

# NEW GTLD PROGRAM PERSONAL DATA PRIVACY STATEMENT

## PERSONAL DATA PRIVACY STATEMENT

Last Updated: 21 May 2018

Redline from the previous version of the New gTLD Program

### Personal Data Privacy Statement

The Internet Corporation for Assigned Names and ~~Numbers~~Numbers (“ICANN organization”) respects and is committed to ensuring the protection of ~~personal information~~Personal Information collected from ~~the Applicant and new~~New gTLD Program participants, (~~“Applicants,” or “you,” or “your”~~), including ~~users of the TLD Application System (“User~~Applicants who use the Naming Services portal (“NSP”), and used in connection with ~~new~~the New gTLD Program ~~application process~~ (the “Program”). ~~ICANN organization~~ will handle all ~~personal information~~Personal Information provided under the Program as described in this Personal Data Privacy Statement (~~“Privacy Statement”~~.) ~~and the ICANN organization Privacy Policy, which is incorporated herein by this reference. Terms with initial capital letters not defined in this Privacy Statement are defined in the ICANN organization Privacy Policy.~~

By participating in the Program, including using the ~~TLD Application System (“TAS”), the User and NSP~~, the Applicant ~~accepts~~accepts the practices described in this Privacy Statement ~~and the Privacy Policy~~. In addition ~~to this Privacy Statement~~, ICANN organization has established Terms of Use that set forth the general rules and policies governing the use of the ~~TAS- NSP~~. You can review the Terms of Use ~~by visiting~~ <http://newgtlds.icann.org/en/applicants/tas/termsat> <https://www.icann.org/en/system/files/files/nsp-terms-of-use-11may18-en.pdf>.

### 1. International Transfers

The Program may be operated and administered entirely outside the jurisdiction where the ~~User and/or Applicant~~ are domiciled. ~~Please note that any personal information~~ Personal Information provided to ICANN organization in connection with the Program will be transferred outside of your jurisdiction, including to ~~and processed in~~ the United States. ~~On his/her own behalf, and on behalf of the Applicant and each of its relevant personnel, the User~~ hereby consents to these transfers, and is solely responsible for ensuring that the ~~personal information~~Personal Information provided to ICANN organization and its designees complies with the laws of the ~~User’s and Applicant’s~~ jurisdiction(s).

### 2. Personal Information Collection and Use

*Application submission.* ~~The~~ Participation in the Program ~~application submission~~ generally involves the collection and use of ~~minimal personal information.~~ your Personal Information. The types of ~~personal information~~Personal Information that ICANN

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organization collects will be: full name, postal address, telephone ~~phone~~-number, and email address.- Personal Information is used to initially process and administer the Program ~~application, including background checks of certain Applicant's personnel.-~~ This information will also be used by ICANN organization, its service providers, and agents to provide general support services ~~and to process TLD applications~~ for the Program.

~~Application administration: As part of the application process, ICANN may request certain personal information~~

~~Administration: ICANN organization requires updated Personal Information~~ about the Applicant's directors and officers, and other relevant personnel, such as full name, date of birth, city and country of primary residence and country of birth.- ICANN organization and its service providers use this information to conduct necessary background checks and other evaluations as part of the ~~Program's application process~~Program, in accordance with the requirements of the New gTLD Applicant Guidebook Terms and Conditions ("Applicant Guidebook") located at ~~<http://newgtlds.icann.org/en/applicants/agb/terms>~~- <https://newgtlds.icann.org/en/applicants/agb/guidebook-full-04jun12-en.pdf>. This use is based on consent provided by agreeing to the TAS Terms of Use

~~<<http://newgtlds.icann.org/en/applicants/tas/terms>>~~ NSP Terms of Use and the Applicant Guidebook Terms and Conditions

~~<<http://newgtlds.icann.org/en/applicants/agb/terms>>~~ Applicant Guidebook. In certain circumstances, the results of initial background checks may require ICANN organization to request additional ~~personal information~~Personal Information to conclude necessary background checks or other Program application evaluations. Your Personal Information is also processed to maintain an accurate history of application processing and changes.

~~Support information.-~~ ICANN organization receives ~~personal information~~Personal Information as part of general support queries, email, feedback, comment or other communications with our ~~Customer Service~~Global Support Center or other ICANN ~~staff~~organization personnel regarding the Program.- ICANN organization may retain those communications in order to process inquiries, respond to requests and improve the ~~TAS.- NSP.~~ ICANN ~~may include your personal information in publishing your comments or feedback on the ICANN website for the benefit of others or to comply with ICANN's accountability and transparency principles located at <http://www.icann.org/en/accountability/overview-en.htm> and disclosure policies located at <http://www.icann.org/en/transparency/didp-en.htm>.~~ ICANN organization may monitor or record your call or communication sessions with the ApplicantGlobal Support Center for quality assurance and staff training purposes, or as a record of communication.

~~Sensitive personal information.-~~Personal Information. ICANN organization does not collect sensitive ~~personal information~~Personal Information (e.g. personal medical or health information, racial or ethnic origin, or political opinions, etc.) in connection with the Program.- You will be notified if such sensitive ~~personal information~~Personal

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Information is necessary in connection with the Program, such as to conduct further background checks.

