

## Special conditions for additional extensions under the Gandi Corporate service for the extension .AU

version 3.0 – March, 23<sup>rd</sup> 2022

In addition to Gandi Corporate Special Conditions and Gandi's General Terms and Conditions for domain name registration, the registration and use of a .AU domain name imply the acceptance of and compliance to the present special conditions contained herein.

All legal information and contracts are presented to You at the time of the subscription to Our services. Capitalized terms have the definition attributed to them in Our General Terms and Conditions of domain name registration. Specifically, "You" refers to the owner of the domain name, and "We" designates Gandi.

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### Description of the service

In the framework of its Gandi Corporate service, Gandi allows You to register Your domain name in .AU extension only available to Our Gandi Corporate customers, via the Registrar Domain Directors (Instra).

The entities involved in naming organization for .AU TLD are:

- Registry:  
**.au Domain Administration (auDA):** <http://www.auda.org.au>
- Registry technical operator:  
**Afilias Australia Pty Ltd:** <https://afilias.com.au>
- Registrar:  
**Domain Directors (Instra):** <https://www.instra.com>
- Reseller:  
**Gandi:** <https://www.gandi.net>

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

When You apply to register a .AU 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, as defined by the Registry, and which may be viewed at the following page: <https://www.auda.org.au/policies>.

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

In accordance with Our Contracts, 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 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, Domain Directors (Instra), and their designees and agents for the purposes of providing domain name registration services and in accordance with the Registry privacy policy.

Please note that in accordance with the Registry rules, the provision of the Gandi's anti-spam option is not allowed for .AU domain names.

Our prices can be viewed at: <https://www.gandi.net/domain/price/detail/au>.

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### Special conditions for .AU extension and, .COM.AU, .NET.AU and .ORG.AU second-level extensions

The rules applicable to .AU domain names are available at the following address: <https://www.auda.org.au/policies>.

Gandi offers .AU registration to legal persons, trading, partnerships, sole traders and not for profit entities registered in Australia, foreign companies licensed to trade in Australia and owners of an Australian trademark. When the eligibility is based on an Australian trademark, the domain name must be identical to the trademark.

.COM.AU and .NET.AU domain names are open to legal persons, trading, partnerships or sole traders registered in Australia, to foreign companies licensed to trade in Australia and to owners or applicants of an Australian registered trademark. The chosen domain name must be identical to Your name as registered with the relevant Australian authorities, or to its abbreviation or acronym. The domain name may be also closely and substantially connected to Your activity, ie: match to a product that You

manufacture or sell, to a service that You provide, to an event that You organise or sponsor, to an activity that You facilitate, teach or train, to a place where You operate, or to a profession that You practise. If the registration is based on an Australian trademark, the domain name must be strictly identical to the trademark.

.ORG.AU domain names are open to Australian not for profit entities. The chosen domain name must be identical to Your name as registered with the relevant Australian authorities, or to its abbreviation or acronym. The domain name may be also closely and substantially connected to Your activity, ie: match to a service that You provide, to an event that You organize or sponsor, to an activity that You facilitate, teach or train, to a place where You operate, or to a profession that You practice.

If You are a legal person, the individual associated to the owner contact must be a member or an employee of the legal person.

During the registration process, You have to provide the following:

- Your registration type: ABN (Australian Business Number), ACN (Australian Company Number), or TM (Trademark) if the domain name corresponds to Your trademark, and
- Your registration number corresponding to the registration type declared.

Under the Registry rules, renting or leasing Your .AU domain name to a third party is prohibited. Selling, renting or leasing any sub-domain is also prohibited.

The registration term is 1 year for .AU and from 1 to 5 years for .COM.AU, .NET.AU and .ORG.AU. To avoid any suspension of the domain name, the renewal must be paid and funds cleared before the Expiration date. Upon the Expiration date, the domain name is suspended for 29 calendar days, during which time all associated technical services are deactivated. Late renewal at normal price is possible during this period. If the domain is not renewed within these deadlines, the Registry will delete the domain name, which will become available for registration on a “first come first served” basis.

### **.AU opening – Priority rights**

From 24 March 2022, the registration of domain names directly under .AU is available.

In this framework the current holders of a domain name under a .AU second-level extension (registered before 24 March 2022) will have a priority right to register the corresponding .AU domain name. This priority period will run from 24 March to 20 September 2022.

To use Your priority right, You have to make a registration request for the corresponding .AU domain name before the end of the priority period.

You will have to provide the specific token associated to the domain name that confers Your priority right. This token can be retrieved via the Registry tool: <https://priority.auda.org.au>. If You hold several domain names that confer a priority right for the same .AU domain name, Your registration request must be based on the domain name having the higher priority. In some cases, when Your domain name is registered with Gandi, Gandi may retrieve the token automatically.

If You are the only holder of a priority right, You will obtain the .AU domain name immediately after making Your registration request.

If several persons are holding the same domain name under different second-level extensions, there may be a contention between them. You can check the priority rights for a same domain name and their status via the Registry tool: <https://www.auda.org.au/tools/priority-status-tool>.

If there are conflicting rights, that is if more than one person having a priority right to the same .AU domain name make a registration request before 21 September 2022, the registry has implemented the following rules:

- Domain names registered prior to February 5, 2018 00:00 UTC (category 1) have priority over domain names registered after that date (category 2).
- If there is a conflict within category 1:  
An agreement must be made between the applicants, without which the .AU domain name will remain “reserved” until only one valid registration request remains. A registration request can become invalid in the following situations: the applicant withdraws or does not renew its request annually (renewal entails a fee), the applicant is no longer eligible to register the .AU domain name nor the domain name under the second-level extension that confers its priority right or does not renew it.
- If there is a conflict within category 2:  
The .AU domain name will be allocated to the holder of priority right based on the domain name that has been registered first.

Beforehand, please check the holder contact information for Your domain name(s) is correct and up to date. Your .AU

registration request must contain the same holder contact information which will no longer be modifiable once You have made the registration request and until the contention is resolved.

Registration fees are not refundable even if You do not obtain the domain name.

It is possible to decline one or all of Your priority rights via the Registry tool: <https://priority.ada.org.au>.

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