. Supporting the security and stability of the Internet by providing contact points for network operators and administrators, including ISPs, and certified computer incident response teams;
 - b. Determining the registration status of domain names;
 - c. Assisting law enforcement authorities in investigations for enforcing national and international laws;
 - d. Assisting in combating abusive uses of information communication technology;
 - e. Facilitating inquiries and subsequent steps to conduct trademark research and to help counter intellectual property infringement;
 - f. Contributing to user confidence in the Internet by helping users identify persons or entities responsible for content and services online; and
 - g. Assisting businesses, other organizations and users in combating fraud, complying with relevant laws and safeguarding the interests of the public.
3. The Registry uses the Registrant, Administrative, Technical and Billing Contact information to contact the appropriate entities when dealing with the following issues, without limitation:
 - a. Misdirected SSL certificate requests
 - b. Complaints of trademark or copyright infringement, malware, fraud or spam

7.6 An example of a typical Whois record appears below.





7.7 How information is protected

All interfaces used to collect information (specifically, EPP and Toolkit systems, the web-based Registrar Consol and the Registry website) use the Secure Sockets Layer (SSL) to encrypt information as it is transmitted to the Registry's system. This is the same technology used to secure e-commerce systems and online banking.

As described above, the database storing domain name registration data is hosted on a server in a secure colocation facility, protected by a firewall. When copied from this server, the database is always transmitted and stored using encryption technology.

8. Whois Access Policy

Dissemination of Domain Registration Information:

Guardian News and Media Limited, the Registry Operator for TLD **.theguardian** ("Registry Operator"), is required to collect and provide domain name registration information ("Whois Data") for a variety of purposes. The Registry Operator provides access to Whois Data through a standard text-based network protocol on Port 43. Whois Data can also be accessed on the Registry Operator's website using a standard web interface at www.nic.theguardian (port 80).

Both interfaces are publicly available at no cost to the user and are reachable worldwide. This service is available to any Internet user and its use does not require prior authorization or permission.

Access to Whois Data in the Registry Operator's database is provided to assist in determining the contents of a domain name's registration record. Whois Data consists not only of the domain name but also the relevant contact information associated with the domain name as provided by the registrant. It also identifies nameserver delegation and the domain name's registrar of record.

The data in this record is provided for informational purposes only; the Registry Operator does not guarantee Whois Data accuracy. This service is intended only for query-based access. By submitting a Whois query to the Registry Operator, you agree to abide by this Whois Access Policy (this "Policy"). Please note that the Registry may modify this Policy from time to time in its sole discretion. Any modifications or amendments to this Policy shall be effective upon posting on the Registry website.

Security and Stability Considerations:

Abuse of the Registry Operator's Whois interface through data mining may be mitigated by detecting and limiting bulk query access from single sources. Such queries by non-authorised parties

will be limited and unauthorised queries may result in responses that do not include data sets representing significant portions of the registration database.

In addition, the Registry Operator's Whois web interface adds a simple challenge-response CAPTCHA that requires a user to type in the characters displayed in a certain image.

The **.theguardian** Registry Operator will employ a blacklist to block access to Whois Data by those found to violate this Policy or any **.theguardian** Registry Operator policy. At **.theguardian** Registry Operator's sole and complete discretion, individual Internet protocol ("IP") addresses or IP ranges may be prevented from accessing Whois Data.

Terms of Use:

By accessing Whois Data from the Registry Operator, you agree that you will use the Whois Data only for lawful purposes and that under no circumstances will you use the Whois Data to:

- allow, enable, or otherwise support the transmission by e-mail, telephone, or facsimile of mass unsolicited, commercial advertising or solicitations to any entities (other than your existing customers from whom you collected such information with their knowledge and permission);
- enable high volume, automated, electronic processes that send queries or data to the systems of the Registry Operator, its registry service provider or any ICANN-accredited registrar, except as reasonably necessary to register domain names or modify existing registrations; or
- collect or attempt to collect the majority or entirety of the Whois database contents.

Users who collect Whois Data by any of the above purposes are prohibited from publishing such Whois Data.

When using the Registry Operator's Whois service, consider the following:

- The Whois service is not a replacement for standard EPP commands;
- Whois Data is not considered authoritative for registered domain objects;
- The Whois service may be scheduled for downtime during production or operation, testing and evaluation maintenance periods; and,
- Queries to the Whois service may be "throttled" (i.e. if too many queries are received from a single IP address within a specified time, the service will begin to reject further queries for a period of time to prevent disruption of Whois service access).

Information regarding the **.theguardian** Registry Operator's searchable Whois service is available on its website at www.nic.theguardian.

9. Definitions

In this document:

"Accredited Registrar" or "Registrar" means a domain name registrar that is (i) accredited by ICANN and (ii) has entered into a Registry-Registrar Agreement with the Registry.

