



April 17, 2019

**BY EMAIL**

Mr. Cherine Chalaby  
Chair, Board of Directors  
ICANN  
12025 Waterfront Drive, Suite 300  
Los Angeles, CA 90094

Dear Chairman Chalaby:

In 2012, Amazon corporation (“Amazon”) submitted applications for the ownership and use of certain .AMAZON Top-Level Domains (“TLDs”). As you will recall, our applications not only met the requirements of the Applicant Guidebook, but also received a perfect score in ICANN’s required evaluation.

The March 10, 2019 Board Resolutions established a timeline for resolution of the .AMAZON TLDs. Unfortunately, despite best efforts, Amazon and the Amazon Cooperation Treaty Organization (“ACTO”) member states have not reached a mutually acceptable solution regarding Amazon’s applications, but we have listened intently and heard their concerns. Thus, in accordance with the Resolutions and in support of the multi-stakeholder model of internet governance, we submit the following modified proposal for how we will address the concerns of the ACTO member states regarding our applications.

As shown below, we believe that our modified proposal enhances the global visibility of the Amazonia region, safeguards the culture and heritage of the Amazonia region, and protects against misuse of the TLDs. We also believe this proposal appropriately provides for Amazon’s commercial use of the TLDs as .BRAND TLDs, consistent with ICANN’s policies and requirements. The .AMAZON TLD applications have been pending for almost seven years, and we ask that the Board move forward to contracting and delegate the .AMAZON TLDs to Amazon as soon as possible.

Specifically, our modified proposal consists of a Public Interest Commitment (“PIC”) and joint Steering Committee that reflects our commitment to operate the TLDs in a way that respects the culture and heritage of the people in the Amazonia region. We commit to: (1) not use as domain names in each .AMAZON TLD those terms that have a primary and well-recognized significance to the culture and heritage of the Amazonia region; (2) provide nine domain names in each .AMAZON TLD to be used for non-commercial purposes by ACTO and its member states to enhance the visibility of the region; and (3) block from all use up to 1500 domain names in each .AMAZON TLD that have a primary and well-recognized significance to the culture and heritage of the Amazonia region.

We summarize the highlights of our modified proposal to help you understand the various components, followed by a brief summary of why the proposals submitted by the ACTO member states are not viable. Given the lengthy history of the .AMAZON TLD applications, additional background information can be located at [dotamazon.news](http://dotamazon.news).

## We Propose a PIC to Protect the Culture and Heritage of the Amazonia People

We have heard the key concerns repeatedly expressed by ACTO and its member states: protect the culture and heritage of, as well as provide visibility to, the people of the Amazonia region. Our proposed PIC is designed to do both.

First, we commit not to use as domain names in the TLDs those terms that have a primary and well-recognized significance to the culture and heritage of the Amazonia region. This ensures that those terms will not be associated with our commercial activities.

Second, our PIC recognizes that ACTO and its member states desire visibility within the .AMAZON TLDs and thus allows for up to nine domain names in each .AMAZON TLD that have primary and well-recognized significance to the culture and heritage of the region for the use of ACTO and its member states for non-commercial purposes. These nine domain names provide a space where ACTO and its member states can highlight the region's culture and heritage through sites we host or by redirecting those .AMAZON domain names to existing non-commercial sites. In spite of our brand and security needs to control the domain names and the DNS for these sites, we will enable ACTO and its member states to be able to provide quality access to critical information about the culture and heritage of the Amazonia region. Of course, ACTO and its member states remain free to use other websites — including any that they own or control — to also promote the region and its people.

Finally, we commit to blocking from all use up to 1500 terms in each .AMAZON TLD that represent the culture and heritage of the Amazonia region. To be transparent, we included a Naming and Use Policy that will guide identification of the terms that will be blocked. We believe this program will ensure that those terms that have a primary and well-recognized significance to the culture and heritage of the region will not be misused within the .AMAZON TLDs.

## We Endeavor to Use a Steering Committee to Assist in Implementation of the PIC

Even though we discuss below the elements of the ACTO member state proposals that are not viable, we have listened to the concerns of ACTO and its member states about protecting the culture and heritage of the Amazonia people. To this end, we have proposed a Steering Committee, not as part of the PIC, but under a Memorandum of Understanding (“MOU”) with the ACTO member states, which is attached. The Steering Committee, which would require the agreement and participation of ACTO's member states before going into effect, is a vehicle for sharing—separating commercial and non-commercial uses. The Steering Committee is a mechanism for ACTO and its member states to communicate with us about the commitments we make through our PIC. We expect that the Steering Committee will help us develop a reserved names list that will avoid any confusion and will be a voice for ACTO and its member states to communicate any concern with Amazon before filing a PICDRP.

Amazon believes this Steering Committee provides the necessary mechanism to ensure that ACTO and its member states have a voice in the shared use and governance of the .AMAZON TLDs. In particular, the Steering Committee will:

- Suggest terms for the initial list of Requested-Reserved Domain Names;
- Periodically review the list of Requested-Reserved Domain Names and make non-binding recommendations for terms to add or remove;

- Serve as a mechanism for allowing mutual communication about how Amazon implements the Naming and Use Policy for the .AMAZON TLDs; and
- Serve as a “first notifier” of any ACTO or its member states’ concerns that Amazon is not in compliance with the PIC.

The MOU further explains the details and mechanics of the Steering Committee. Amazon additionally undertakes to keep the Steering Committee in place for the initial term of the Registry Agreement. Amazon reiterates its firm assurance to utilize the Steering Committee to ensure ACTO and its member states have a mechanism to provide ongoing consultation regarding the implementation of our PIC.

### Our TLDs Will be Highly-Restricted .BRANDs

Consistent with our applications in 2012, our IRP filings in 2016-17, and our consistent statements to ACTO since at least early 2018, Amazon intends to own and operate the three .AMAZON TLDs as .BRAND TLDs, under [Specification 13 to the Registry Agreement](#).<sup>1</sup> Specification 13 is clear that the Registry Operator/brand owner must control the TLD by restricting domain name registrations to itself, Affiliates, or trademark licensees so that, in keeping with international trademark law, it can control the quality of the products distributed under its mark.<sup>2</sup> The Registry Operator/brand owner must also control the nameservers for these domain names. Such restrictions align with international trademark law.<sup>3</sup> Brand owners applied for Specification 13 expressly to have full control over the operation and use of their TLD. In this case, Amazon would only register domain names that align with its global brand strategy so that the .AMAZON TLDs are strongly affiliated with the reputation of the Amazon brand, which should eliminate concerns of ACTO and its member states that third parties will abusively use the TLDs. Also, this .BRAND status distinguishes .AMAZON from TLDs such as .wine/.vin and .asia, which entered into sharing arrangements to promote and protect some geographic connotations because they are fully open to all registrants.

