

ANNEX .MUSIC - SPECIAL CONDITIONS FOR THE .MUSIC TLD

version 1.0 – September 6, 2023

In addition to Gandi's [Domain name registration contract](#), the registration and use of a .MUSIC domain name implies the acceptance of and compliance to the present special conditions contained herein.

All legal information and contracts can be viewed at any time via Our [website](#). Capitalized terms have the definition attributed to them in Our [Domain name registration contract](#). Specifically, “You” refers to the owner of the domain name, and “We” designates Gandi.

Section .MUSIC.1. Naming organization

.MUSIC is a generic Top-Level-Domain (gTLD) dedicated to the global music community and industry.

The entities involved in naming organization for .MUSIC are:

- Trustee Authority:
ICANN: <http://www.icann.org>
- Registry:
DotMusic Limited: <https://www.registry.music>
- Registry technical operator:
Centralnic: <https://centralnicregistry.com>
- Registrar:
Gandi: <http://gandi.net>

You can view the information and special rules of each entity involved by clicking on the respective links.

Section .MUSIC.2. Registration policies

When You apply to register a .MUSIC domain name, You acknowledge that You have fully understood and You have full knowledge of, and You agree to abide by all the rules and specific conditions of .MUSIC domain names, as defined by ICANN and DotMusic Limited, and which may be viewed at the following pages:

- .MUSIC Policies: <https://www.registry.MUSIC/policies>
- In particular:
- Startup Plan:
<https://www.registry.music/policies/startup-plan>
 - Registrant Eligibility Policy:
<https://www.registry.music/policies/registrant-eligibility-policy>
 - Name Selection Policy:
<https://www.registry.music/policies/name-selection-policy>
 - Name Allocation Policy:
<https://www.registry.music/policies/name-allocation-policy>
 - Anti-Abuse and Legitimate Use Policy :
<https://www.registry.music/policies/anti-abuse-and-legitimate-use-policy>
 - Privacy Policy:
<https://www.registry.music/policies/privacy-policy>
- CentralNic Policies :
<https://centralnicregistry.com/support/policies>
 - ICANN consensus policies:
<http://www.icann.org/en/general/consensus-policies.htm>

These policies, that You acknowledge to have fully understood and to have accepted via Our website bind You to the .MUSIC Registry. The present special conditions do not replace these rules, which are incorporated by reference, and are binding on Gandi and You.

The contract between ICANN and the .MUSIC Registry is available at the following address:
<https://www.icann.org/en/registry-agreements/details/music>

Section .MUSIC.3. Launch phases

The .MUSIC extension opening will occur in several phases:

- Sunrise from September 11th, 2023 to November 15th, 2023 .

- Music Community Organization Phase (Landrush phase) from October 16th, 2023 to March 10th, 2024.
- General opening scheduled for April 1st, 2024.

These dates are subject to change by the Registry.

Pre-registrations are available at Gandi: domain names can be ordered at that time, but the registration requests will be sent to the Registry only at the beginning of the corresponding period.

Section .MUSIC.4. Special requirements

.MUSIC special requirements are available at:
<http://www.gandi.net/domain/music/info>

The .MUSIC is a community extension specially for the music community and industry. The purpose of the .MUSIC is to help strengthen the cultural and social identity of the music community members. As such, .MUSIC Registry has set up a set of eligibility and name selection rules.

4.1. Registrant Eligibility

The following individuals and legal entities are eligible to register a .MUSIC domain name:

