Further to the Business Constituency (BC) and the Internet Commerce Association (ICA) comments on the renewal of .museum Registry Agreement, MuseDoma welcomes the opportunity to provide inputs on how the .museum Registry will mitigate the risks pointed out by the two community constituencies.

**Presentation**

International Council of Museums (“ICOM”) is a Public Interest Organisation created in 1946 by and for museum professionals. It is a unique network of more than 37,000 members and museum professionals who represent the global museum community.

ICOM sets standards for museums in design, management and collections organisation. The ICOM Code of Ethics for Museums is a reference in the global museum community. It establishes minimum standards for professional practices and achievements for museums and their employees.

The .museum top-level domain (TLD) is a unifying label on the Internet, developed by ICOM through MuseDoma, exclusively for the global museum community. Providing information and resources to the public, and a clear identity for museums and the resources they offer, .museum is the place to find museums – enabling their definite recognition as a basis for sharing and accessing information on museums worldwide.

**.museum Registration Policies**

As described in Specification 12 of the Registry Agreement, .museum Registration Policy will provide :

1. Restrictions on what persons or entities may register.museum domain names, provided the scope of this Specification 12 is not exceeded;
2. Restrictions on how.museum domain names may be used, provided the scope of this Specification 12 is not exceeded;
3. Mechanisms for enforcement of the restrictions in items (1) and (2) above, including procedures for cancellation of registrations;

(1) With regards to restrictions on what person or entities may register .museum domain name, (eligibility criteria), Registrations shall be granted only to :

(i) entities that are museums (as defined hereafter),

(ii) professional associations of museums,

(iii) individuals with an interest or a link with museum profession and/or activity, or

(iv) bona fide museum users.

The basic definition of a “museum” is provided in Article 2, Paragraph 1 of the Statutes of ICOM, as amended:

« A museum is a non-profit, permanent institution in the service of society and its development, open to the public, which acquires, conserves, researches, communicates and exhibits the tangible and intangible heritage of humanity and its environment for the purposes of education, study and enjoyment. »

(2) Regarding restrictions on how .museum domain names may be used, the Registry will verify that additional conditions are fulfilled by the Registrants. For example, at the time of the registration, Registrants will undertake not to :

1. use their .museum domain name in a manner contrary to the ICOM Code of Ethics for Museums (<http://icom.museum/fileadmin/user_upload/pdf/Codes/ICOM-code-En-web.pdf> ) ;
2. use their .museum domain name in violation of any rights of third-parties, including intellectual property rights ;
3. use their .museum domain name to offer third level domain registrations to third parties as a commercial Registry Operator type service ;
4. use their .museum domain name to send unsolicited commercial advertisements in contradiction with the applicable legislation ;
5. distribute malware, abusively operate botnets, resort to phishing, piracy, violate intellectual property rights, use fraudulent or deceptive practices, counterfeit, or otherwise engage in any activity contrary to any applicable law ;
6. use their .museum domain name in a manner that may damage or bring into disrepute the name, image or reputation of MuseDoma or ICOM, their partners and/or the .museum community.

(3) Registry will implement mechanisms for enforcement of the restrictions in items (1) and (2) above, including procedures for suspension and cancellation of registrations;

If the actual use cannot be deemed legitimate or has a negative impact on the .museum community, the registration will be suspended and/or cancelled. If content or use of an existing .museum domain demonstrates that the registrant has shown bad faith, the domain name will also be suspended and/or cancelled.

An appeals process is available for all administrative measures taken in the framework of the enforcement mechanisms. This appeals process is managed both by .museum registry service provider and by MuseDoma.

Disputes concerning domain name registrations made in violation of .museum eligibility criteria shall be resolved under .museum Eligibility Restrictions Dispute Resolution Policy (the “ERDRP”).

Disputes concerning a lack of compliance with the use restrictions provided in the Registration Policy shall be resolved under .museum Compliance Reconsideration Dispute Resolution Policy (the “CRDRP”).

Both ERDRP and CRDRP procedures are described in the .museum Registration Policy published on the .museum website.