

LEGAL NOTICE AND TERMS OF USE FOR THE GANDI WEBSITE

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LEGAL NOTICE

The owner and publisher of this website is Gandi SAS, a simplified joint-stock company registered under French law with a capital of 37,000 Euros. Its headquarters are located at 15 Place de la Nation, Paris (75011), France, registered at the *Paris RCS* (French Trade Registry) under number 423 093 459.

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Our website: <http://www.gandi.net> is hosted on our own servers and is registered on a regular basis with the *Commission Nationale de l'Informatique et des Libertés* with the number 702059.

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The following links and the page <http://www.gandi.net/contracts/> allow access to all our contracts and the professional guidelines that govern our activity as a domain name registrar:

- [General terms and conditions of domain names registration](#),
- [Naming system](#): diagram, contact information and terms and conditions of our suppliers (Registries and Trustee Authorities),
- ICANN Special conditions ([.com](#), [.net](#), [.org](#), [.biz](#), [.info](#), [.name](#)),
- DNS BE Special conditions ([.be](#)),
- AFNIC Special conditions ([.fr](#)),
- EURid Special conditions ([.eu](#)),
- Special conditions of the [Blog](#),
- [Legal notice and Terms of use](#) for the Gandi website (present page),
- [Pricing sheet](#),
- [Definitions](#).

You can access the contracts that you have accepted with us at any time by logging in with your username and password at the following page:

<https://www.gandi.net/admin/contracts/> .

TERMS OF USE FOR THE GANDI WEBSITE

By accessing the Gandi website to either view information or use our services, you agree to abide by current applicable laws and to the following additional user terms of use.

1. Intellectual property rights

All data on our website, including but not limited to, all graphics, texts, and logos, is protected by intellectual property laws. Any reproduction, in part or in whole, of said data

or content is strictly forbidden. In particular, the logo, the "Gandi" brand name, and the "gandi.net" domain name all constitute registered trademarks of Gandi, which you may not use in any way without prior express permission of Gandi.

You agree to not redistribute or reproduce public data available on our website or otherwise communicated as part of the use of our services, unless such action is restricted to your own personal use.

The public Whois database is accessible via our website and is protected under international copyright law for which such rights shall not be transferred to you, with the exception of elements that have clearly been defined as distributed under GPL (open-source) license.

Any use, extraction, transfer, recording, reproduction, redistribution of this database by all or any current or future means, including but not limited to the use of automated programs or systems, is strictly forbidden. Such usage is grounds for litigation.

2. Use of the Whois database

Our "Whois" database is made available to you as a means for consulting the personal and technical information pertaining to a registered domain name.

Upon using our Whois database, you agree to use its data in a manner and means that are in accordance with current applicable laws and legislation, in order to register a domain name or view the registration status of an existing domain name.

In particular, you agree to not extract, collect or use the data in any way or means that will result in, allow, facilitate, or participate in the sending, transmission and/or making of mass or multiple commercial and/or other unsolicited advertisement via e-mail, telephone or fax, that does not abide by current applicable laws.

Any mass and/or automated inquiries made of our Whois database, as well as any failed or successful attempt to bypass the technical security measures in place, and any use, extraction, transfer, storage, reproduction or redistribution, for any other use or intent other than the viewing of this information, the registration or modification of a domain name, is strictly forbidden.

Gandi and the registries in charge of the management of domain names registered under each TLD reserve the right to restrict your access to the Whois database in order to guarantee the operational stability of the service.

Gandi may therefore temporarily restrict or suspend your access to the Whois database in the event of a breach in the aforementioned terms of use.

In addition, you agree that:

- 2.1. Gandi's role is to provide access to this database, for which the purpose is to retrieve information on registered domain names.
- 2.2. Gandi does not have the means to verify the content of the Whois database, which is shared throughout the world and gathers information from various parties. In particular, the Whois database access provided by Gandi includes information pertaining to domain names registered by third parties (Registrars, Registries, resellers, etc.) over whom Gandi has no control, even if the content of the respective databases, shared worldwide, is accessible from the Whois on Gandi's Website, as well as from any other Whois portal.
- 2.3. Concerning domain names that are not registered with Gandi, the data presented in the Whois cannot be certified as wholly accurate by Gandi, and is supplied by third parties. Nonetheless:

- 2.3.1. Each person registering a domain name must supply accurate, complete and updated information for the entire duration of the registration of their domain name, both on themselves as well as for each of the contacts (administrative, technical and billing) associated with the domain name. Therefore, if the information associated with a domain name registered through Gandi seems to be incorrect, you can alert us to this fact through our free online interface, available at <http://rip.gandi.net/index-en.html>. We will then alert the registered owner of the domain name that they must correct or update the information within fifteen (15) days. If we do not receive a response, or if the information is still incorrect or outdated after a fifteen (15)-days period, this shall constitute a basis for holding or deleting the domain name.
- 2.3.2. If information viewed concerns a domain name for which you are the owner or registered contact, it is your obligation to correct/update your information in the Whois via our online interface after logging in with your access codes. If this does not occur, you risk the deletion of your domain name, or having its status changed to hold.
- 2.3.3. If Gandi is not the Registrar of the domain name in question, we cannot modify the data associated with the registration of the domain name. In this case, you should contact the Registrar of the aforementioned domain name. The Registrar's name is presented in the Whois.