The ACTO member states asked that we allow them to periodically revisit the list of blocked terms. We have listened to this concern and modified our PIC’s Naming and Use Policy to increase the time period for submission from 1 to 2 years. Accepting new blocked terms after the first 2 years of the Registry Agreement term would result in business uncertainty about what terms are -- and are not -- blocked in the .AMAZON TLDs. We believe the Steering Committee will be well-equipped to facilitate the creation and management of this list of names.

In addition to Specification 13, .BRAND registries must comply with the same GAC-requested, anti-abuse PICs in Specification 11, and to the same ICANN consensus policies (like UDRP) that non .BRAND TLDs must follow.

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<sup>1</sup> <https://newgtlds.icann.org/sites/default/files/agreements/agreement-approved-specification-13-31jul17-en.pdf>

<sup>2</sup> For the avoidance of doubt, all domain names in each of the .AMAZON TLDs used by ACTO or its member states will be registered in the name of the Amazon-entity Registry Operator or one of its Affiliates, as required by Specification 13.

<sup>3</sup> As discussed further below, our Information Security organization also believes that operating the .AMAZON TLDs under Specification 13 is essential for maintaining security and customer trust.

## We Will Employ Top-Tier Security

Our PIC provides for Amazon to host the nine domain names, in each .AMAZON TLD, provided to ACTO and its member states. In addition to the legal reasons noted above, having Amazon host these domain names is necessary to maintain the TLD's top-tier security requirements. One of Amazon's most valuable assets is our customers' trust. We believe that when each .AMAZON TLD launches, our customers would automatically extend the trust they have in our global AMAZON brand to this TLD. As a result, our Information Security organization has considered the potential security concerns including malicious conduct, Amazon data leakage, or other brand reputation impacts from malicious parties who may attempt to abuse the trust placed in the .AMAZON TLDs by hosting phishing websites or otherwise performing actions that could potentially compromise the trust our customers place in Amazon. We must ensure that all .AMAZON domains are operated securely and can be trusted by everyone. We know that ensuring security is a critically important matter not only for Amazon but also for ICANN.

Following industry best practices, Amazon believes that a combination of proactive security controls paired with reactive and detective controls offers the most comprehensive approach to security. In line with this view, the proposed PIC takes into consideration several security controls relating to provisioning and configuration of .AMAZON domains, which will have no seriously adverse impact on ACTO or its member states' ability to use domain names in the .AMAZON TLDs while offering Amazon technical assurances to the security of domains within the .AMAZON TLDs.

## Our Applications are Consistent with ICANN's Rules and the Multi-stakeholder Model

As you know, and as determined by the unanimous IRP decision issued almost two years ago, Amazon's applications met all the criteria established by the ICANN community via the Applicant Guidebook, including a determination that .AMAZON did not constitute a legally protected geographic term.

The Applicant Guidebook, developed during a lengthy deliberative process with input from all parts of the community, including governments, is a reflection of the multi-stakeholder decision-making process at its best. As previously noted, Amazon's application was reviewed based upon that Applicant Guidebook and received a perfect score.

Importantly and beyond the requirements of the Applicant Guidebook or otherwise, our PIC represents a meaningful concession on Amazon's part and a further true commitment to the multi-stakeholder model of internet governance, especially as effectuated by ICANN and its community. This PIC represents a significant concession for Amazon, as: (1) international trademark law does not recognize that confusion is likely, (2) the term "Amazon" is not a protected geographic name, and (3) it is a self-imposed limitation that no other .BRAND has been required to adopt. This commitment fully encompasses all three TLDs and ensures the TLDs will not be misused.

We are fully committed to the multi-stakeholder model, and we believe that granting our proposal, which takes into consideration the views of affected governments and the Governmental Advisory Committee, can serve as a success story for ICANN and internet governance generally.

## ACTO Member State Proposals

We have received three different proposals from three different ACTO member states, but we have not received a proposal from ACTO, nor ACTO's endorsement of any of the three proposals.<sup>4</sup> Each of the proposals has different elements, and as we discuss further below, regrettably, none is one we can accept. Some member states require that we jointly own and manage the .AMAZON TLDs. Some require that we give the member states advance notice and veto authority over all domain names that we want to register and use—for both trademarked terms as well as generic words. Some suggest a Governance Committee can work only if it has governance that outweighs Amazon's voice (i.e. the Governance Committee has a representative from one of each of the eight member states, while Amazon has one); and some want to use .AMAZON for their own commercial purposes.

### *Limitations on our Business's Ownership, Control, and Governance of the TLDs*

At the root of these three proposals is the insistence that the member states control our use of .AMAZON via veto rights and general oversight, which does not align with the goal of preserving the culture and heritage of the Amazonia people.

As the Board will recognize, under international law, a brand must continually control how its trademark is used in connection with its business. As such, Amazon cannot share ownership or management of the .AMAZON TLDs because, as we discuss in detail above, we intend to operate the TLDs as .BRAND TLDs under [Specification 13 to the Registry Agreement](#).<sup>5</sup> This is consistent with our applications in 2012, our IRP filings in 2016-17, and our statements to ACTO since at least early 2018.

As a company born and raised on the internet, freedom to innovate in a .BRAND TLD under our company name was what excited—and still excites—us about the new gTLD program overall. We intend to use the .AMAZON TLD in line with our corporate philosophy: to surprise and delight our customers.

### *Limitations on our use of the TLDs*

Some ACTO member states insist on a broader scope of terms we cannot use as domain names (and that they can use) under the PIC, to include generic terms. We cannot agree to this proposed change because we offer hundreds of thousands of products and services<sup>6</sup>, including products and services related to those categories. Our retail websites, through which we serve hundreds of millions of customers globally, also allow individuals and businesses to sell products to these customers. We must be able to use generic words in our online retail stores to refer to related products. In addition, these proposed restrictions on generic terms would go well beyond the needs expressed by governments to protect the culture and heritage of the people living in the Amazonian region.

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<sup>4</sup> Brazil, Colombia, and Peru submitted proposals. Neither ACTO nor Suriname participated in a 2-hour videoconference discussion hosted by Amazon on April 2; all other ACTO member states participated for at least some of that discussion.

