

At-Large Workspace: Proposed Renewal of .MUSEUM Sponsored Registry Agreement

Public Comment Close	Statement Name	Status	Assignee (s)	Call for Comments Open	Call for Comments Close	Vote Open	Vote Close	Date of Submission	Staff Contact and Email	Statement Number
03 October 2017	Proposed Renewal of .MUSEUM Sponsored Registry Agreement	No Statement	n/a						Karla Hakansson karla.hakansson@icann.org	n/a

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Brief Overview

Purpose: ICANN is posting for public comment the proposed agreement for renewal of the 2007 Registry Agreement for .MUSEUM. This proposal is a result of discussions between ICANN and Museum Domain Management Association (MuseDoma).

Current Status: As per Section 4.2 of the .MUSEUM Registry Agreement, the .MUSEUM Registry Agreement shall be renewed upon the expiration of the initial term set forth in Section 4.1 of the agreement. The .MUSEUM Registry Agreement will expire on 2 November 2017.

Next Steps: After the public comment period has concluded, the proposed agreement will be considered for execution, in light of the summary and analysis of the comments.

Section I: Description and Explanation

ICANN is posting for public comment the proposed agreement for renewal of the 2007 Registry Agreement for .MUSEUM set to expire on 2 November 2017. The renewal proposal is a result of bilateral discussions between ICANN and Museum Domain Management Association (MuseDoma), the Registry Operator for the .MUSEUM Top Level Domain (TLD).

The proposed renewal agreement for the .MUSEUM Registry Agreement is based on the current .MUSEUM Registry Agreement with modifications agreed upon by ICANN and MuseDoma, and includes certain provisions incorporated into legacy gTLD Registry Agreements (such as the TEL Registry Agreement, dated 28 February 2017).

The proposed renewal agreement for .MUSEUM also incorporates various terms of the approved new gTLD Registry Agreement modified for a legacy TLD. The summary below includes exceptions for material differences between the proposed renewal agreement for .MUSEUM and the comparable provision of the base new gTLD Registry Agreement and also some highlights of the provisions in the proposed renewal agreement that are materially different than the current .MUSEUM Registry Agreement:

- **Protection of Legal Rights of Third Parties (Sec. 3.1(c)(v) and Specification 7):** Processes and procedures for the launch of the TLD and initial registrations will not apply as the .MUSEUM TLD has been in operation since 2005.
- **Emergency Transition (3.1(c)(ix) and Continued Operation Instrument (Section 2.12 and Specification 8):** The provision to designate an emergency interim registry operator if emergency thresholds for registry functions are reached is included. However, the Continued Operation Instrument requirement will not apply to the .MUSEUM TLD as it has been in continuous operation since 2007.
- **Pass Through Fees related to the Trademark Clearinghouse (Section 6.4):** Consistent with the above provision on the protection of legal rights, .MUSEUM will not be subject to the payment of Trademark Clearinghouse related fees.
- **Approved Services (Exhibit A):** In addition to the common descriptions of the DNS, Whois Contact Lookup, the Approved Services for .MUSEUM includes a 270-day implementation grace period to allow sufficient time for MuseDoma to complete the transition of its technical operations to meet the requirements of the proposed renewal agreement. The Approved Services for .MUSEUM includes (i) updated DNS Service, Whois Contract Lookup and (iii) Internationalized Domain Names (IDNs).
- **Schedule of Reserved Names (Sec. 3.1(c)(i)(C) and Spec. 5):** In the proposed renewal Registry Agreement the Registry Operator (RO) is required to reserve and not register TLD strings on the list set forth in Spec. 5 and located at <http://data.iana.org/TLD/tlds-alpha-by-domain.txt> for initial registration at the second level within the TLD. RO is required to reserve all single character labels at the second level within the TLD. RO may allocate single-character second-level labels through ICANN-accredited registrars, based upon its implementation of a process using evaluation criteria. The provision permitting RO to activate 100 names necessary for the operation and promotion of the TLD has been deleted. The provisions regarding the International Olympic Committee, International Red Cross and Red Crescent Movement and Intergovernmental Organizations have also been deleted. Finally, the provisions permitting the RO to manage 4,000 names has been removed and the RO will be required to pay fees at the time of registration renewal.
- **Registry Interoperability and Continuity (Sec. 3.1(c)(iv) and Spec. 6):** Section 6 of Specification 6 of the new gTLD registry agreement (Name Collision Occurrence Management) will not apply to the .MUSEUM TLD as it has been in operation since 2007.
- **Minimum Requirements for Rights Protection Mechanisms (Specification 7):** The .MUSEUM TLD will not be subject to RPMs set forth in the Trademark Clearinghouse or the Registry Restrictions Dispute Resolution Procedure (RRDRP) which was designed specifically for community TLDs under the new gTLD program. However, the .MUSEUM TLD will be required to implement Uniform Rapid Suspension (URS) as per the proposed renewal registry agreement.
- **Registry Code of Conduct (3.1(c)(vi) and Specification 9)** The Registry Operator is required to abide by the Code of Conduct per the new gTLD Registry Agreement. However, the provision relating to the Registry Operator's use of up to 100 names for the operation and promotion of the TLD is not included in the proposed renewal Registry Agreement as the .MUSEUM TLD has been in operation since 2007.
- **Public Interest Commitments (Sec. 3.1(c)(viii) and Specification 11):** The existing Registration Restrictions in Appendix S of the .MUSEUM Registry Agreement are proposed to be removed and replaced with the set of standard public interest commitments applicable to all new gTLDs, with the exception of removal of the provision that requires Registry Operator to comply with any public commitments set forth in Registry Operator's application.
- **Community Registration Policies (Specification 12):** Appendix S in the current .MUSEUM Registry Agreement is carried over to the proposed renewal of the .MOBI Registry Agreement in the form of Specification 12 (Community Registration Policies) with slight modifications. As such, the .MUSEUM proposed renewal registry agreement will be categorized as a "Community TLD" instead of a "Sponsored TLD". Eligibility requirements have been expanded such that registrations will be granted to museums, professional associations of museums, individuals with an interest or a link with museum profession and /or activity, or bona fide museum users. The provisions regarding (i) delegated authority; (ii) selection of registrars; (iii) existing sponsor services; and (iv) community related registrations have been deleted. The provision regarding the Charter Eligibility Dispute Resolution Policy has also been deleted. Disputes are to be resolved under the Eligibility Restrictions Dispute Resolution Policy or the Compliance Reconsideration Dispute Resolution Policy.
- **Misc. Provisions:** Various other provisions have been modified, at the request of the Registry Operator and after bilateral negotiations with Registry Operator, to align with terms of the previously included in the .MUSEUM Registry Agreement.