"Affiliate" has the same meaning as defined in the Registry Agreement. [For reference: Section 2.9

(c) : *“Affiliate” means a person or entity that, directly or indirectly, through one or more intermediaries, or in combination with one or more other persons or entities, controls, is controlled by, or is under common control with, the person or entity specified, and (ii) “control” (including the terms “controlled by” and “under common control with”) means the possession, directly or indirectly, of the power to direct or cause the direction of the management or policies of a person or entity, whether through the ownership of securities, as trustee or executor, by serving as an employee or a member of a board of directors or equivalent governing body, by contract, by credit arrangement or otherwise.]*

“Allocation” means the method by which a domain name is created and assigned to an Applicant; “Allocated” shall have a corresponding meaning.

“Applicant” means the company or organisation in whose name an Application is submitted meeting the eligibility criteria of Guardian News and Media Limited Registry.

“Application” means the complete and technically correct request for a domain name, which complies with this policy and any other policy issued by Guardian News and Media Limited, or ICANN.

“Available Names” means **.theguardian** names that have not been reserved, restricted, registered, awarded, or otherwise allocated.

“Claims Notice” means a notice provided to an Applicant indicating that the applied for Label is a Trademark Match to a Trademark Record in the Trademark Clearinghouse.

“Claims Services” means the services that collectively provide:

- Applicants with a Claims Notice, and
- Trademark Holders, with a corresponding Trademark Record, with notice that a Label that is a Trademark Match to the Trademark Record is Allocated.

“Claims Period” means any period during which the Claims Services are provided.

“General Availability” means the point in time following which requests to register a domain name may be received from any *eligible* party on a first come, first served basis.

“ICANN” means the Internet Corporation for Assigned Names and Numbers, its successors and assigns.

“ICANN Requirements” means the Registry’s obligations under the Registry Agreement between Registry and ICANN and all ICANN Consensus Policies applicable to the **.theguardian** TLD.

“IDN” means Internationalized Domain Name.

“Label” means a string of characters used to form part of a domain name.

“Registrant” is an Applicant that has submitted a Registration Request that has been accepted by the Registry and meets all the eligibility criteria of Guardian News and Media Limited. A Registrant is the holder of a registered name in **.theguardian** TLD.

“Registration” means a **.theguardian** name that has been accepted by the Registry in accordance with its policies, the terms of the Registry-Registrar Agreement and the Registration Agreement for registration during a specified term.

“Registration Agreement” means the agreement between Registrant and Accredited Registrar for registration of the domain name.

“Registry” or “Registry Operator” is the Guardian News and Media Limited.

“Registrar” means an entity that is authorised to offer domain name registration services in relation to the TLD.

“Registry Policies” means the policies adopted from time to time by the Registry as posted under Policies on the Registry Website.

“Registry-Registrar Agreement” or “RRA” is the agreement between Registry and Accredited Registrars, as amended from time to time.

“Registry System” means the system operated by Registry or Registered Names in **.theguardian** TLD.

“Registry Website” is www.nic.theguardian or other specific URL directed from such website.

“SMD File” means the Signed Mark Data file provided by the TMCH Sunrise and Claims Operator to a holder of a Validated Mark which is encoded with information such as the Labels that may be Allocated during a Sunrise Period.

“Trademark Holders” are those eligible trademark owners who have been issued with a SMD File from the TMCH Sunrise and Claims Operator and meet the eligibility requirements specified in the Trademark Sunrise Policy.

“TLD” means Top Level Domain and for the purpose of this policy the TLD shall be **.theguardian**

“TMCH Sunrise and Claims Operator” means the providers appointed by ICANN to serve as the Trademark Clearinghouse by accepting, authenticating, validating and facilitating the transmission of information related to certain trademarks.

“Trademark Clearinghouse Guidelines” means the guidelines which can be found at the following link <http://www.trademark-clearinghouse.com> (as may be updated from time to time) which provide an overview of the requirements for the inclusion of trademarks in the Trademark Clearinghouse and the issuance of a SMD File.

“Trademark Clearinghouse” means the central repository for information to be authenticated, stored, and disseminated, pertaining to the rights of Trademark Holders.

“Trademark Match” means that a Label is a match to a trademark, as described in the Trademark Clearinghouse Guidelines.

“Trademark Record” means a complete and correct set of information concerning a trademark or other mark submitted to the Trademark Clearinghouse.

“Validated Mark” means a mark that has been verified by the TMCH Sunrise and Claims Operation as meeting the requirements specified in the Trademark Clearinghouse Guidelines including those relating to proof of use.

EXHIBIT C

Mark: THE GUARDIAN

smdID: [REDACTED]

U- Label: theguardian