<sup>5</sup> <https://newgtlds.icann.org/sites/default/files/agreements/agreement-approved-specification-13-31jul17-en.pdf>.

<sup>6</sup> In addition to our retail websites, Amazon manufactures and sells electronic devices (e.g., Kindle e-book readers, Fire TV sticks, and Echo voice controlled devices); serves developers and enterprises through Amazon Web Services; serves authors, independent publishers, musicians, filmmakers, and software application developers who publish and sell content in the Kindle Store or via other programs offered by Amazon; serves viewers of smart, bold, and innovative television series and movies through Amazon Studios; and serves customers who want predictable, fast, guaranteed, and unlimited shipping with our Prime express shipping.

### *Extensive competitive use of the TLDs.*

Some ACTO member states requested an unlimited number of .AMAZON domain names, to use those domain names for commercial purposes, and to allow third parties to use those domain names. They also have asked to be the domain name registrants, to select their own registrars, and to use their own nameservers. Specification 13 is clear that the Registry Operator/brand owner must control the registration and use of the TLD – by restricting registration to itself, Affiliates, or trademark licensees, and controlling the nameservers for those domain names. Again, this aligns with international law on trademarks. Brand owners applied for Specification 13 expressly to have complete control over the operation and security of the TLD. Even if Specification 13 permitted third-party registration and operation of domain names, we would be unable to agree due to international trademark law and Amazon’s internal security policies. Our Information Security organization believes that operating the .AMAZON TLDs under Specification 13 is essential for maintaining security and customer trust.

### *Control over sensitive information on Amazon’s global brand strategy*

Some ACTO member states proposed a requirement that we provide advance notice and grant veto authority over all domain names that we want to register and use in the .AMAZON TLDs. As the Board can well understand, because of basic business requirements for strict secrecy before introducing new products and services, we cannot agree to notify any third party of our business plans ahead of time. Second-level domain name registrations are an essential and integral part of our global brand strategy, and are secured pre-launch. Accepting this proposed requirement would effectively grant the ACTO member states veto authority over global naming decisions for Amazon’s new, not-yet-launched products and services. Our brand strategy already includes consideration of international cultural sensitivities. Our operation of these TLDs as .BRAND TLDs and the other restrictions in the PIC sufficiently honor and address sensitivities of ACTO and its member states without violating our need for business confidentiality.

### *International arbitration instead of ICANN’s dispute mechanisms*

All three ACTO member state proposals require using international arbitration to resolve disputes, controversies, or claims by ACTO or its member states that we are not complying with the PIC. The international arbitration would replace the ICANN PIC Dispute Resolution Procedure (PICDRP). We believe any disputes are best resolved through the PICDRP because the Registry Agreement and PIC are legally enforceable by ICANN. Adhering to the PICDRP, rather than an arbitration external to ICANN, ensures a timely and effective complaint mechanism that is consistent with the multi-stakeholder model of internet governance. Indeed, the Governmental Advisory Committee (GAC) created the idea of a PIC to ensure accountability by new gTLD Registry Operators. It is only logical, therefore, that we rely on the PICDRP to resolve disputes, if any. Arbitration outside of the ICANN process is unnecessary because it will add complexity and commercial uncertainty.

### Conclusion

Amazon appreciates the hard work of ICANN’s leadership, especially ICANN President and CEO Göran Marby, ICANN’s staff, and ICANN’s Board to resolve this matter. Amazon has consistently demonstrated good faith engagement with ICANN and ACTO: offering compromises, seeking discussions, and forbearing the exercise of our rights under ICANN policy and the law. The Board and the Board Accountability Mechanism Committee have chronicled our consistent good faith efforts to compromise in various public documents.

We have worked diligently to reach a mutually acceptable solution with the ACTO countries. Unfortunately, we have not been able to do so, with no individual party at fault for that failure.

Amazon stands ready at any time to discuss this proposal further with the Board, if desired. While we regret the inability to find a mutually agreeable solution with ACTO and its member states, we feel confident that our proposal will benefit the people of the Amazonia region as well as our global customers and others. We are confident that the Board will not find any merits-based public policy reasons to determine that the .AMAZON TLDs should not be awarded to Amazon, but we nevertheless have provided a limitation on our own use of the TLDs to accommodate the concerns of ACTO and its member states, in the form of a PIC. We respectfully request the Board to accept our proposed PIC and move forward to contracting and delegating the .AMAZON TLDs to Amazon.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Huseman". The signature is fluid and cursive, with a large initial "B" and "H".

Brian Huseman  
Vice President, Public Policy

Enclosures:   Steering Committee Memorandum of Understanding  
                  .AMAZON Public Interest Commitment (English)  
                  .AMAZON Public Interest Commitment (Japanese)  
                  .AMAZON Public Interest Commitment (Chinese)

cc:           Göran Marby  
              Ambassador Alexandria Moreira Lopez

## MEMORANDUM OF UNDERSTANDING

The Amazon corporation (“Amazon”) is fully committed to ICANN’s multi-stakeholder model of internet governance as effectuated by ICANN and its community.

Amazon is committed to sharing the use and governance of the .AMAZON, .アマゾン (Japanese), and .亚马逊 (Chinese) TLDs (“.AMAZON TLDs”) with the Amazon Cooperation Treaty Organization (“ACTO”) and its member states, as set forth below.

Amazon intends to enhance the global visibility of and safeguard the Culture and Heritage of the Amazonia Region, and protect against misuse of the .AMAZON TLDs through implementation of Public Interest Commitments (“PICs”), a copy of each is attached hereto.

Amazon desires to provide a communication and advisory mechanism for facilitating implementation of Amazon’s PICs.

### NOW THEREFORE:

Amazon endeavors to create an informal advisory steering committee (“Steering Committee”) that will facilitate implementation of the PICs.

The Steering Committee will come into effect upon the agreement of ACTO and its member states to participate.

The Steering Committee will be comprised of one (1) representative each from ACTO and each of its eight (8) member states and three (3) members from Amazon, for a total of twelve (12) members.

The Steering Committee will engage in the following activities:

- Suggest terms for the initial list of Requested-Reserved Domain Names;
- Periodically review the list of Requested-Reserved Domain Names and make non-binding recommendations for terms to add or remove;
- Serve as a mechanism for allowing mutual communication about how Amazon implements the Naming and Use Policy for the .AMAZON TLDs; and
- Serve as a “first notifier” of any ACTO or its member states’ concerns that Amazon is not in compliance with the PICs.