1. Established Music Community and Music Industry Classification. Individuals and entities that can attest and document that they possess one or more more of the following requirements and attributes:
 - Music Intellectual Property. Individuals and entities with music-related trademarks, copyrights, and patents.
 - Music Community Members. Members of a Music Community Member Organizations (MCMO), including musicians, bands, creators, music industry professionals, and music-related organizations.
 - Musicians, Artists/Bands and Creators. Individuals and groups of individuals with a history of music-related activity, which includes but is not limited to, work as an artist, band, songwriter, composer, or producer.
 - Music Based Business, Corporation and Organization. Entities that have an established presence in the music community, which includes labels, publishers, trade associations, collective management organizations, performing rights organizations, digital distributors, service providers, vendors, and educational providers.
 - Consultants, Agents, Managers or Professionals Working on behalf of previous classes with documented support and/or contracts verifying the relationship.
2. Additional Classification for General Availability. Individuals and entities that do not have a documented history of one or more of the requirements and attributes in the above section, but can attest a general nexus to the music community:
 - Non-Music Based Businesses, Corporations and Organizations. Established businesses with a strong commercial history outside of the music industry that wish to use music as part of their future business, marketing, promotional activities.
 - Aspiring Musicians, Artists/Bands and Creators. Individuals and groups of individuals with a demonstrable intention to create music-related activity, which includes but is not limited to, work as an artist, band, songwriter, composer, or producer.
3. Trademark Clearinghouse for Sunrise. Trademark holders having

a valid Signed Mark Data file issued by the Trademark Clearing House are eligible to register during the Sunrise Phase.

4.2. Verification procedure

A non-enumerated list of documents may be requested to provide and establish eligibility. Failure to provide requested documentation may be material and result in the denial, refusal or deletion of the domain name without a refund.

Both verification and music profile information is required to be eligible for a .MUSIC domain name:

- Registrant Identity Verification. After registration of a domain name, registrants must complete an identity verification through the Registry's Identity Verification Solution Provider (IVSP).
- Music Profile and Nexus Verification. To complete the identification process, music profile information and data will be required at the IVSP. This information is used to determine a Music Score and the registrant's Nexus to the .MUSIC domain name string.
- Music Score (Name Selection Policy, section 4.0). Members of the music community can be recognized and identified by works, contractual engagements, social connections and profile. The Registry will generate a metric, called Music Score, from these attributes analyzed through its ISVP. The Music Score will be used as a determinant and measure of the registrant's connection and history in the music community.
- Registrant Nexus Score (Name Selection Policy, section 5.0). The Registry will try to quantify and determine a nexus score between the registrant and the .MUSIC domain name registered, through its ISVP. This internal Registrant Nexus will be used as a determinant for the suitability and legitimacy of a registrant for a specific .MUSIC domain string. For the Community Phase, the Registrant Nexus Score will be used as a key determinant for awarding a specific .MUSIC domain name with or without contention. During the General Availability, the Registrant Nexus Score will be used to isolate and indicate potential fraudulent, or inappropriate registrations.
- Registry Server Hold Status Until Verification Completes. .MUSIC domain names will be placed under a Registry Server Hold Status until identity verification is completed. Subsequent .MUSIC domain name registration by the same registrant can utilize their existing verified identification credentials at the IVSP.
- Failure to Verify. After the registration of a .MUSIC domain name, the registrant has 90 days to complete both the Registrant Identity Verification, and the Music Profile and Nexus Verification. Failure to complete both verifications, the registrant becomes ineligible and the Registry Operator at its discretion may revoke the .MUSIC domain name(s) without a refund or put the domain name under Music Community Protection Lock in accordance with the Anti-Abuse and Legitimate Use Policy.

You must remain eligible throughout the registration of Your domain. The .MUSIC Registry with its verification partners will review the nexus qualifications regularly every year the domain name is registered.

4.3. Name selection rules

Registrants must be able to demonstrate that they have a clear and obvious nexus to the domain name string they are registering.

.MUSIC domain names have special requirements according to the class the domain falls into:

- For Standard names: domain names must have a Music Score and Nexus.
- For Community Names: Common Community Names are those words or phrases commonly used by a significant number of organizations within the music community (e.g. label, band, artist). Domain names must correspond to a historically established common law name, trademark, brand, service name or mark that is commonly used and understood with the music community or corresponds to a commercial trademark, trade name or service mark of a business or organization known in the

music community; and have a significant Music Score and Nexus.

- For Generic Names: Generic Names are those words or phrases commonly used within the music community to identify products, services, and other transactional and are not specific to any particular source. The names will initially not be available for registration. But, in some cases, they may be made available. If You want to register a Generic Name, please submit Your request to Gandi Support Team so they can assist You in order to ask the .MUSIC Registry about the possibility to register this name.
- Reserved Names: A Reserved Name is a domain name not available for registration.