In addition, when using the TAS, ICANN may collect the following types of non-identifying information:

~~Automatically logged information: The TAS automatically records information that the browser sends whenever the TAS is used. This information may include information such as IP address, browser type, internet service provider (ISP), date/time stamp, page viewed, and other similar data. ICANN uses this information to administer the TAS, general web page analytics, track the use of TAS and to develop Program support. This information is not linked to personally identifiable information.~~

~~Cookies: Cookies and other user tracking devices (e.g., local shared objects) may be stored on the User's computer when using TAS. A cookie is a small text file that is stored on a user's computer for record-keeping purposes. ICANN uses session ID cookies to confirm that a User is logged in. These cookies terminate once the User closes the browser. ICANN may also deploy persistent cookies to improve TAS, including by storing user preferences and tracking user trends. While most browsers are set to accept cookies and other tracking devices by default, Users are always free to decline cookies if the browser permits, but some parts of TAS may not work properly. The browser manufacturer has information on changing the default setting for that specific browser. The User acknowledges the use of such tracking devices as noted in this Privacy Statement, and hereby consents to having such tracking devices stored on the User's computer.~~

### **3. Sharing of Personal Information**

ICANN organization will share personal information Personal Information with Program evaluation panelists, contractors and other third parties, such as our providers and agents, for the purpose of processing-administering the Program and TLD applications on ICANN's ICANN organization's behalf, and providing other services for the Program. ICANN organization requires that these parties agree to handle this information in compliance with appropriate confidentiality obligations and security measures.

~~ICANN will provide personal information to third parties, government authorities and agencies as and when required to: (i) comply with applicable laws, regulations, legal process or enforceable governmental request; (ii) protect ICANN's or a third party's legal rights; (iii) receive contracted services or use of licensed products from third party providers; (iv) comply with any court order or legal proceeding; (v) comply with ICANN's accountability and transparency principles and disclosure policy; (vi) detect, prevent or otherwise address fraud or other criminal activity or errors, security or technical issues; or (vii) protect against imminent harm to the rights, property or safety of ICANN, our users or the public as required or permitted by law.~~

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~~ICANN will not sell or otherwise share any personal information with third parties for marketing purposes. ICANN will not provide any personal information to third parties for commercial services in relation to the Program unless the User and/or the relevant Applicant personnel have given specific permission or direction.~~

### 4. Information Security and Integrity

ICANN ~~organization~~ will use commercially reasonable effort to maintain industry standard safeguards, including firewalls, security patches and anti-virus programs to protect the confidentiality of personal information ~~Personal Information~~ collected as part of the Program. ~~When using TAS, personal information will be encrypted using secure socket layer technology ("SSL").~~

~~Access to personal information is restricted to ICANN staff, contractors and agents who need to know this information to manage the Program activities on behalf of ICANN. ICANN staff, contractors and agents will be bound by confidentiality obligations and, where appropriate, they may be subject to discipline, including termination and prosecution, if they breach these confidentiality obligations.~~

~~ICANN will take reasonable steps to ensure that personal information collected is relevant to its intended use and is complete.~~

~~ICANN's Program website contain links to other third party websites which are subject to the respective privacy policies of those third parties. ICANN is not responsible for the privacy practices of such linked third party sites, and their owners and operators.~~

~~Due~~ However, due to the open communication nature of the Internet, ICANN ~~organization~~ cannot represent, warrant or guarantee that communications data stored on ICANN ~~organization's~~ servers will be free from unauthorized access by third parties, loss, misuse or alterations. ~~While ICANN will take reasonable and appropriate security measures noted above to protect against unauthorized access, disclosure, alteration or destruction of personal information received, ICANN~~ ICANN ORGANIZATION DISCLAIMS ANY AND ALL LIABILITY FOR UNAUTHORIZED ACCESS OR USE OR COMPROMISE OF YOUR PERSONAL INFORMATION SUBMITTED THROUGH THE TAS. USERS AND NSP TO THE EXTENT PERMITTED BY APPLICABLE LAW. APPLICANTS ARE HEREBY ADVISED THAT THEY SUBMIT SUCH PERSONAL INFORMATION AT THEIR OWN RISK.

### 5. Accessing and Updating Personal Information

The ~~User and other authorized Applicant personnel~~ may request to view stored personal information ~~Personal Information~~ in relation to the Applicant ~~and User~~ profile, or a TLD application by accessing the relevant information screens within the TAS ~~contacting our~~

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Global Support Center. As submitted information is used in evaluation checks and processes, submitted information cannot be modified without contacting our Customer ServiceGlobal Support Center. ICANN organization will endeavor to respond to requests to access, correct or update any other personal informationPersonal Information that ICANN ~~retain~~organization retains in connection with the Program. Requests may be sent by email to our Customer ServiceGlobal Support Center at newgtld@icann.org globalsupport@icann.org.

ICANN organization will retain personal informationPersonal Information stored on our servers in accordance with our general archival practices, subject to legal requirements.

### **6. Changes to this Privacy Statement**

Please note that ICANN organization may revise this Privacy Statement from time to time throughout the Program. ICANN organization will post any Privacy Statement such changes on the Program's website. If the changes are material, ICANN organization may also provide notification via email according to the registered TASNSP log-in email for the Applicant. Applicants who use NSP. The Applicant's continued participation in the Program application process, including the User'sApplicant's use of TASNSP, after such change will be deemed acceptance by the User and the Applicant of the revised Privacy Statement.

### **7. Questions or Contacting ICANN Organization**

If you have any questions about this Privacy Statement, please feel free to contact ICANN at newgtld@icann.orgorganization at privacy@icann.org.