The Steering Committee will initially meet quarterly for the first eighteen (18) months after the PICs are approved by ICANN. Subsequently thereafter, the Steering Committee will meet every six months. Steering Committee representatives shall mutually agree on the dates, deviations to frequency, and format of meetings, which may be conducted in person or over the phone.

The Steering Committee shall remain in place for the initial term of the Registry Agreement.

The Steering Committee shall not have any authority to make binding decisions or to speak on behalf of Amazon, ACTO, or any of its member states.

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Brian Huseman  
Vice President, Public Policy



### **Proposed Language for Public Interest Commitment to Share the .AMAZON TLD**

As set forth below, Registry Operator is committed to sharing the use and governance of the .AMAZON TLD with the Amazon Cooperation Treaty Organization (“ACTO”) and agrees to abide by the following Public Interest Commitment. This Public Interest Commitment is intended to enhance the global visibility of and safeguard the Culture and Heritage of the Amazonia Region, and protect against misuse of the .AMAZON TLD. This Commitment shall be enforceable by ICANN and through the Public Interest Commitment Dispute Resolution Process. Registry Operator shall comply with the PICDRP. Registry Operator agrees to implement and adhere to remedies ICANN imposes (which may include a reasonable remedy, including for the avoidance of doubt, the termination of the Registry Agreement pursuant to Section 4.3(e) of the Registry Agreement) following a determination by any PICDRP panel and to be bound by any such determination.

- a. Registry Operator commits that it will not use as domain names in the .AMAZON TLD terms that have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia Region.
- b. Registry Operator commits to permit use of the .AMAZON TLD by ACTO through providing nine (9) domain names in the .AMAZON TLD for ACTO’s designation to itself and its eight member states as it sees fit, for non-commercial purposes. ACTO shall select only those terms that have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia Region. The domain name selection and use must be consistent with the .AMAZON Naming and Use Policy for Domain Names Used or Requested-Reserved by ACTO, which is incorporated by reference and attached hereto as Appendix A; legal obligations; and standards to safeguard the security and stability of the .AMAZON TLD adopted and implemented by Registry Operator.
- c. Registry Operator commits that it will permanently reserve (block from all use) in the .AMAZON TLD up to 1500 domain names that have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia Region. These permanently Requested-Reserved names must be consistent with the .AMAZON Naming and Use Policy for Domain Names Used or Requested-Reserved by ACTO, which is incorporated by reference and attached hereto as Appendix A.

ACTO and its member states are the sole entities that have standing to invoke or contest any alleged failure of Registry Operator to abide by the Public Interest Commitments set forth in this Section [#] pursuant to the PICDRP.

## APPENDIX A

### **.AMAZON NAMING AND USE POLICY FOR DOMAIN NAMES USED OR REQUESTED-RESERVED BY AMAZON COOPERATION TREATY ORGANIZATION (“ACTO”)**

The .AMAZON Naming and Use Policy for Domain Names Used or Requested-Reserved by ACTO (“Policy”) applies only to the domain names (i) authorized for use by ACTO and its member states in the .AMAZON TLD (“Permitted Domain Names”); and (ii) Requested-Reserved from use in the .AMAZON TLD at the request of ACTO (“Requested-Reserved Domain Names”).

In the event of a conflict between the terms of this Policy and the .AMAZON registry policies, which apply to all other registration and use of domain names in the .AMAZON TLD, the terms and conditions of the .AMAZON registry policies shall prevail.

#### **PERMITTED DOMAIN NAMES**

ACTO, through its authorized representative, shall be entitled to request from Registry Operator the registration of up to nine (9) domain names for use by itself or its member states.

The Permitted Domain Names must have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia region. For purposes of this Policy, “Culture and Heritage specific to the Amazonia region” means the names of indigenous peoples’ groups, and national symbols of the countries in the Amazonia region, and the specific terms OTCA, culture, heritage, forest, river, and rainforest, in English, Dutch, Portuguese, and Spanish.

The following categories cannot be registered as Permitted Domain Names: (i) trademarks owned by Registry Operator or its Affiliates; and (ii) country and territory names in short- or long-form, or a translation of either form in any language, listed in the ISO 3166-1 standard.

If ACTO requests a Permitted Domain Name that is a Two-Letter Code, ACTO represents that (i) the requested Permitted Domain Name used by ACTO corresponds to the Two-Letter Code for an ACTO member state; or (ii) ACTO will take steps to ensure against misrepresenting or falsely implying that ACTO is affiliated with the corresponding government or country-code manager, if such affiliation, sponsorship or endorsement does not exist. “Two-Letter Code” means a letter/letter two-character ASCII label at the second level which corresponds to a two-letter country code as specified in the ISO 3166-1 alpha-2 standard.

Each Permitted Domain Name must also meet the following criteria:

- It *must be* at least 1 character; contain only numbers (0-9), letters, (a-z), and hyphens, or any combination of these elements; start and end with an alphanumeric character; and comply with any additional rules and policies Registry Operator has set for the .AMAZON TLD.
- It *must not be* more than 63 characters; start or end with a hyphen; be a name that Registry Operator is required to reserve under its .AMAZON Registry Agreement; and must not include a hyphen in the third or fourth position unless it represents a valid Internationalized Domain Name in its ASCII encoding.
- A valid Internationalized Domain Name must be in a language script that Registry Operator supports.

Registration of the Permitted Domain Names shall be made by Registry Operator through the Registry Operator's chosen registrar. The Permitted Domain Names will be registered in the name of the Registry Operator or its designated Affiliate; are not transferable; and will be delegated onto servers selected and controlled by Registry Operator.

Subdomains are prohibited except for 'WWW.'

#### **REQUESTED-RESERVED DOMAIN NAMES**

The list of Requested-Reserved Domain Names is a list of up to 1500 (one thousand five hundred) domain names that have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia region. Registry Operator will permanently reserve from registration Requested-Reserved Domain Names.

ACTO's authorized representative may submit to Registry Operator written requests to add domain names to the Requested-Reserved Domain Names list until two years after the Effective Date of the .AMAZON Registry Agreement.

Trademarks owned by Registry Operator or its Affiliates, domain names already registered in the .AMAZON TLD, and labels required to be reserved under the .AMAZON Registry Agreement are excluded from and cannot be included on the Requested-Reserved Domain Names list.

The Requested-Reserved Domain Names list will remain in force for the term of the .AMAZON Registry Agreement.

