



# ICANN Registry Request Service

Ticket ID: T1Z8A-9F3S3

Registry Name: Top Level Domain Holdings Limited

gTLD: .cooking

Status: ICANN Review

Status Date: 2017-06-22 14:00:29

Print Date: 2017-06-22 14:07:17

## Proposed Service

Name of Proposed Service:

*Complying with law*

Technical description of Proposed Service:

*MMX seeks to comply with applicable local laws which require the submission of accurate data for storage in the Registry database and the subsequent checking of that information to ensure it is correct. MMX implements this under its abuse policy and existing technical functionality authorizing the suspension of names. ICANN have indicated that by doing so it is a change in the Registry Services that comprise Domain Registration, and therefore requires an RSEP. MMX disagree and believe the service is authorised under the abuse parameters and remedies in Exhibit A of the contract however we submit this RSEP for ICANN's review and approval.*

*The process works as follows:*

- 1. Domain names are registered at the Registry Services Provider as normal by registrars, the systems used to do this are those that passed a previous MSA and PDT. Names appear in WHOIS and the zone file as normal after registration.*
- 2. Some national laws require that within a proscribed timeframe that:*
  - a. Domain names are in themselves legal in national law (Domain Name Validation "DNV")*
  - b. Registrant's Real Names are validated (Real Name Validation "RNV")*
- 3. MMX (either directly or via a third party with suitable qualifications authorized by MMX) tracks registrations for which the particular national law applies and ensures that within the prescribed time frame names either pass any relevant DNV and RNV. If names do not pass then they are treated as abusive registrations as they are not consistent with law.*
- 4. Where a name is to be treated as an abusive registration in this setup a notification is sent to the Registry Services Provider and appropriate action taken in accordance with the current status of the domain to appropriately alter the server statuses that are applied, delete or otherwise alter the state of the domain.*

## Consultation

Please describe with specificity your consultations with the community, experts and or others. What were the quantity, nature and content of the consultations?:

*None. This is a matter of compliance with national law.*

- a. If the registry is a sponsored TLD, what were the nature and content of these consultations with the sponsored



# ICANN Registry Request Service

Ticket ID: T1Z8A-9F3S3

Registry Name: Top Level Domain Holdings Limited

gTLD: .cooking

Status: ICANN Review

Status Date: 2017-06-22 14:00:29

Print Date: 2017-06-22 14:07:17

TLD community?:

N/A

b. Were consultations with gTLD registrars or the registrar constituency appropriate? Which registrars were consulted? What were the nature and content of the consultation?:

*No, it is a legal requirement to comply with a national law in a country in which you operate.*

c. Were consultations with other constituency groups appropriate? Which groups were consulted? What were the nature and content of these consultations?:

*No, it is a legal requirement to comply with a national law in a country in which you operate.*

d. Were consultations with end users appropriate? Which groups were consulted? What were the nature and content of these consultations?:

*No, it is a legal requirement to comply with a national law in a country in which you operate.*

e. Who would endorse the introduction of this service? What were the nature and content of these consultations?:

*National governments that wish a registry to comply with national law are likely to endorse this service.*

f. Who would object the introduction of this service? What were(or would be) the nature and content of these consultations?:

*People wishing to see the flagrant breach of applicable local law may object.*

## Timeline

Please describe the timeline for implementation of the proposed new registry service:

*MMX is currently complying with applicable local laws as required by the Registry Agreement. No timeline for implementation*



# ICANN Registry Request Service

Ticket ID: T1Z8A-9F3S3

Registry Name: Top Level Domain Holdings Limited

gTLD: .cooking

Status: ICANN Review

Status Date: 2017-06-22 14:00:29

Print Date: 2017-06-22 14:07:17

*is appropriate, it is already implemented.*

## Business Description

Describe how the Proposed Service will be offered:

*MMX requires that names that are registered are legal in form and contain accurate data as required by local laws. If a name is not legal in form MMX will suspend the name under its abuse policies. If a name does not contain data sufficiently accurate under local law MMX will suspend a name under its abuse policies as it is de facto in breach of local law.*

Describe quality assurance plan or testing of Proposed Service:

