

# Terms and Conditions

# Terms and Conditions – Background Information

As a part of submitting an application to ICANN, applicant agrees to the terms and conditions to be binding on applicant and are a material part of the new gTLD application.

The Terms and Conditions can be viewed in its entirety in Module 6 of the Applicant Guidebook.

This can be found at the following link:

<https://newgtlds.icann.org/en/applicants/agb/terms-04jun12-en.pdf>

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Terms and Conditions are split into 14 sections. A table summarizing these sections is below.

#	What is it about?
1.	Applicant warrants that information in application and supporting documents are true and accurate. In the event of any change, applicant will notify ICANN.
2.	Applicant has the authority to make the application on behalf of the applicant.
3.	Applicant agrees ICANN has the right to determine not to proceed with any and all applications for new gTLDs. The decision to review and delegate new gTLDs after approval is at ICANN's discretion
4.	Applicant agrees to pay all fees that are associated with the application.
5.	Applicant shall indemnify ICANN from any third-party claims rising out of ICANN's consideration of the application or ICANN's reliance on information provided by applicant.
6.	Applicant releases ICANN from any claims by applicant related to ICANN's review, applicant's withdrawal, or ICANN's decision of application. Applicant agrees not to challenge ICANN in court in regards to any final decision made by ICANN in regards to the application.
7.	Applicant agrees to ICANN publishing application information and materials submitted to ICANN while observing that certain information will be kept confidential.

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8.	Applicant has obtained permission for posting of personal information and to allow ICANN to conduct background screening investigation.
9.	Applicant gives ICANN permission to use applicant's name in ICANN's public announcements.
10.	Applicant understands rights in connection with a gTLD are only acquired in the event of executing a registry agreement with ICANN. Applicant may not assign applicant rights in connection with the application.
11.	Applicant authorizes ICANN to contact and consult individuals/entities to discuss or obtain further information in regards to the application .
12.	Applicant understands translations are made of applications but English is the official binding language.
13.	Applicant understands that ICANN works with Jones Day and to allow Jones Day to represent ICANN.
14.	Applicant understands ICANN reserves right to make updates/changes to applicant guidebook and application process and that applicant will be subject to such changes. If such changes are made after application has been submitted and present material hardship to applicant, ICANN will work to accommodate applicant.

# Terms and Conditions - Discussion

## Discussion Point 1

*In regards to section 3 on ICANN reserving the right to determining not to proceed with any and all applications for new gTLDs:*

Will refer to section 3 for this discussion.

# Terms and Conditions - Discussion

## Discussion Point 2

*In regards to the “covenant not to sue ICANN”, as stated in section 6 of the Terms and Conditions:*

Will refer to section 6 for this discussion.

# Terms and Conditions - Discussion

## Discussion Point 3

*In regards to section 14 that ICANN reserves the right to make reasonable updates and changes to the applicant guidebook and the application process:*

Will refer to section 14 for this discussion.