In any case the domain name must not be likely to deceive, confuse or cause material detriment to a significant portion of the music community, its customers or Internet users.

4.4. Use of the domain name

Content and use is restricted to music-related content and activities.

You must use consistently Your domain name only for legitimate purposes that promote, create, innovate, the global music industry or music community in accordance with all applicable laws, regulations, and industry/community standards.

Buying and holding of .MUSIC domain names as assets for resale, especially in bulk is prohibited. Those wishing to manage large multiples of .MUSIC domain names, must register with the ISPV as an Industry Class registrant under subsection Music Based Business, Corporation and Organization to gain special permission to manage a large quantity of .MUSIC domains. Violation of the domain name warehousing provision may result in the deletion of all domain names connected with the registrant without refund.

Section .MUSIC.5. Sunrise

5.1 Eligibility rules

Only owners of a trademark registered with the trademark rights protection mechanism "TMCH" (Trademark Clearinghouse) established by ICANN are eligible to make a request during the Sunrise period.

As a TMCH trademark agent, Gandi can proceed with the registration of Your trademarks with TMCH (service reserved to Our Corporate customers, please contact Our [Corporate team](#)).

Eligibility conditions concerning the registration of a trademark with TMCH and the applicable rules are available at the following address: <http://www.trademark-clearinghouse.com/downloads>

Once Your trademark has been validated, TMCH generates one or several "labels" strictly identical to Your trademark.

Upon the submission of Your trademark with TMCH, You can choose the Sunrise service, provided that Your trademark has been validated by TMCH. The Sunrise service includes:

- generating a "SMD" (Signed Mark Data) file that proves the validation of Your trademark and allows You to make a registration request during the Sunrise period for one or several domain names strictly identical to the "label(s)" generated, provided that You comply with the eligibility conditions and rules enacted by the Registry,
- sending notifications (NORNs) that inform You of the registration of a domain name identical to Your trademark by a third party during the Sunrise period.

During Your registration request on Our interface, You must upload Your "SMD" file for verification.

5.2 Allocation rules

Sunrise applications are allocated under the "first-come first-served" basis.

An additional step is required for trademark holders with a TMCH verification and SMD file that is approved on or after June 1, 2023. They will be subject to review and investigation by the Registry.

When a domain name is allocated to You in Sunrise period, the third parties that are the owners of an identical mark registered within TMCH are notified of Your registration.

5.3 Dispute resolution

Any dispute relative to the validation of Your trademark with TMCH must be submitted in accordance with the dispute resolution procedure established by TMCH:

<http://www.trademark-clearinghouse.com/dispute>

Any dispute arising from the allocation of a domain name during the Sunrise period must be submitted in accordance with the dispute resolution procedure established by the Registry that You agree fully abide by:

<https://www.registry.MUSIC/policies/sunrise-dispute-resolution-policy>

5.4. Refund Conditions

In any case, You will not be entitled to receive any refund if Your registration is rejected.

Section .MUSIC.6. Music Community Organization Phase (Landrush)

This phase is restricted to those that can attest to be a member of the Established Music Community and Music Industry Classification (1. of the section 4.1. Registrant Eligibility) and are members or a Music Community Member Organization (MCMO).

Domain names are not allocated under the “first come first served” basis.

When multiple requests for the same .MUSIC domain name is made from MCMO members, the Registry may request that each of the applicants provide supporting music documentation to the IVSP to process and analyze their respective Music Score and nexus connected to the applied for domain name string. The Registry may, in its discretion, award the domain name to the applicant that has a clear, and overwhelming recognition in the community with the applied for string. In the absence of a clear and overwhelming applicant, then resolution will be settled through an auction among those qualifying applicants.

At the end of the Music Community Phase, tokens will be sent to winning applicants to register their applied for .MUSIC domain name. If You receive a token, You will then have a registration window period of 30 days.

Section .MUSIC.7. “Trademark Claim Notice” period

In accordance with ICANN rules, during Music Community Organization Phase and at least 90 days upon general opening, a “Trademark Claim Notice” period will run.

