

Specification 1: **COMBINED TO SHOW BOTH REGISTRY AND REGISTRAR VERSIONS**

CONSENSUS POLICIES AND TEMPORARY POLICIES SPECIFICATION

1. **Consensus Policies.**

- 1.1. **“Consensus Policies”** are those policies established (1) pursuant to the procedure set forth in ICANN’s Bylaws and due process, and (2) covering those topics listed in Section 1.2 of this Specification. The Consensus Policy development process and procedure set forth in ICANN’s Bylaws may be revised from time to time in accordance with the process set forth therein.
- 1.2. Consensus Policies and the procedures by which they are developed shall be designed to produce, to the extent possible, a consensus of Internet stakeholders, including [registrars and](#) the operators of gTLDs. Consensus Policies shall relate to one or more of the following:
 - 1.2.1 issues for which uniform or coordinated resolution is reasonably necessary to facilitate interoperability, security and/or stability of [Registry Services, Registrar Services, and](#) the Internet or Domain Name System (“DNS”);
 - 1.2.2 functional and performance specifications for the provision of [Registrar and](#) Registry Services;
 - 1.2.3 Security and Stability of the registry database for the TLD;
 - 1.2.4 registry [and registrar](#) policies reasonably necessary to implement Consensus Policies relating to registry operations or registrars;
 - 1.2.5 resolution of disputes regarding the registration of domain names (as opposed to the use of such domain names [\[but including where such policies take into account use of the domain names\]](#)); or
 - 1.2.6 restrictions on cross-ownership of registry operators and registrars or registrar resellers and regulations and restrictions with respect to registry operations and the use of registry and registrar data in the event that a registry operator and a registrar or registrar reseller are affiliated.
- 1.3. Such categories of issues referred to in Section 1.2 of this Specification shall include, without limitation:
 - 1.3.1 principles for allocation of registered names in the TLD (e.g., first-come/first-served, timely renewal, holding period after expiration);
 - 1.3.2 prohibitions on warehousing of or speculation in domain names by registries or registrars;
 - 1.3.3 reservation of registered names in the TLD that may not be registered initially or that may not be renewed due to reasons reasonably related to (i) avoidance of confusion among or misleading of users, (ii) intellectual property, or (iii) the technical management of the DNS or the Internet (e.g., establishment of reservations of names from registration); and
 - [1.3.4](#) maintenance of and access to accurate and up-to-date information concerning domain name registrations; and
 - [1.3.5](#) procedures to avoid disruptions of domain name registrations due to suspension or termination of operations by a registry operator or a registrar, including procedures for allocation of responsibility [among continuing registrars of the Registered Names sponsore in a TLD by a registrar losing accreditation and](#) for serving registered domain names in a TLD affected by such a suspension or termination.
 - 1.3.6 [The transfer of registration data upon a change in registrar sponsoring one or more Registered Names.](#)
- 1.4. In addition to the other limitations on Consensus Policies, they shall not:

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- 1.4.1 prescribe or limit the price of Registry Services;
- 1.4.2 modify the terms or conditions for the renewal or termination of the Registry Agreement;
- 1.4.3 modify the limitations on Temporary Policies (defined below) or Consensus Policies;
- 1.4.4 modify the provisions in the [registrar agreement and the registry agreement regarding terms or conditions for the renewal, termination, or amendment of the Registrar Accreditation Agreement](#) or fees paid by [Registrars or Registry Operators](#) to ICANN; or
- 1.4.5 modify ICANN's obligations [\[not to apply standards, policies, procedures or practices arbitrarily, unjustifiably, or inequitably and to not single out Registrars for disparate treatment\]](#) and to ensure equitable treatment of registry operators and act in an open and transparent manner.

2. **Temporary Policies.** [Registrar and](#) Registry Operator shall comply with and implement all specifications or policies established by the Board on a temporary basis, if adopted by the Board by a vote of at least two-thirds of its members, so long as the Board reasonably determines that such modifications or amendments are justified and that immediate temporary establishment of a specification or policy on the subject is necessary to maintain the stability or security of [Registrar Services](#), Registry Services or the [\[Internet\] and the DNS](#) ("**Temporary Policies**").

2.1. Such proposed specification or policy shall be as narrowly tailored as feasible to achieve those objectives. In establishing any Temporary Policy, the Board shall state the period of time for which the Temporary Policy is adopted and shall immediately implement the Consensus Policy development process set forth in ICANN's Bylaws.

2.1.1 ICANN shall also issue an advisory statement containing a detailed explanation of its reasons for adopting the Temporary Policy and why the Board believes such Temporary Policy should receive the consensus support of Internet stakeholders.

2.1.2 If the period of time for which the Temporary Policy is adopted exceeds ninety (90) calendar days, the Board shall reaffirm its temporary adoption every ninety (90) calendar days for a total period not to exceed one (1) year, in order to maintain such Temporary Policy in effect until such time as it becomes a Consensus Policy. If the one (1) year period expires or, if during such one (1) year period, the Temporary Policy does not become a Consensus Policy and is not reaffirmed by the Board, Registry Operator shall no longer be required to comply with or implement such Temporary Policy.

3. **Notice and Conflicts.** [Registrar and](#) Registry Operator shall be afforded a reasonable period of time following notice of the establishment of a Consensus Policy or Temporary Policy in which to comply with such policy or specification, taking into account any urgency involved. In the event of a conflict between Registry Services and Consensus Policies or any Temporary Policy, the Consensus Polices or Temporary Policy shall control, but only with respect to subject matter in conflict. [For the avoidance of doubt, Consensus Policies that meet the requirements of this Specification ,ay supplement or supersede provisions of the agreements between Registrar and ICANN, but only to the extent that such Consensus Policies relate to the matters set forth in Section 1.2 and 1.3 of this Specification.](#)

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