#### **REGISTRY OPERATOR CHALLENGES TO PERMITTED DOMAIN NAMES OR REQUESTED-RESERVED LIST**

Registry Operator may reject requests for Permitted Domain Names or Requested-Reserved Domain Names in the event that Registry Operator reasonably determines that the requested Permitted Domain Name or Requested-Reserved Domain Name does not have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia region, or is otherwise prohibited under this Policy.

Registry Operator will communicate such rejection in writing to ACTO within 21 calendar days after receipt of the relevant request.

ACTO may challenge the Registry Operator's rejection through the ICANN Public Interest Commitment Dispute Resolution Procedure.

#### **USE OF THE PERMITTED DOMAIN NAMES**

The Permitted Domain Names may (i) point to websites hosted by Registry Operator or its Affiliates ("ACTO Name Websites") or (ii) redirect to existing websites, where the Registry Operator or its Affiliates host the redirect.

All content for ACTO Name Websites must be submitted to Registry Operator for ingestion and processing in accordance with the usual procedures used by Registry Operator and its Affiliates.

Dynamic content, user generated content, executable files, and personal data are prohibited from the ACTO Name Websites.

ACTO or an ACTO member state must own all rights in the content submitted for any ACTO Name Website. That owner grants to Registry Operator and its Affiliates a limited license to copy the content, create derivative works based on the content, distribute copies of the content, and publicly display the content, only to the extent necessary for Registry Operator and its Affiliates to ingest, process, and host the content as provided in this section.

Permitted Domain Names and ACTO Name Websites must only be used for non-commercial purposes and to promote and safeguard the Culture and Heritage specific to the Amazonia region. ACTO Name Websites must comply with (i) Registry Operator's Acceptable Use and Anti-Abuse Policy, the most current version of which is accessible at <https://www.amazonregistry.com/legaldocs?docId=acceptableusepolicy>; and (ii) any security protocols deemed appropriate by Registry Operator or its Affiliates. ACTO Name Websites and Permitted Domain Names may not be used to disparage or bring into disrepute Registry Operator or its Affiliates.

### **ABUSE PREVENTION AND MITIGATION**

Registry Operator may remove orphan glue records (see [www.icann.org/en/committees/security/sac048.pdf](http://www.icann.org/en/committees/security/sac048.pdf)) upon receipt of written evidence of their presence in connection with malicious conduct.

Registry Operator may suspend or lock, or initiate a rapid takedown process of, any Permitted Domain Name or ACTO Name Website, pending resolution of a suspected violation, if it appears that a Permitted Domain Name or ACTO Name Website (i) is being used to threaten the stability or security of the .AMAZON TLD; (ii) is part of a real-time investigation by law enforcement; or (iii) is being used in violation of this Policy. Registry Operator may also suspend, lock, or initiate a rapid takedown process upon determining such action is necessary to further Registry Operator's efforts aimed at abuse prevention and mitigation and may ask the registrar to take similar action.

Registry Operator may ask the registrar to cooperate in locking, suspending, placing on hold, or deleting a Permitted Domain Name if a rapid takedown process is initiated. Registry Operator may place a Permitted Domain Name on "ServerHold" or any other status Registry Operator believes is necessary or appropriate.

Registry Operator will take reasonable steps to investigate and respond to any reports from governmental agencies and ccTLD operators of conduct that is alleged to cause confusion with the corresponding country code in connection with the use of a Two-Letter Code. In responding to such reports, Registry Operator is not required to take any action in contravention of applicable law. Registry Operator reserves the right, but does not assume the obligation, to temporarily or permanently deny, suspend or cancel any Permitted Domain Name after such investigation.

### **GENERAL TERMS AND CONDITIONS**

If any provision, or part of a provision, of this Policy is found to be illegal, invalid or unenforceable, that provision or part-provision is deemed not to form part of this Policy. The validity or enforceability of the remainder of this Policy will not be affected, unless otherwise required by operation of applicable law.

This Policy, and the Acceptable Use Policy which is incorporated by reference, constitutes the entire agreement between ACTO and Registry Operator.

Registry Operator's waiver of a breach of any provision of this Policy is not and will not be interpreted as a waiver of any other or subsequent breach.

Notwithstanding any translated versions of this Policy that Registry Operator may post on its website for the .AMAZON TLD, the English language version of this Policy is the official version. In the event of any conflict or discrepancy between any translated version of this Policy and the English language version, the English language version controls.

### **Proposed Language for Public Interest Commitment to Share the .xn--cckwcxetd TLD**

As set forth below, Registry Operator is committed to sharing the use and governance of the .xn--cckwcxetd TLD (アマゾン, .AMAZON in Japanese characters) with the Amazon Cooperation Treaty Organization (“ACTO”) and agrees to abide by the following Public Interest Commitment. This Public Interest Commitment is intended to enhance the global visibility of and safeguard the Culture and Heritage of the Amazonia Region, and protect against misuse of the .xn--cckwcxetd TLD. This Commitment shall be enforceable by ICANN and through the Public Interest Commitment Dispute Resolution Process. Registry Operator shall comply with the PICDRP. Registry Operator agrees to implement and adhere to remedies ICANN imposes (which may include a reasonable remedy, including for the avoidance of doubt, the termination of the Registry Agreement pursuant to Section 4.3(e) of the Registry Agreement) following a determination by any PICDRP panel and to be bound by any such determination.

- a. Registry Operator commits that it will not use as domain names in the .xn--cckwcxetd TLD terms that have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia Region.
- b. Registry Operator commits to permit use of the .xn--cckwcxetd TLD by ACTO through providing nine (9) domain names in the .xn--cckwcxetd TLD for ACTO’s designation to itself and its eight member states as it sees fit, for non-commercial purposes. ACTO shall select only those terms that have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia Region. The domain name selection and use must be consistent with the .xn--cckwcxetd TLD Naming and Use Policy for Domain Names Used or Requested-Reserved by ACTO, which is incorporated by reference and attached hereto as Appendix A; legal obligations; and standards to safeguard the security and stability of the .xn--cckwcxetd TLD adopted and implemented by Registry Operator.
- c. Registry Operator commits that it will permanently reserve (block from all use) in the .xn--cckwcxetd TLD up to 1500 domain names that have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia Region. These permanently Requested-Reserved names must be consistent with the .xn--cckwcxetd TLD Naming and Use Policy for Domain Names Used or Requested-Reserved by ACTO, which is incorporated by reference and attached hereto as Appendix A.