During this period if the domain name for which You requested registration is identical to a trademark that is registered and validated with TMCH (according to the “labels” generated), You will receive a warning notice (“Trademark Claim Notice”) in real time on Our interface informing You that a third party has rights to the domain name You requested.

You must confirm or cancel Your registration request, with full knowledge of the notice and its consequences. It being specified that if You do not confirm the notice, Your request will not be sent to the Registry.

If You confirm Your registration request, third parties who own an identical mark are notified of Your registration.

For requests made in preregistration, beginning one day prior to the

opening of the period concerned, Gandi will notify You by email of the “Trademark Claim Notice” and Your registration request will be put in “error” until You confirm or cancel Your registration via Our interface. It being specified that, in accordance with ICANN rules, if You do not confirm the notice, Gandi will not send Your registration request to the Registry upon the opening of the concerned period and cannot, in any case, be held liable for the non-registration of Your domain name and particularly if the domain name is registered by a third party who has validated the “Trademark Claim Notice” upon the opening of the period concerned.

It is Your sole and entire responsibility to confirm, if You want, all the notices received before the opening of the concerned period and the sending of Your request to the Registry.

Section .MUSIC.8. Reserved names

Some words are specifically reserved or prohibited by ICANN, in particular:

<https://www.icann.org/en/registry-agreements/details/music> (specification 5. schedule of reserved names)

Some other names are reserved by Registry as stated in its Name Selection Policy:

<https://www.registry.MUSIC/policies/name-selection-policy>.

Reserved names includes many historical music industry names and words, music categories, classifications and keywords/abbreviations, music genres, instrument types, famous artists, bands and brands and more. Registry might at any time change the classification of a domain name.

Section .MUSIC.9. Registration term

The registration term is 1 year for requests made during the Sunrise period, and from 1 to 10 years for requests made during the general opening. To avoid any deactivation of the domain name, the renewal must be paid and funds cleared before the Expiration date.

Section .MUSIC.10. Pricing

Our prices may be viewed at:

<https://www.gandi.net/domain/price/detail/music>

Premium domain names are subject to specific prices as published on Our website during Your order.

For requests made in preregistration, if the domain name You have preregistered is a “premium” domain name that Gandi was not able to identify during Your order, Your request will be put in “error” and You will be notified by email. Then, You will be able to either pay the additional costs applicable to “premium” domain names in order to validate Your registration request or cancel Your request. It being specified that if You do not contact Our customer service department and do not pay the additional costs applicable to “premium” domain names, Your registration request will not be sent to the Registry.

Section .MUSIC .11. Personal data

You consent to the collect, use, copying, distribution, publication, in particular in the Registry public [Whois](#) database if applicable, modification and other processing of Your personal data by the Registry, its technical provider and their designees and agents for the purposes of providing Registry services as defined in the Registry agreement with ICANN and in accordance with the Registry privacy policy.

Section .MUSIC.12. Dispute resolution policy

The Registry has adopted the ICANN dispute resolution procedures UDRP (Uniform Dispute Resolution Policy) and URS (Uniform Rapid Suspension System) for .MUSIC domains, that You agree fully abide by.

You may view general documentation on the UDRP procedure at the following addresses:

- ICANN domain name dispute resolution policies: <http://www.icann.org/udrp>
- explanations: <http://www.icann.org/en/udrp/udrp.htm>
- Policy: <http://www.icann.org/en/dndr/udrp/policy.htm>
- Rules: <http://www.icann.org/dndr/udrp/uniform-rules.htm>
- Dispute Resolution Service Providers: <http://www.icann.org/en/dndr/udrp/approved-providers.htm>

The URS rules are available at the following page: <http://newgtlds.icann.org/en/applicants/urs>

.MUSIC domain names are also subject to Registration Eligibility Dispute Resolution Policy on the basis of failure to meet or maintain the eligibility or restriction criteria required by the Registry, that You agree fully abide by: <https://www.registry.MUSIC/policies/registration-eligibility-dispute-resolution-policy>

Section .MUSIC.13. Transfer (change of Registrar)

The transfer-in process may be initiated on Our Interface. Before requesting the transfer of the domain name, please make sure You have the domain's authorization code (supplied by Your current Registrar), and that Your domain name:

- does not have a TransferProhibited status,
- does not expire soon (We recommend that You start the transfer request at least 1 month prior to its Expiration),
- was created at least 60 days prior to the request,
- has not been transferred within the last 60 days.

