



# ICANN Registry Request Service

Ticket ID: B3Q5P-0R9R8

Registry Name: .Club Domains, LLC (.CLUB)

gTLD: .CLUB

Status: ICANN Review

Status Date: 2017-08-22 18:21:50

Print Date: 2017-08-22 18:22:05

## Proposed Service

Name of Proposed Service:

*Registrar Gateway*

Technical description of Proposed Service:

*This Service (the "Service") is offered by .club.*

*The gateway systems include:*

*1. The Service. In relation to the approval granted by the Local Governmental Agency, the Registry Operator has contracted with third party solution providers ("Providers"). In turn these Providers works with approved Chinese Registrars ("local Registrars") that are ICANN accredited to assist with their obligations related to the setup and management of registrar technical backend requirements and the fulfilment of the Local Governmental Agency requirements. The Providers collects local Registrant data via local Registrars, then submits the required data to the Local Governmental Agency to fulfil their local legal obligations.*

*The Registry Operator maintains the same standard Registry-Registrar Agreement with these local Registrars as they do with any other registrar.*

*2. Supplementary Registration Information Lookup Service. The Service includes a supplementary registration information lookup service. This Supplementary Information Lookup Service would be queried only by registrars in the foreign jurisdiction. End users performing whois queries would not query this service and whois.nic.club would continue to point to the whois service. The format of responses produced by the supplementary registration information lookup service would be identical to those produced by the whois service and would comply with ICANN specifications. .CLUB and the service provider will provide the supplementary registration information lookup service hostname to all participating registrars.*

*Supplementary Registration Information Lookup Service*

*The Providers offer a supplementary registration information lookup service only available to applicable Registrars to fulfill their Local Governmental Agency requirements. End users performing whois queries would not query this service and whois.nic.club would continue to point to the whois service.*

*NOTE: Neustar Inc. as the Registry Service Provider (RSP) for the Registry Operator maintains the authoritative Registry for the TLD.*



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## Consultation

Please describe with specificity your consultations with the community, experts and or others. What were the quantity, nature and content of the consultations?:

*The Registry Operator consulted with:*

- o MIIT;*
- o Chinese Registrars affected by the MIIT regulations: and*
- o The RSP.*

a. If the registry is a sponsored TLD, what were the nature and content of these consultations with the sponsored TLD community?:

*Not Applicable.*

b. Were consultations with gTLD registrars or the registrar constituency appropriate? Which registrars were consulted? What were the nature and content of the consultation?:

*The Registry has consulted with various registrars for over two years. These registrars have strongly encouraged CLUB to launch this service. Without the service, registrants in the foreign jurisdiction would be unable to use their .club domain names and so registrars receive many complaints from registrants. Prior to the installation of the service, the lack of the ability to use .CLUB domains was negatively impacting consumers.*

c. Were consultations with other constituency groups appropriate? Which groups were consulted? What were the nature and content of these consultations?:

*Consultation with any constituency group other than ICANN, our registrars and our registrants is not appropriate as no other constituency group is affected by this proposes arrangement.*

d. Were consultations with end users appropriate? Which groups were consulted? What were the nature and content of these consultations?:

*Yes, consultations with end users are appropriate. We have, directly and through our registrar distributors, communicated with many registrants about these registrants desire to be able to use their domains. Without exception they desire for us to*



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*establish this service so that they can use their domain names.*

e. Who would endorse the introduction of this service? What were the nature and content of these consultations?:

*Based on the above described consultations, we are confident that the entire Internet user base would endorse this service and that registrars would strongly endorse this service.*

f. Who would object the introduction of this service? What were(or would be) the nature and content of these consultations?:

*We believe that no parties have any legitimate reason or right to object to the introduction of this service.*

## Timeline

Please describe the timeline for implementation of the proposed new registry service:

*The service was implemented in December of 2016. The service is supplied by the Providers and is not a registry service as that term is defined in Specification 6, clause 2.1 of the Registry Agreement.*

## Business Description

Describe how the Proposed Service will be offered:

*The service is offered to Registrars by making use of the Providers existing solution.*

Describe quality assurance plan or testing of Proposed Service:

*The Providers delivers the service on behalf of the Registrar. The Registry Operator, the RSP and the Providers spent over two year refining the service.*

Please list any relevant RFCs or White Papers on the proposed service and explain how those papers are relevant.:

*Not Applicable.*



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## Contractual Provisions

List the relevant contractual provisions impacted by the Proposed Service:

*The service is supplied by the Providers and is not a registry service as that term is defined in Specification 6, clause 2.1 of the Registry Agreement. As such there is no impact to the Registry Agreement.*

What effect, if any, will the Proposed Service have on the reporting of data to ICANN:

*The service will have no impact on the reporting of data to ICANN.*

What effect, if any, will the Proposed Service have on the Whois?:

*The service will have no effect on the WHOIS service provided by the Registry Operator.*

## Contract Amendments

Please describe or provide the necessary contractual amendments for the proposed service:

*In Addition to believing that the Service is not a Registry Service as defined by the Registry Agreement, the Registry believes that no contractual amendments are necessary for the implementation of the Proposed Service. However, if ICANN disagrees with this conclusion, we propose an amendment to Exhibit A of each RA to add the Proposed Services as an Approved Service:*

*"Registrar Technical Backend Requirements. Subject to all of the terms of this Agreement, Registry Operator may offer a service to be used by ICANN-accredited registrars so that Registry Operator and registrars may comply with applicable local laws.*

*Supplementary Registration Information Lookup Service. Separate from its existing WHOIS service, Registry Operator may contract with a third party to offer a port-43 supplementary registration information lookup Service in compliance with applicable laws."*

## Benefits of Service

Describe the benefits of the Proposed Service:



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*This service will allow registrants of .CLUB in the foreign jurisdictions with special legal requirements to continue to register and renew domain names and to legally use their domain names once they are registered. The Service will permit registrants and registrars of .CLUB domain names to comply with local laws.*

## Competition

Do you believe your proposed new Registry Service would have any positive or negative effects on competition? If so, please explain.:

*The service is supplied by the Providers and is not a registry service as that term is defined in Specification 6, clause 2.1 of the Registry Agreement.*

*The service will have a positive effect on competition, as it will help bring more competition into the Chinese domain name market.*

How would you define the markets in which your proposed Registry Service would compete?:

*Non-US markets whose government requires Real Name Verification to operate.*

What companies/entities provide services or products that are similar in substance or effect to your proposed Registry Service?:

*XYZ.COM LLC offers a substantially similar service with the same service provider. The XYZ services has been reviewed and approved by ICANN.*

In view of your status as a registry operator, would the introduction of your proposed Registry Service potentially impair the ability of other companies/entities that provide similar products or services to compete?:

*No.*

Do you propose to work with a vendor or contractor to provide the proposed Registry Service? If so, what is the name of the vendor/contractor, and describe the nature of the services the vendor/contractor would provide.:

*The service is supplied by the Providers and is not a registry service as that term is defined in Specification 6, clause 2.1 of*



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*the Registry Agreement.*

*The Providers we use to operate the Local Jurisdiction Registrar Solution are:*

*o ZDNS Co., Ltd. (ZDNS). ZDNS will facilitate Chinese Registrars compliance with Chinese law.*

*o KNET Co., Ltd. will provide the Supplementary Registration Information Lookup Service and real name verification pursuant to Chinese law.*

Have you communicated with any of the entities whose products or services might be affected by the introduction of your proposed Registry Service? If so, please describe the communications.:

*The only entities that would be affected by this are our RSP, and the various Registrars we work with.*

*Our Chinese Registrars strongly wish for the Service to be implemented so that their customers can continue to buy domain names and can use their domain names.*

Do you have any documents that address the possible effects on competition of your proposed Registry Service? If so, please submit them with your application. (ICANN will keep the documents confidential).:

*None.*

## Security and Stability

Does the proposed service alter the storage and input of Registry Data?:

*No, ultimately the registration process and requirements between a applicable Registrar and the RSP will remain the same as any other registrar. The Providers will play a role in ensuring that applicable laws are met, however all the domain registration data will be stored in the RSP's database and will remain the authoritative source for all domain registrations.*

Please explain how the proposed service will affect the throughput, response time, consistency or coherence of responses to Internet servers or end systems:

*As the service is implemented at the Registrar level there is no effect to the throughput, response time, consistency or coherence of responses to Internet servers or end systems as described in the Registry Agreement.*

Have technical concerns been raised about the proposed service, and if so, how do you intend to address those concerns?:



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*No technical concerns have been raised about the service.*

## Other Issues

Are there any Intellectual Property considerations raised by the Proposed Service:

*None.*

Does the proposed service contain intellectual property exclusive to your gTLD registry?:

*No.*

List Disclaimers provided to potential customers regarding the Proposed Service:

*All Registrars offering .club domain names must be ICANN Accredited and must sign the standard .club Registry-Registrar Agreement.*

Any other relevant information to include with this request:

*The RSP provides the EPP service to which Registrars connect in order to register domain names in the .club TLD. Registration data is transmitted to the Registry via EPP, the technical connectivity of Registrars is not managed any differently based on the Registrar's location or relationship with the Providers. The Providers does not provide the EPP service for the TLD.*

*The Registry Operator WHOIS, as defined in the Registry Agreement, is provided by the RSP for the TLD. This WHOIS is the authoritative WHOIS and the only WHOIS for the TLD as captured within the definition of the Registry Agreement. The Providers, like many other third parties, may publish registration information look up services. As is typical of these third party publishers, this service may mirror the Registry Operator WHOIS for certain registrants. The Providers will do so for the Supplementary Registration Information Lookup Service.*

*Participating Registrars have access to the Supplementary Registration Information Lookup Service. The Supplementary Registration Information Lookup Service will only be available to applicable Registrars, only whitelisted IP Address will have access to this part of the service. The WHOIS service will not be affected by the service.*

*Data Escrow services, as defined in the Registry Agreement, are provided on our behalf by our RSP through a Data Escrow Agent. The Providers may store certain information pertaining to applicable registrants and secure that information using an in-country service escrow, as many companies do with sensitive data.*



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## *Components of Verification:*

*The components of verification are 1) Real Name Verification for the registrant and 2) domain label verification. Real Name Verification will be confirmed when the registrant verifies identity. Domain label verification is confirmed when registration of a given domain label complies with local law, regulation, or government mandate.*

*The verification requirements may apply to existing registrations or new registrations, as necessary to comply with the law of local jurisdictions.*

*Registrations that do not meet verification requirements are dealt with in accordance with the .CLUB acceptable use policy. For example, the Registry may "cancel, lock, place on hold, transfer or delete" a registration that fails to "comply with any applicable laws, government rules or requirements, requests of law enforcement, or in compliance with any dispute resolution policies or process".*

## *Disclaimer:*

*.Club Domains, LLC believes that the service is not a Registry Service because it does not meet the definition of Registry Service under the Registry Agreement, signed between .Club Domains, LLC and ICANN. This is because the service is fundamentally implemented and operated by the Providers - there have been no changes to the Registry Services as defined in the Registry Agreement. It is our position that the use of the Provider to facilitate the Registry Operator's compliance with local laws does not constitute an additional Registry Service requiring an RSEP. However, as an accommodation to ICANN, and in response to ICANN's request, .Club Domains, LLC is filing this RSEP.*