Posted for public comment are both clean and "redline" versions of the agreement, and the proposed Addendum to the Registry Agreement that is proposed to be executed by the parties as follows:

- [Proposed Renewal Registry Agreement \[PDF, 375 KB\]](#)
- [Redline showing changes compared to the current .MUSEUM Registry Agreement \[PDF, 724 KB\]](#)

Contractual Compliance Review: As part of the renewal process, ICANN conducted a review of contractual compliance under the .MUSEUM Registry Agreement. Museum Domain Management Association (MuseDoma) was found to be in substantial compliance with their contractual requirements for .MUSEUM.

Section II: Background

ICANN and Museum Domain Management Association (MuseDoma), entered into a Sponsored TLD Registry Agreement on 3 November 2007 for operation of the .MUSEUM top level domain. Based on this Registry Agreement, the effective date of the agreement is the delegation date of .MUSEUM TLD, which was 30 October 2001. The current agreement for .MUSEUM, which will expire on 2 November 2017, may be viewed at: <https://www.icann.org/resources/unthemed-pages/museum-2012-02-25-en>

In addition to the .MUSEUM Registry Agreement, the registry agreements of several "legacy" gTLDs, namely the .MOBI, .JOBS, .TRAVEL, .CAT and .PRO Registry Agreements, have been renewed based on the new gTLD Registry Agreement as a result of bilateral negotiations between ICANN and the applicable Registry Operator. These renewed agreements can be viewed at: <https://www.icann.org/resources/pages/registries/registries-agreements-en>.

Section III: Relevant Resources

- [Current .MUSEUM Registry Agreement and Appendices](#)
- [Approved base New gTLD Registry Agreement \(as updated on 9 January 2014\)](#)

Section IV: Additional Information

Section V: Reports

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FINAL VERSION TO BE SUBMITTED IF RATIFIED

The final version to be submitted, if the draft is ratified, will be placed here by upon completion of the vote.

FINAL DRAFT VERSION TO BE VOTED UPON BY THE ALAC

The final draft version to be voted upon by the ALAC will be placed here before the vote is to begin.

FIRST DRAFT SUBMITTED

The first draft submitted will be placed here before the call for comments begins.