

At-Large Workspace: Proposed Renewal of .COOP 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
27 July 2018	Proposed Renewal of .COOP Sponsored Registry Agreement	No Statement							Karla Hakansson karla.hakansson@icann.org	

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Brief Overview

Purpose: ICANN org is posting for public comment the proposed agreement for renewal of the 2007 Registry Agreement for .COOP, which is set to expire on 22 November 2018. The renewal proposal is a result of bilateral discussions between ICANN org and dotCooperation LLC, the Registry Operator for the .COOP top-level domain (TLD).

Current Status: As per Section 4.2 of the .COOP Registry Agreement, the .COOP Registry Agreement shall be renewed upon the expiration of the initial term set forth in Section 4.1 of the agreement. The .COOP Registry Agreement will expire on 22 November 2018.

Next Steps: Following the public comment period, a summary and analysis report of the comments will be published on the corresponding .COOP public comment page. The report will be available for the ICANN Board in their consideration of the proposed renewal of the .COOP Registry Agreement.

Section I: Description and Explanation

The proposed agreement for the .COOP Registry Agreement renewal is based on the current .COOP Registry Agreement with modifications agreed upon by ICANN org and dotCooperation LLC, and includes provisions incorporated into other legacy gTLD Registry Agreements (such as the .MUSEUM Registry Agreement, renewed on 2 March 2018). The proposed renewal agreement also incorporates various terms of the base gTLD Registry Agreement modified for a legacy TLD (such as the [.MUSEUM Registry Agreement](#), dated 2 March 2018).

Listed below is a summary of both a) material differences between the proposed renewal agreement for .COOP and the base gTLD Registry Agreement, and b) provisions in the proposed renewal agreement for .COOP that are materially different from the way .COOP currently operates.