ACTO and its member states are the sole entities that have standing to invoke or contest any alleged failure of Registry Operator to abide by the Public Interest Commitments set forth in this Section [#] pursuant to the PICDRP.

## APPENDIX A

### **.XN--CCKWCXETD TLD NAMING AND USE POLICY FOR DOMAIN NAMES USED OR REQUESTED-RESERVED BY AMAZON COOPERATION TREATY ORGANIZATION (“ACTO”)**

The .xn--cckwcxetd TLD Naming and Use Policy for Domain Names Used or Requested-Reserved by ACTO (“Policy”) applies only to the domain names (i) authorized for use by ACTO and its member states in the .xn--cckwcxetd TLD (“Permitted Domain Names”); and (ii) Requested-Reserved from use in the .xn--cckwcxetd TLD at the request of ACTO (“Requested-Reserved Domain Names”).

In the event of a conflict between the terms of this Policy and the .xn--cckwcxetd TLD registry policies, which apply to all other registration and use of domain names in the .xn--cckwcxetd TLD, the terms and conditions of the .xn--cckwcxetd TLD registry policies shall prevail.

#### **PERMITTED DOMAIN NAMES**

ACTO, through its authorized representative, shall be entitled to request from Registry Operator the registration of up to nine (9) domain names for use by itself or its member states.

The Permitted Domain Names must have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia region. For purposes of this Policy, “Culture and Heritage specific to the Amazonia region” means the names of indigenous peoples’ groups, and national symbols of the countries in the Amazonia region, and the specific terms OTCA, culture, heritage, forest, river, and rainforest, in English, Dutch, Portuguese, and Spanish.

The following categories cannot be registered as Permitted Domain Names: (i) trademarks owned by Registry Operator or its Affiliates; and (ii) country and territory names in short- or long-form, or a translation of either form in any language, listed in the ISO 3166-1 standard.

If ACTO requests a Permitted Domain Name that is a Two-Letter Code, ACTO represents that (i) the requested Permitted Domain Name Used by ACTO corresponds to the Two-Letter Code for an ACTO member state; or (ii) ACTO will take steps to ensure against misrepresenting or falsely implying that ACTO is affiliated with the corresponding government or country-code manager, if such affiliation, sponsorship or endorsement does not exist. “Two-Letter Code” means a letter/letter two-character ASCII label at the second level which corresponds to a two-letter country code as specified in the ISO 3166-1 alpha-2 standard.

Each Permitted Domain Name must also meet the following criteria:

- It *must be* at least 1 character; contain only numbers (0-9), letters, (a-z), and hyphens, or any combination of these elements; start and end with an alphanumeric character; and comply with any additional rules and policies Registry Operator has set for the .xn--cckwcxetd TLD.
- It *must not be* more than 63 characters; start or end with a hyphen; be a name that Registry Operator is required to reserve under its .xn--cckwcxetd Registry Agreement; and must not include a hyphen in the third or fourth position unless it represents a valid Internationalized Domain Name in its ASCII encoding.
- A valid Internationalized Domain Name must be in a language script that Registry Operator supports.

Registration of the Permitted Domain Names shall be made by Registry Operator through the Registry Operator's chosen registrar. The Permitted Domain Names will be registered in the name of the Registry Operator or its designated Affiliate; are not transferable; and will be delegated onto servers selected and controlled by Registry Operator.

Subdomains are prohibited except for 'WWW.'

### **REQUESTED-RESERVED DOMAIN NAMES**

The list of Requested-Reserved Domain Names is a list of up to 1500 (one thousand five hundred) domain names that have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia region. Registry Operator will permanently reserve from registration Requested-Reserved Domain Names.

ACTO's authorized representative may submit to Registry Operator written requests to add domain names to the Requested-Reserved Domain Names list until two years after the Effective Date of the .xn--cckwcxetd Registry Agreement.

Trademarks owned by Registry Operator or its Affiliates, domain names already registered in the .xn--cckwcxetd TLD, and labels required to be reserved under the .xn--cckwcxetd Registry Agreement are excluded from and cannot be included on the Requested-Reserved Domain Names list.

The Requested-Reserved Domain Names list will remain in force for the term of the .xn--cckwcxetd Registry Agreement.

### **REGISTRY OPERATOR CHALLENGES TO PERMITTED DOMAIN NAMES OR REQUESTED-RESERVED LIST**

Registry Operator may reject requests for Permitted Domain Names or Requested-Reserved Domain Names in the event that Registry Operator reasonably determines that the requested Permitted Domain Name or Requested-Reserved Domain Name does not have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia region, or is otherwise prohibited under this Policy.

Registry Operator will communicate such rejection in writing to ACTO within 21 calendar days after receipt of the relevant request.

ACTO may challenge the Registry Operator's rejection through the ICANN Public Interest Commitment Dispute Resolution Procedure.

### **USE OF THE PERMITTED DOMAIN NAMES**

The Permitted Domain Names may (i) point to websites hosted by Registry Operator or its Affiliates ("ACTO Name Websites") or (ii) redirect to existing websites, where the Registry Operator or its Affiliates host the redirect.

All content for ACTO Name Websites must be submitted to Registry Operator for ingestion and processing in accordance with the usual procedures used by Registry Operator and its Affiliates.

Dynamic content, user generated content, executable files, and personal data are prohibited from the ACTO Name Websites.



ACTO or an ACTO member state must own all rights in the content submitted for any ACTO Name Website. That owner grants to Registry Operator and its Affiliates a limited license to copy the content, create derivative works based on the content, distribute copies of the content, and publicly display the content, only to the extent necessary for Registry Operator and its Affiliates to ingest, process, and host the content as provided in this section.

Permitted Domain Names and ACTO Name Websites must only be used for non-commercial purposes and to promote and safeguard the Culture and Heritage specific to the Amazonia region. ACTO Name Websites must comply with (i) Registry Operator's Acceptable Use and Anti-Abuse Policy, the most current version of which is accessible at <https://www.amazonregistry.com/legaldocs?docId=acceptableusepolicy>; and (ii) any security protocols deemed appropriate by Registry Operator or its Affiliates. ACTO Name Websites and Permitted Domain Names may not be used to disparage or bring into disrepute Registry Operator or its Affiliates.

### **ABUSE PREVENTION AND MITIGATION**

Registry Operator may remove orphan glue records (see [www.icann.org/en/committees/security/sac048.pdf](http://www.icann.org/en/committees/security/sac048.pdf)) upon receipt of written evidence of their presence in connection with malicious conduct.

