

## **Amendment No. 4 to Registry Agreement**

The Internet Corporation for Assigned Names and Numbers and Minds + Machines GmbH agree, effective as of \_\_\_\_\_ (“Amendment No. 4 Effective Date”), that the modification set forth in this amendment No. 4 (the “Amendment”) is made to the 21 November 2013 .nrw Registry Agreement between the parties, as amended (the “Agreement”).

The parties hereby agree to amend Exhibit A of the Agreement by deleting the following sections 2, 3, 4, 5, 6, 7 in their entirety:

[START OLD TEXT]

### **2. Searchable Whois**

Notwithstanding anything else in this Agreement, Registry Operator must offer a searchable Whois service compliant with the requirements described in Section 1.10 of Specification 4 of this Agreement. Registry Operator must make available the services only to authenticated users after they logged in by supplying proper credentials (e.g., user name and password). Registry Operator must issue such credentials exclusively to eligible users and institutions that supply sufficient proof of their legitimate interest in this feature (e.g., law enforcement agencies).

### **3. Specification 11 Registry Services**

The following are descriptions of the Registry Services listed in Specification 11:

#### **3.1. Anti-Abuse**

Registry Operator may suspend, delete or otherwise make changes to domain names in compliance with its anti-abuse policy.

### **4. Internationalized Domain Names (IDNs)**

Registry Operator may offer registration of IDNs at the second and lower levels provided that Registry Operator complies with the following requirements:

**4.1.** Registry Operator must offer Registrars support for handling IDN registrations in EPP.

**4.2.** Registry Operator will not offer variant IDNs.

**4.3.** Registry Operator may offer registration of IDNs in the following languages/scripts (IDN Tables and IDN Registration Rules will be published by the Registry Operator as specified in the ICANN IDN Implementation Guidelines):

**4.3.1.** German Language

### **5. Minds and Machines Protected Mark List**

**5.1.** The Minds and Machines Protected Mark List (MPML) is a service that allows trademark

rights holders to have the Registry Operator withhold from registration across multiple TLDs operated by the Registry Operator domain names based on the labels listed in a valid SMD file issued by an ICANN-authorized trademark validator.

**5.2.** The Registry Operator must validate that the SMD file continues to be valid at the time of withholding domain names, and, if the SMD file is no longer valid, the domains names must not be withheld.

**5.3.** The withheld names must comply with the provisions described in Specification 5, Section 3.3 of the Registry Agreement.

**5.4.** Registry Operator must offer registrars support for the MPML service in EPP.

## **6. Bulk Transfer After Partial Portfolio Acquisition**

Bulk Transfer After Partial Portfolio Acquisition (BTAPPA) is a registry service available to consenting registrars in the circumstance where one ICANN-accredited registrar purchases, by means of a stock or asset purchase, merger or similar transaction, a portion but not all, of another ICANN-accredited registrar's domain name portfolio in the TLD.

At least fifteen days before completing a BTAPPA, the losing registrar must provide to all domain name registrants for names involved in the bulk transfer, written notice of the bulk change of sponsorship. The notice must include an explanation of how the Whois record will change after the bulk transfer occurs, and customer support and technical contact information of the gaining registrar.

If a domain is transferred under the BTAPPA service during any applicable registry grace period, there is no credit. The expiration dates of transferred registrations are not affected.

Domain names in the following statuses at the time of the Transfer Request will not be transferred in a BTAPPA: "pendingTransfer", "Redemption Grace Period (RGP)", or "pendingDelete". Domain names that are within the auto-renew grace period window are subject to bulk transfer, but Registry Operator may decline to provide a credit for those names deleted after the bulk transfer, but prior to the expiration of the auto-renew grace period window.

Registry Operator has discretion to reject a BTAPPA request if there is reasonable evidence that a transfer under BTAPPA is being requested in order to avoid fees otherwise due to Registry Operator or ICANN, or if a registrar with common ownership or management or both has already requested BTAPPA service within the preceding six-month period.