1. **Material differences between the proposed renewal agreement for .COOP and the base gTLD Registry Agreement:**
 - **Fees to be Paid to ICANN (Section 7.2(a) of the proposed renewal agreement):** Registry Operator is to pay either the annual Fixed Sponsor-Level Fee or the quarterly Sponsor-Level Transaction Fee. (Sec. 7.2(a)). The Registry Operator will continue the Fixed Sponsor-Level Fee based on the level of registered names within the TLD as of June 30th of each year. The fee will be (i) US\$500 for fewer than 500 registered names; (ii) US\$5,000 for more than 5,000 but fewer than 50,000 registered names. If there are more than 50,000 registered names, Sponsor will be subject to the Registry-Level transaction fee set forth in Sec. 7.2 (c). (Sec. 7.2(b)). The Registry Operator's Transaction Fee will be US\$0.75 for each annual increment of an initial or renewal domain name registration during the calendar quarter to which the Registry-Level Transaction-Fee pertains. (Sec. 7.2 (c)). These fees are consistent with the current .COOP Registry Agreement.
 - **Emergency Transition (3.1(c)(ix) and Continued Operation Instrument (Section 2.12 and Specification 8 of the base gTLD Registry Agreement):** 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 .COOP TLD as it has been in continuous operation since 2007. As a result, provisions in Section 4.3(b) and (c) of the base gTLD Registry Agreement (Termination by ICANN) are not applicable to the .COOP TLD and, therefore, not included. This is consistent with other legacy TLDs who have adopted the Emergency Transition provisions.
 - **Pass Through Fees related to the Trademark Clearinghouse (Section 6.4 of the base gTLD Registry Agreement):** This requirement will not apply to the .COOP TLD as it has been in continuous operation since 2007. As a result, provisions in Section 6.4 of the base gTLD Registry Agreement are not applicable to the .COOP TLD and, therefore, not included. This is consistent with other legacy TLD Registry Agreement renewals.
 - **Registry Interoperability and Continuity (Section 2.7 and Specification 6 of the base gTLD Registry Agreement):** Section 6 of Specification 6 of the base gTLD Registry agreement (Name Collision Occurrence Management) will not apply to the .COOP TLD as it has been in operation since 2007. This is consistent with other legacy TLD Registry Agreement renewals.
 - **Schedule of Reserved Names (Specification 5 of the base gTLD Registry Agreement):** Beginning 1 August 2018, all contracted parties, including .COOP, are required to complete implementation of the new requirements for certain specific names of IGOs, the International Olympic Committee (IOC), and the Red Cross/Red Crescent Movement (RCRC). This is consistent with other legacy TLD Registry Agreement renewals.
2. **Provisions in the proposed .COOP renewal agreement that are materially different from the way .COOP currently operates (all references below are from the proposed renewal .COOP registry agreement):**
 - **Approved Services (Exhibit A):** The Approved Services for .COOP are the same as the base gTLD Registry Agreement plus the following services: (i) DNS Service – TLD Zone Contents, and (ii) Active Domain Directory. The Approved Services for .COOP include a 270-day implementation grace period to allow sufficient time for dotCooperation LLC to complete the transition of its technical operations to meet the requirements of the proposed renewal agreement.
 - **Protection of Legal Rights of Third Parties (Sec. 3.1(c)(v) and Spec. 7):** This is the same as base gTLD Registry Agreement, except provisions relating to launch of the TLD and Trademark Clearinghouse Requirements removed. Reference to Registration Restriction Dispute Resolution Procedure (RRDRP) included.
 - **Schedule of Reserved Names (Specification 5):** Updated to be consistent with base gTLD Registry Agreement including the new provisions requiring the registry operator to reserve certain country and territory names.
 - **Registry Code of Conduct (3.1(c)(vi) and Specification 9):** The Registry Operator will be required to abide by the Code of Conduct per the base gTLD Registry Agreement except that provisions regarding activation of up to 100 names necessary for operation or promotion of the TLD have been removed as the TLD has been in operation since 2007.
3. **Public Interest Commitments (Sec. 3.1(c)(viii) and Specification 11):** There is no specific concept in the existing agreement. The Registry Operator is required to follow the same public interest commitments for .COOP as in the base gTLD Registry Agreement.
4. **Obligations of Registry Operator as a Sponsored TLD (Specification 12):** .COOP will maintain the "sponsorship" TLD designation and reflects a modification to the existing Appendix S which moved to Specification 12. As such, .COOP will maintain the "sponsored" TLD designation.
5. **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 .COOP Registry Agreement.

Contractual Compliance Review: As part of the renewal process, ICANN org conducted a review of contractual compliance under the .COOP Registry Agreement. dotCooperation LLC was found to be in compliance with their contractual requirements for .COOP.

Section II: Background

ICANN org and dotCooperation LLC entered into a Sponsored TLD Registry Agreement on 1 July 2007 for operation of the .COOP top level domain.

In addition to the .COOP Registry Agreement, the registry agreements of several "legacy" gTLDs, namely the .MUSEUM, .NET, .MOBI, .JOBS, .TRAVEL, .CAT and .PRO Registry Agreements, have been renewed as a result of bilateral negotiations between ICANN org 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

Posted for public comment are both clean and "redline" versions of the registry agreement that is proposed to be executed by the parties:

- [Proposed Renewal Registry Agreement](#) [PDF, 415 KB]
- [Redline showing changes compared to the approved base gTLD Agreement](#) [PDF, 458 KB]

Section IV: Additional Information

- [Current .COOP Registry Agreement, Amendments and Appendices](#)
- [Base gTLD Registry Agreement \(as updated on 31 July 2017\)](#)

Section V: Reports

FINAL VERSION 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.

DRAFT SUBMITTED FOR DISCUSSION

The first draft submitted will be placed here before the call for comments begins. The Draft should be preceded by the name of the person submitting the draft and the date/time. If, during the discussion, the draft is revised, the older version(S) should be left in place and the new version along with a header line identifying the drafter and date/time should be placed above the older version(s), separated by a Horizontal Rule (available + Insert More Content control).