Registry Operator may suspend or lock, or initiate a rapid takedown process of, any Permitted Domain Name or ACTO Name Website, pending resolution of a suspected violation, if it appears that a Permitted Domain Name or ACTO Name Website (i) is being used to threaten the stability or security of the .xn--cckwcxetd TLD; (ii) is part of a real-time investigation by law enforcement; or (iii) is being used in violation of this Policy. Registry Operator may also suspend, lock, or initiate a rapid takedown process upon determining such action is necessary to further Registry Operator's efforts aimed at abuse prevention and mitigation and may ask the registrar to take similar action.

Registry Operator may ask the registrar to cooperate in locking, suspending, placing on hold, or deleting a Permitted Domain Name if a rapid takedown process is initiated. Registry Operator may place a Permitted Domain Name on "ServerHold" or any other status Registry Operator believes is necessary or appropriate.

Registry Operator will take reasonable steps to investigate and respond to any reports from governmental agencies and ccTLD operators of conduct that is alleged to cause confusion with the corresponding country code in connection with the use of a Two-Letter Code. In responding to such reports, Registry Operator is not required to take any action in contravention of applicable law. Registry Operator reserves the right, but does not assume the obligation, to temporarily or permanently deny, suspend or cancel any Permitted Domain Name after such investigation.

### **GENERAL TERMS AND CONDITIONS**

If any provision, or part of a provision, of this Policy is found to be illegal, invalid or unenforceable, that provision or part-provision is deemed not to form part of this Policy. The validity or enforceability of the remainder of this Policy will not be affected, unless otherwise required by operation of applicable law.

This Policy, and the Acceptable Use Policy which is incorporated by reference, constitutes the entire agreement between ACTO and Registry Operator.

Registry Operator's waiver of a breach of any provision of this Policy is not and will not be interpreted as a waiver of any other or subsequent breach.

Notwithstanding any translated versions of this Policy that Registry Operator may post on its website for the .xn--cckwcxetd TLD, the English language version of this Policy is the official version. In the event of any conflict or discrepancy between any translated version of this Policy and the English language version, the English language version controls.

### **Proposed Language for Public Interest Commitment to Share the .xn--jlq480n2rg TLD**

As set forth below, Registry Operator is committed to sharing the use and governance of the .xn--jlq480n2rg TLD ( 亚马逊 , .AMAZON in Chinese characters) with the Amazon Cooperation Treaty Organization (“ACTO”) and agrees to abide by the following Public Interest Commitment. This Public Interest Commitment is intended to enhance the global visibility of and safeguard the Culture and Heritage of the Amazonia Region, and protect against misuse of the .xn--jlq480n2rg TLD. This Commitment shall be enforceable by ICANN and through the Public Interest Commitment Dispute Resolution Process. Registry Operator shall comply with the PICDRP. Registry Operator agrees to implement and adhere to remedies ICANN imposes (which may include a reasonable remedy, including for the avoidance of doubt, the termination of the Registry Agreement pursuant to Section 4.3(e) of the Registry Agreement) following a determination by any PICDRP panel and to be bound by any such determination.

- a. Registry Operator commits that it will not use as domain names in the .xn--jlq480n2rg TLD terms that have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia Region.
- b. Registry Operator commits to permit use of the .xn--jlq480n2rg TLD by ACTO through providing nine (9) domain names in the .xn--jlq480n2rg TLD for ACTO’s designation to itself and its eight member states as it sees fit, for non-commercial purposes. ACTO shall select only those terms that have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia Region. The domain name selection and use must be consistent with the .xn--jlq480n2rg TLD Naming and Use Policy for Domain Names Used or Requested-Reserved by ACTO, which is incorporated by reference and attached hereto as Appendix A; legal obligations; and standards to safeguard the security and stability of the .xn--jlq480n2rg TLD adopted and implemented by Registry Operator.
- c. Registry Operator commits that it will permanently reserve (block from all use) in the .xn--jlq480n2rg TLD up to 1500 domain names that have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia Region. These permanently Requested-Reserved names must be consistent with the .xn--jlq480n2rg TLD Naming and Use Policy for Domain Names Used or Requested-Reserved by ACTO, which is incorporated by reference and attached hereto as Appendix A.

ACTO and its member states are the sole entities that have standing to invoke or contest any alleged failure of Registry Operator to abide by the Public Interest Commitments set forth in this Section [#] pursuant to the PICDRP.

## APPENDIX A

### **.XN--JLQ480N2RG TLD NAMING AND USE POLICY FOR DOMAIN NAMES USED OR REQUESTED-RESERVED BY AMAZON COOPERATION TREATY ORGANIZATION (“ACTO”)**

The .xn--jlq480n2rg TLD Naming and Use Policy for Domain Names Used or Requested-Reserved by ACTO (“Policy”) applies only to the domain names (i) authorized for use by ACTO and its member states in the .xn--jlq480n2rg TLD (“Permitted Domain Names”); and (ii) Requested-Reserved from use in the .xn--jlq480n2rg TLD at the request of ACTO (“Requested-Reserved Domain Names”).

In the event of a conflict between the terms of this Policy and the .xn--jlq480n2rg TLD registry policies, which apply to all other registration and use of domain names in the .xn--jlq480n2rg TLD, the terms and conditions of the .xn--jlq480n2rg TLD registry policies shall prevail.

#### **PERMITTED DOMAIN NAMES**

ACTO, through its authorized representative, shall be entitled to request from Registry Operator the registration of up to nine (9) domain names for use by itself or its member states.

The Permitted Domain Names must have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia region. For purposes of this Policy, “Culture and Heritage specific to the Amazonia region” means the names of indigenous peoples’ groups, and national symbols of the countries in the Amazonia region, and the specific terms OTCA, culture, heritage, forest, river, and rainforest, in English, Dutch, Portuguese, and Spanish.

The following categories cannot be registered as Permitted Domain Names: (i) trademarks owned by Registry Operator or its Affiliates; and (ii) country and territory names in short- or long-form, or a translation of either form in any language, listed in the ISO 3166-1 standard.

If ACTO requests a Permitted Domain Name that is a Two-Letter Code, ACTO represents that (i) the requested Permitted Domain Name Used by ACTO corresponds to the Two-Letter Code for an ACTO member state; or (ii) ACTO will take steps to ensure against misrepresenting or falsely implying that ACTO is affiliated with the corresponding government or country-code manager, if such affiliation, sponsorship or endorsement does not exist. “Two-Letter Code” means a letter/letter two-character ASCII label at the second level which corresponds to a two-letter country code as specified in the ISO 3166-1 alpha-2 standard.

