Re: .BANK and .INSURANCE Registry-Registrar Agreements

fTLD is revising the Registry-Registrar Agreements for the top-level domains (TLDs) .BANK and .INSURANCE to a singular agreement applicable to both TLDs (the “Agreement”). The below table is a summary of material changes made to the Agreement:

| Section – Title | Description of Change(s) | Rationale |
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| 1.36. – Verification Services | Definition revised to include the Registry’s process to verify the Registered Name Holder meets the eligibility requirements for registering/maintaining a domain name registration. | fTLD filed an RSEP with ICANN and received a free to deploy letter on January 4, 2018 to provide dynamic registration services as described in the RSEP available on ICANN’s website at: https://www.icann.org/resources/pages/rsep-2014-02-19-en. |
| 2.3.1. – Distribution of Registry Tool Kits | Removed “second-level domains” and Registry Verification Agent’s API. | The “second-level domains” potentially limits the broader interpretation of domain names. The Registry Verification Agent’s API was removed given proposed changes to Verification Services intended to be implemented as described in the previously referenced RSEP. |
| 2.3.2.3. – Registry Operator’s Name and Logo | Added language regarding protection of fTLD intellectual property. | To reinforce protection of fTLD intellectual property rights by incorporating cease and desist wording which survives termination of the Agreement, per Section 8.5 Survival. |
| 2.5.2. –Engineering, Technical and Customer Service Support | Clarifications made to Registry or Registry Verification Agent provided Verification Services to Registrants, Registrar and prospective Registered Name Holders. | Removes ambiguity of original wording and clarifies the support is with respect to Verification Services. |
| 2.6 – Handling of Personal Data | Rather than referring to portions of fTLD’s privacy practices in this section, fTLD has identified its Privacy Policy as the authoritative source of information on fTLD’s privacy and personal data handling practices. | To respond to appropriate national privacy laws fTLD is in the process of updating its Privacy Policy to apply not only to its websites, but the entirety of its business. |
| 2.12.1 - URS | Added registrar obligations under the URS High Level Technical Requirements for Registries and Registrars (the “Requirements”). | To provide the explicit text as stated in the Requirements. |
| 3.2 – Registrar Responsibility for Customer Support | Removed language regarding the requirement to establish a TLD branded webpage. | fTLD wishes to reduce any potential barrier to a Registrar who wishes to offer our TLDs. Furthermore, given the proposed changes to Verification Services, a dedicated webpage for our TLDs should be optional to Registrars supporting our TLDs. |
| 3.3.2. & 3.3.2.1. – Obligations of Registered Name Holder | Removed language regarding the Registrar obtaining consent for collection and use of Personal Data in Section 3.3.2. However, added new Section 3.3.2.1. to address Registrar compliance with appropriate national privacy laws with respect to the Registration Agreement and the Registrars’ business practices. | These changes are responsive to appropriate national privacy laws, in particular the General Data Protection Regulation. |
| 3.6. – Security | Added description of multi-factor authentication (MFA). | To incorporate into the Agreement a key security measure (i.e., MFA) implemented by Registrars as required in fTLD’s Operations Pledge accessible at: https://www.ftld.com/security/. |
| 3.9.8. - Compliance with Terms and Conditions | Added Section 3.9.8. to incorporate compliance by Registrar and inclusion in its Registration Agreement with each Registered Name Holder the obligation to comply with requests with respect to fTLD compliance actions or instructions necessary for the provision of Registry Services and compliance with fTLD Operational and Security Requirements and Operations Pledge, including monitoring for compliance regarding the Registered Name. | To ensure the security and integrity of the fTLD TLDs, fTLD conducts security monitoring of domain names in its TLDs. This section obligates the Registrar and in turn the Registered Name Holder to comply with necessary requests to correct identified items out of compliance with fTLD’s Operational and Security Requirements (including the fTLD Operations Pledge). |
| Exhibit B – Registration Fees | Removed the Registration Fees Exhibit B, and incorporated the fTLD Pricing Addendum by reference into the Agreement. | To protect fTLD proprietary information regarding pricing, fTLD has removed Exhibit B – Registration Fees and is incorporating the fTLD Pricing Addendum by reference into the Agreement. |
| Exhibit B – fTLD Top-Level Domain Name Registration Services | This new Exhibit B indicates the TLDs for which the Registrar provides domain name registration services. | Enables a Registrar to sign this Agreement to provide domain name registration services for the top-level domains identified in Exhibit B (e.g., .BANK, .INSURANCE). |