



Three-Party Data Escrow Agreement

- **Applicability:** All registrar data escrow agreements; roughly half of legacy gTLD registry data escrow agreements.
- **Contract:** Template agreement among ICANN org, ICANN-approved data escrow agent, and registrar; for registries, agreement template included in each relevant registry operator's agreement with ICANN org (see list on [ICANN org website](#)).
- **Data Processing:** Data submitted to agent must be processed in accordance with the terms of the data escrow agreement (see, e.g. [Iron Mountain registrar data escrow agreement template, at Section 4](#)). Agent may not use, disclose, transfer, or otherwise make data available except pursuant to agreement.
- **Release of Data:** Agent must release to ICANN org or designee for pre-defined reasons (e.g., termination of registry agreement, audit, instances of deposit failure, court order). Agent may not use or disclose any deposit except as specified in agreement. If disclosure is mandated by court order, regulation or other requirement, agent must notify ICANN org and registry operator/registrar (unless prohibited by law) and support any efforts to quash or limit disclosure. Registry operator/registrar may object to release of data to ICANN org using defined procedure.

Two-Party Data Escrow Agreement

- **Applicability:** All new gTLD registry data escrow agreements; legacy gTLDs that have moved to new gTLD technical specification
- **Contract:** Template agreement for ICANN-approved data escrow agents posted on ICANN.org. Registry operator and data escrow agent may negotiate changes to the template, which must be submitted to ICANN org for review and approval.
- **Data Processing:** Data submitted to escrow agent must be processed in accordance with the terms of the Registry Escrow Agreement (see, e.g. [Iron Mountain data escrow agreement template at Section 5](#)).
- **Release of Data:** Agent must release to ICANN org or designee for pre-defined reasons (e.g., termination of registry agreement, audit, instances of deposit failure, court order). Agent may not use or disclose any deposit except as specified in agreement. If disclosure is mandated by court order, regulation or other requirement, agent must notify ICANN org and Registry Operator (unless prohibited by law) and support any efforts to quash or limit disclosure. Registry Operator may object to release of data to ICANN org.
- **More Information:** More information about registry data escrow agents, including template agreements at [ICANN org's new gTLD website](#). List of approved registrar data escrow agents, template agreements, and more information on [ICANN org website](#).