Each Permitted Domain Name must also meet the following criteria:

- It *must be* at least 1 character; contain only numbers (0-9), letters, (a-z), and hyphens, or any combination of these elements; start and end with an alphanumeric character; and comply with any additional rules and policies Registry Operator has set for the .xn--jlq480n2rg TLD.
- It *must not be* more than 63 characters; start or end with a hyphen; be a name that Registry Operator is required to reserve under its .xn--jlq480n2rg Registry Agreement; and must not include a hyphen in the third or fourth position unless it represents a valid Internationalized Domain Name in its ASCII encoding.
- A valid Internationalized Domain Name must be in a language script that Registry Operator supports.

Registration of the Permitted Domain Names shall be made by Registry Operator through the Registry Operator's chosen registrar. The Permitted Domain Names will be registered in the name of the Registry Operator or its designated Affiliate; are not transferable; and will be delegated onto servers selected and controlled by Registry Operator.

Subdomains are prohibited except for 'WWW.'

### **REQUESTED-RESERVED DOMAIN NAMES**

The list of Requested-Reserved Domain Names is a list of up to 1500 (one thousand five hundred) domain names that have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia region. Registry Operator will permanently reserve from registration Requested-Reserved Domain Names.

ACTO's authorized representative may submit to Registry Operator written requests to add domain names to the Requested-Reserved Domain Names list until two years after the Effective Date of the .xn--jlq480n2rg Registry Agreement.

Trademarks owned by Registry Operator or its Affiliates, domain names already registered in the .xn--jlq480n2rg TLD, and labels required to be reserved under the .xn--jlq480n2rg Registry Agreement are excluded from and cannot be included on the Requested-Reserved Domain Names list.

The Requested-Reserved Domain Names list will remain in force for the term of the .xn--jlq480n2rg Registry Agreement.

### **REGISTRY OPERATOR CHALLENGES TO PERMITTED DOMAIN NAMES OR REQUESTED-RESERVED LIST**

Registry Operator may reject requests for Permitted Domain Names or Requested-Reserved Domain Names in the event that Registry Operator reasonably determines that the requested Permitted Domain Name or Requested-Reserved Domain Name does not have a primary and well-recognized significance to the Culture and Heritage specific to the Amazonia region, or is otherwise prohibited under this Policy.

Registry Operator will communicate such rejection in writing to ACTO within 21 calendar days after receipt of the relevant request.

ACTO may challenge the Registry Operator's rejection through the ICANN Public Interest Commitment Dispute Resolution Procedure.

### **USE OF THE PERMITTED DOMAIN NAMES**

The Permitted Domain Names may (i) point to websites hosted by Registry Operator or its Affiliates ("ACTO Name Websites") or (ii) redirect to existing websites, where the Registry Operator or its Affiliates host the redirect.

All content for ACTO Name Websites must be submitted to Registry Operator for ingestion and processing in accordance with the usual procedures used by Registry Operator and its Affiliates.

Dynamic content, user generated content, executable files, and personal data are prohibited from the ACTO Name Websites.

ACTO or an ACTO member state must own all rights in the content submitted for any ACTO Name Website. That owner grants to Registry Operator and its Affiliates a limited license to copy the content, create derivative works based on the content, distribute copies of the content, and publicly display the content, only to the extent necessary for Registry Operator and its Affiliates to ingest, process, and host the content as provided in this section.

Permitted Domain Names and ACTO Name Websites must only be used for non-commercial purposes and to promote and safeguard the Culture and Heritage specific to the Amazonia region. ACTO Name Websites must comply with (i) Registry Operator's Acceptable Use and Anti-Abuse Policy, the most current version of which is accessible at <https://www.amazonregistry.com/legaldocs?docId=acceptableusepolicy>; and (ii) any security protocols deemed appropriate by Registry Operator or its Affiliates. ACTO Name Websites and Permitted Domain Names may not be used to disparage or bring into disrepute Registry Operator or its Affiliates.

### **ABUSE PREVENTION AND MITIGATION**

Registry Operator may remove orphan glue records (see [www.icann.org/en/committees/security/sac048.pdf](http://www.icann.org/en/committees/security/sac048.pdf)) upon receipt of written evidence of their presence in connection with malicious conduct.

Registry Operator may suspend or lock, or initiate a rapid takedown process of, any Permitted Domain Name or ACTO Name Website, pending resolution of a suspected violation, if it appears that a Permitted Domain Name or ACTO Name Website (i) is being used to threaten the stability or security of the .xn--jlq480n2rg TLD; (ii) is part of a real-time investigation by law enforcement; or (iii) is being used in violation of this Policy. Registry Operator may also suspend, lock, or initiate a rapid takedown process upon determining such action is necessary to further Registry Operator's efforts aimed at abuse prevention and mitigation and may ask the registrar to take similar action.

Registry Operator may ask the registrar to cooperate in locking, suspending, placing on hold, or deleting a Permitted Domain Name if a rapid takedown process is initiated. Registry Operator may place a Permitted Domain Name on "ServerHold" or any other status Registry Operator believes is necessary or appropriate.

Registry Operator will take reasonable steps to investigate and respond to any reports from governmental agencies and ccTLD operators of conduct that is alleged to cause confusion with the corresponding country code in connection with the use of a Two-Letter Code. In responding to such reports, Registry Operator is not required to take any action in contravention of applicable law. Registry Operator reserves the right, but does not assume the obligation, to temporarily or permanently deny, suspend or cancel any Permitted Domain Name after such investigation.

### **GENERAL TERMS AND CONDITIONS**

If any provision, or part of a provision, of this Policy is found to be illegal, invalid or unenforceable, that provision or part-provision is deemed not to form part of this Policy. The validity or enforceability of the remainder of this Policy will not be affected, unless otherwise required by operation of applicable law.

This Policy, and the Acceptable Use Policy which is incorporated by reference, constitutes the entire agreement between ACTO and Registry Operator.

Registry Operator's waiver of a breach of any provision of this Policy is not and will not be interpreted as a waiver of any other or subsequent breach.

Notwithstanding any translated versions of this Policy that Registry Operator may post on its website for the .xn--jl1480n2rg TLD, the English language version of this Policy is the official version. In the event of any conflict or discrepancy between any translated version of this Policy and the English language version, the English language version controls.