3. Personal information

Gandi's website and Gandi's automated processing of personal information have been registered with *CNIL*, in accordance with the French Act n°78-17 of 6 January 1978 on Data Processing, Data Files and Individual Liberties.

3.1. Data gathered during the use of Gandi's website

During the viewing or use of the present website, Gandi records information about you that enables the website to perform the services advertised, and generate user statistics.

Your web browser has a function called "cookies", that downloads a small text file on your computer when you visit our Site.

A cookie alone does not contain any information about you. It is a piece of information concerning your computer and browser, that is recorded when you visit our website (the pages that you have viewed, the date and time of the viewing, etc.). This information remains in your computer only for the time that you spend on our website. Cookies are not kept after you log out.

The activation of this function is not necessary for visiting our website. Nonetheless, access to some services, notably all that require logging in (such as the administration interface and the management of your domain names, or your personal account) require the use of such "session cookies" in order to function.

Therefore, if you do not activate this function, services provided by Gandi that require logging in will not work correctly.

Notwithstanding the aforementioned statement, and in consideration of it, you may block the acceptance of "cookies" by configuring your browser as follows:

- Microsoft Internet Explorer 6.0:
select the "Tools" menu, then "Internet Options". Click on "Confidentiality", and select the desired level.
- Microsoft Internet Explorer 5:
select the "Tools" menu, then "Internet Options". Click on "Security", select "Internet" then "Custom Level". Locate "cookies", and select the desired option.

- Netscape 6.X and 7.X:
select the "Edit" menu, then "Preferences", followed by "Privacy & Security", and then "Cookies".
- Netscape Communicator 4.X:
select the "Modify" menu, then "Preferences". Click on the option, "Advanced" in the "Cookies" section.
- Mozilla Firefox version 1.5 for Linux:
select the "Edit" menu, then "Preferences". Click on "Privacy", then "Cookies". Select the desired setting.
- Mozilla Firefox version 1.5 for Windows:
select the "Tools" menu, then "Options". Click on "Privacy", then "Cookies". Select the desired option.
- For Opera version 8.5 for Mac OS X:
select the "Preferences" menu, then click on the "Advanced" tab, followed by "Cookies". Select the option of your choice from the dropdown menu.
- For Safari version 2.0.3:
select the "Preferences" menu for Safari. Click on the "Security" icon. In the "Accept Cookies" section, select "Never".

In addition, during each visit to our website, we collect data from your computer, notably your IP address, the date and time of your visit, your equipment specifications (operating system, browser...). This information is only stored on our server and used for statistical purposes.

We are highly concerned with the confidentiality of data collected from visitors to our website. Such information constitutes personal data that Gandi handles and gathers in a private and legal means, as required by the French Act n°78-17 of 6 January 1978 on Data Processing, Data Files and Individual Liberties. This information is made anonymous, and is collected only for statistical purposes.

3.2. Data collected during your subscription and use of services provided by Gandi

In the performance of its services, Gandi collects and records information on you, which constitutes personal information. This data is recorded in an in-house database, with the exception of information related to the payment of our services which is processed via secure websites belonging to our banking partners.

In addition, the technical and contact information pertaining to domain names, such as listed in Gandi's general terms and conditions of domain name registration, are made public. This information may be viewed by everyone, including third parties, via the Whois database, available on our website (<http://www.gandi.net/whois>), in addition to those of all the other Registrars, Registries, and any organization allowing public access to this tool throughout the entire world via the Internet, including in countries providing a lower protection level than France for personal information.

Gandi collects and records personal and/or contact information only in order to provide its services as advertised. The data is specified at the time of its gathering, and is processed in accordance with the contractual terms and conditions relating to the various services for which they are gathered and processed. These contractual conditions also inform you of the possibility to change, modify, and/or delete your personal data.

You have the right to access, modify and delete personal data pertaining to you, and the right to do so at any time by contacting us at the hereinmentioned location, or via our website at <https://www.gandi.net/admin/domain/update/contact>.

4. Limitation of content liability

Information presented on the Gandi website, and notably the Whois database (<http://www.gandi.net/whois>), is provided for *as is*. Gandi cannot guarantee the stability, accuracy, or reliability of the data provided, and the user selects, researches, and interprets the data at their own risk.

-end of legal notice and terms of use of the Gandi website -