## **7. Registry Lock**

Registry Operator may offer the Registry Lock service, which is a registry service that allows an authorized representative from the sponsoring Registrar to request the activation or deactivation of any of the following EPP statuses: serverUpdateProhibited, serverDeleteProhibited and/or serverTransferProhibited.

[END OLD TEXT]

The parties hereby further agree to amend Exhibit A of the Agreement by replacing the deleted sections above with the following new text as new sections 2, 3, 4, 5, and 6:

[START NEW TEXT]

## **2. Specification 11 Registry Services**

The following are descriptions of the Registry Services listed in Specification 11:

### **2.1. Anti-Abuse**

Registry Operator may suspend, delete or otherwise make changes to domain names in compliance with its anti-abuse policy.

## **3. Internationalized Domain Names (IDNs)**

Registry Operator may offer registration of IDNs at the second and lower levels provided that Registry Operator complies with the following requirements:

**3.1.** Registry Operator must offer Registrars support for handling IDN registrations in EPP.

**3.2.** Registry Operator will not offer variant IDNs.

**3.3.** Registry Operator may offer registration of IDNs in the following languages/scripts (IDN Tables and IDN Registration Rules will be published by the Registry Operator as specified in the ICANN IDN Implementation Guidelines):

### **3.3.1. German Language**

## **4. Minds and Machines Protected Mark List**

**4.1.** The Minds and Machines Protected Mark List (MPML) is a service that allows trademark rights holders to have the Registry Operator withhold from registration across multiple TLDs operated by the Registry Operator domain names based on the labels listed in a valid SMD file issued by an ICANN-authorized trademark validator.

**4.2.** The Registry Operator must validate that the SMD file continues to be valid at the time of withholding domain names, and, if the SMD file is no longer valid, the domains names must not be withheld.

**4.3.** The withheld names must comply with the provisions described in Specification 5, Section 3.3 of the Registry Agreement.

**4.4.** Registry Operator must offer registrars support for the MPML service in EPP.

## **5. Bulk Transfer After Partial Portfolio Acquisition**

Bulk Transfer After Partial Portfolio Acquisition (BTAPPA) is a registry service available to consenting registrars in the circumstance where one ICANN-accredited registrar purchases, by means of a stock or asset purchase, merger or similar transaction, a portion but not all, of another ICANN-accredited registrar's domain name portfolio in the TLD.

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Registry Operator has discretion to reject a BTAPPA request if there is reasonable evidence that a transfer under BTAPPA is being requested in order to avoid fees otherwise due to Registry Operator or ICANN, or if a registrar with common ownership or management or both has already requested BTAPPA service within the preceding six-month period.

## **6. Registry Lock**

Registry Operator may offer the Registry Lock service, which is a registry service that allows an authorized representative from the sponsoring Registrar to request the activation or deactivation of any of the following EPP statuses: serverUpdateProhibited, serverDeleteProhibited and/or serverTransferProhibited.

[END NEW TEXT]

Each party hereby acknowledges and agrees that this Amendment shall not be construed as a waiver of any provision of the Agreement by any party hereto, nor shall it in any way affect the validity of, or the right of any party hereto, to enforce the provisions of the Agreement. The parties agree that, except as set forth in this Amendment and any prior duly authorized and executed amendments, the current terms and conditions of the Agreement will remain in full force and effect. All capitalized terms not defined will have the meaning given to them in the Agreement. This Amendment may be executed in counterparts, each of which shall be deemed an original, and all of such counterparts taken together shall constitute one and the same instrument.

## **ACCEPTED AND AGREED:**

### **INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS**

By: \_\_\_\_\_  
Theresa Swinehart  
Senior Vice President, Global Domains and Strategy

### **MINDS + MACHINES GMBH**

By: \_\_\_\_\_  
Nick Daddario  
Director