*MMX require registrars to ensure they provide accurate data for registrants. MMX contracts with a local provider suitably qualified to advise on accuracy and compliance with local laws.*

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

*There are no known relevant RFCs or white papers on complying with data accuracy requirements under local law.*

## Contractual Provisions

List the relevant contractual provisions impacted by the Proposed Service:

*None, as this is not a new registry service.*

*If ICANN were to require a change then the obvious clause would be in Exhibit A:*

### *2.1. Anti-Abuse*

*Registry Operator may suspend, delete or otherwise make changes to domain names in compliance with its anti-abuse policy.*

What effect, if any, will the Proposed Service have on the reporting of data to ICANN:



# ICANN Registry Request Service

Ticket ID: T1Z8A-9F3S3

Registry Name: Top Level Domain Holdings Limited

gTLD: .cooking

Status: ICANN Review

Status Date: 2017-06-22 14:00:29

Print Date: 2017-06-22 14:07:17

*None.*

What effect, if any, will the Proposed Service have on the Whois?:

*None on the operation. It will however increase the accuracy of the data contained therein for those registrations subject to local law.*

## Contract Amendments

Please describe or provide the necessary contractual amendments for the proposed service:

*Since this is not a new registry service, no amendment to the Registry Agreement (RA) is necessary.*

*If however ICANN were to require the Registry Agreement to be amended then we suggest that it be covered in Exhibit A as follows:*

*2.1. Anti-Abuse*

*Registry Operator may suspend, delete or otherwise make changes to domain names in compliance with its anti-abuse policy including all applicable laws.*

## Benefits of Service

Describe the benefits of the Proposed Service:

*ICANN and national Governments will be assured that MMX continues to comply with local law.*

## Competition

Do you believe your proposed new Registry Service would have any positive or negative effects on competition?

If so, please explain.:

*Ensuring data is legal and accurate and in compliance with local law will ensure competition exists within local national markets.*

*We note that other registry operators have implemented legal compliance in a substantially different manner so it should not be assumed that because one operator requires a contract amendment to comply that others do too.*



# ICANN Registry Request Service

Ticket ID: T1Z8A-9F3S3

Registry Name: Top Level Domain Holdings Limited

gTLD: .cooking

Status: ICANN Review

Status Date: 2017-06-22 14:00:29

Print Date: 2017-06-22 14:07:17

How would you define the markets in which your proposed Registry Service would compete?:

*The local markets in countries which require the accuracy of data.*

What companies/entities provide services or products that are similar in substance or effect to your proposed Registry Service?:

*Every registry is bound by its RA (and law) to comply with local law.*

*MMX is already authorized in their RA to use abuse policy remedies required by local law.*

In view of your status as a registry operator, would the introduction of your proposed Registry Service potentially impair the ability of other companies/entities that provide similar products or services to compete?:

*No.*

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

*Yes. In our current implementation ZDNS, a validated vendor, will work with registrars and MMX to comply with local law. The vendor will notify where a name is considered abusive under national law and MMX will follow its abuse policies.*

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

*No.*

Do you have any documents that address the possible effects on competition of your proposed Registry Service? If so, please submit them with your application. (ICANN will keep the documents confidential).:

*Not applicable*

## Security and Stability



# ICANN Registry Request Service

Ticket ID: T1Z8A-9F3S3

Registry Name: Top Level Domain Holdings Limited

gTLD: .cooking

Status: ICANN Review

Status Date: 2017-06-22 14:00:29

Print Date: 2017-06-22 14:07:17

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

*No.*

Please explain how the proposed service will affect the throughput, response time, consistency or coherence of responses to Internet servers or end systems:

*None.*

Have technical concerns been raised about the proposed service, and if so, how do you intend to address those concerns?:

*Only ICANN has raised concerns.*

## Other Issues

Are there any Intellectual Property considerations raised by the Proposed Service:

*No.*

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

*No.*

List Disclaimers provided to potential customers regarding the Proposed Service:

*We have provided no disclaimers to potential customers regarding the proposed service.*

Any other relevant information to include with this request:

*This RSEP relates to the .VIP TLD.*