Upon successfully transferring a domain name, the registration period is extended by 1 year.

Section .MUSIC.14. Ownership change

The ownership change process is available on Our Interface and requires the confirmation of both parties by e-mail.

The owner change of a domain name does not change the Expiration date.

Section .MUSIC.15. Deletion process

Upon the Expiration of the domain name, We suspend (Hold) the domain name for 45 days, during which time all associated technical services are deactivated. Late renewal at normal price is possible during this period.

Then the domain name goes into Redemption Period for an additional 30 days. It can only be restored during this period in accordance with the terms and conditions described on Our website and/or as communicated by Our customer service department.

If the domain name is neither renewed nor restored within these deadlines, the Registry shall place the domain name in "Pending Delete" status for several days, and then delete the domain name, which will become available for registration on a "first-come first-served" basis.

Section .MUSIC.16. Registrant obligations

You agree to provide and maintain accurate, reliable and up-to-date personal contact information. Failing to do so, the Registry may suspend and/or delete Your domain name.

You have to comply with all applicable laws, including those that relate to privacy, data collection, consumer protection (including in relation to misleading and deceptive conduct), fair lending, debt collection, organic farming, disclosure of data, and financial

disclosures.

To the extent You collect and maintain sensitive health and financial data, You have to implement reasonable and appropriate security measures commensurate with the offering of those services, as defined by applicable law.

You acknowledge and agree that distributing malware, abusively operating botnets, phishing, piracy, trademark or copyright infringement, fraudulent or deceptive practices, counterfeiting or otherwise engaging in activity contrary to applicable law are expressly prohibited. Failing to comply with this provision, You expose Yourself to the suspension of Your domain name, in addition to the prosecution for the prejudice caused to third parties and to the penalties mentioned under applicable law.

To the extent permitted by applicable law, You commit Yourself to indemnify, defend and hold harmless Registry, its parent company and subcontractors, and its and their directors, officers, employees, agents, and affiliates from and against any and all claims, damages, liabilities, costs and expenses, including reasonable legal fees and expenses arising out of or relating to, for any reason whatsoever, the registration of Your domain name. This indemnification obligation shall survive the termination or expiration of the present agreement.

Section .MUSIC.17. Rights of the Registry

You acknowledge and accept that the Registry reserves the right to deny, cancel or transfer any registration or transaction, or place any domain name on registry lock, hold (suspension), or similar status as it deems necessary, in its unlimited and sole discretion:

- to comply with specifications adopted by any industry group generally recognized as authoritative with respect to the Internet (e.g., RFCs), the music industry and the music community,
- to correct mistakes made by the Registry or any registrar in connection with a domain name registration,
- to protect the rights and property of the Registry and to avoid any potential or actual liability, civil or criminal, on the part of the Registry as well as its affiliates, subsidiaries, officers, directors, representatives, employees, members and stockholders,
- to protect the integrity, security and stability of the Registry and domain name system,
- to comply with all applicable court order, laws, government rules or requirements, requests of law enforcement or other governmental agency or organization, or any applicable dispute resolution process,
- for violation of the terms and conditions set forth in the present agreement,
- to respond to or protect against any form of malware (defined to include, without limitation, malicious code or software that might affect the operation of .MUSIC extension, the Internet or which cause direct or material harm to others),
- for non-payment of fees.

The Registry also reserves the right to place Your domain name in « lock » status, « hold » status or similar status during resolution of a dispute.

You agree to comply with the terms and conditions of the launch of the .MUSIC extension (including without limitation all of the applicable periods defined in the Registry Startup Plan) and further acknowledge that Registry has no liability of any kind for any loss or liability resulting from the proceedings and processes relating to any of the applicable registration periods defined in the Startup Policy, including, without limitation:

- the ability or inability of a registrant to obtain a domain name during the launch periods, and
- the results of any dispute over registrations that are an identical match to trademarks listed in the Trademark Clearinghouse.

- end of annex .MUSIC-