

2011-06-24 - Renewal of .NET Agreement

- **Category:** gTLD
- **Topic:** .NET Registry Agreement
- **Board meeting date:** 24 June 2011
- **Resolution number:** 2011.06.24.21
- **URL for Board minutes/resolution:** <http://www.icann.org/en/minutes/resolutions-24jun11-en.htm#4>
- **Status:** Completed

Summary

Board approves the revised .Net Registry Agreement and authorizes CEO and General Counsel to take such actions as appropriate to implement the agreement as so revised.

Text

Whereas, the current .NET Registry Agreement is due to expire on 30 June 2011.

Whereas, Section 4.2 of the current .NET Registry Agreement provides that the Agreement shall be renewed upon the expiration of the initial term so long as certain requirements are met, and that upon renewal, in the event that certain terms of this Agreement are not similar to the terms generally in effect in the Registry Agreements of the five largest gTLDs (determined by the number of domain name registrations under management at the time of renewal), renewal shall be upon terms reasonably necessary to render the terms of this Agreement similar to such terms in the Registry Agreements for those other gTLDs.

Whereas, the Proposed .NET Renewal Registry Agreement includes modified provisions to bring the .NET Registry Agreement into line with other comparable agreements (e.g. BIZ, COM, INFO, ORG), including modifications to terms such as traffic data, limitation of liability, indemnification, assignment, and notice provisions.

Whereas, ICANN commenced a public comment period on the Proposed .NET Renewal Registry Agreement on 11 April 2011 (see, <<http://www.icann.org/en/announcements/announcement-11apr11-en.htm>>) that was open through 10 May 2011.

Whereas, ICANN received 186 comments addressing subjects such as the renewal of the agreement in general, the process for competition review of new registry services, rights protection mechanisms, use of traffic data, the new provisions with respect to special programs for registrars in underserved geographies, registry fees and registration pricing and a summary and analysis of the comments was prepared.

Whereas, the .NET agreement provides for a US\$0.75 registry-level transaction fee, and ICANN has used the funds to support developing country Internet communities to participate in ICANN, enhancing security and stability of the DNS, and for general operating funds. ICANN commits to provide annual reporting on the use of these funds from .NET transaction fees.

Whereas, additional changes were made in response to public comment.

Resolved (2011.06.24.21), the .NET Registry Agreement is approved, and the CEO and the General Counsel are authorized to take such actions as appropriate to implement the agreement as so revised.

Implementation Actions

- Implement the renewed .NET Registry Agreement agreement as revised.
 - Responsible entity: CEO and General Counsel
 - Due date: None provided
 - Completion date: 1 July 2011

Rationale

The rationale is available at: [Rationale](#)

Other Related Resolutions

- Other resolutions TBD.

Additional Information

- On 11 April 2011 ICANN [conducted a public comment period on the Proposed .NET Renewal Registry Agreement](#). Summarized comments are available at: <http://forum.icann.org/lists/net-agreement-renewal/pdfGWA9Qj6nGm.pdf>.
- The .NET Agreement is available at <http://www.icann.org/en/tlds/agreements/net/>; the archived agreement is available at <http://www.icann.org/en/registries/agreements-archive.htm>.
- The resolution does not address funding for the items identifies therein.

Explanatory text does not modify or override Resolutions. See [Board Resolutions Page](#) for more information.

Note: The "Add Comment" box below is for sharing information about implementation of this resolution. Off-topic comments will be removed.