GAC Advice Response Form for Applicants

The Governmental Advisory Committee (GAC) has issued advice to the ICANN Board of Directors regarding New gTLD applications. Please see Section IV, Annex I, and Annex II of the GAC Beijing Communique for the full list of advice on individual strings, categories of strings, and strings that may warrant further GAC consideration.

Respondents should use this form to ensure their responses are appropriately tracked and routed to the ICANN Board for their consideration. Complete this form and submit it as an attachment to the ICANN Customer Service Center via your CSC Portal with the Subject, “[Application ID] Response to GAC Advice” (for example “1-111-11111 Response to GAC Advice”). All GAC Advice Responses must be received no later than 23:59:59 UTC on 10-May-2013.

Respondent:

<table>
<thead>
<tr>
<th>Applicant Name</th>
<th>ACO Severin Ahlmann GmbH &amp; Co. KG</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application ID</td>
<td>1-1026-17004</td>
</tr>
<tr>
<td>Applied for TLD (string)</td>
<td>ACO</td>
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</tbody>
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Response:

Summary

ACO SEVERIN AHLMANN GMBH & CO. KG welcomes and supports the GAC Advice as published on April 11, 2013, as the GAC Advice has been established in the Applicant Guidebook as an instrument to reject gTLD applications which e.g. violate national laws and/or do not recognize and incorporate public interests such as consumer protection.

ACO SEVERIN AHLMANN GMBH & CO. KG welcomes and supports the position of the GAC Advice as published on April 11, 2013, that “The GAC advises the Board that all safeguards highlighted in this document as well as any other safeguard requested by the ICANN Board and/or implemented by the new gTLD registry and registrars should:

- be implemented in a manner that is fully respectful of human rights and fundamental freedoms as enshrined in international and, as appropriate, regional declarations, conventions, treaties and other legal instruments - including, but not limited to, the UN Universal Declaration of Human Rights.
- respect all substantive and procedural laws under the applicable jurisdictions.
- be operated in an open manner consistent with general principles of openness and non-discrimination.”

General principles of operations for .ACO by ACO SEVERIN AHLMANN GMBH & CO. KG

ACO SEVERIN AHLMANN GMBH & CO. KG would like to state, that:
1. We will respect human rights and fundamental freedoms
We fully support human rights and fundamental freedoms of mankind, this includes but is not
limited to the UN declaration of rights. In this respect we would like to emphasize two
principles of the UN declaration of rights:
- Everyone is entitled to all the rights and freedoms set forth in this Declaration, without
distinction of any kind.
- Article 19: Everyone has the right to freedom of opinion and expression; this right
includes freedom to hold opinions without interference and to seek, receive and impart
information and ideas through any media and regardless of frontiers.
2. We will respect national laws
We require our registrars and registrants to comply with all applicable laws, including those that
relate to privacy, data collection, consumer protection (including in relation to misleading and
deceptive conduct), disclosure of data, and financial disclosures.
3. We will operate the TLD in an open manner consistent with general principles of openness
and non-discrimination
The fundamental goals of the Introduction of New gTLDs are:
- The new gTLD program will create a means for prospective registry operators to apply
for new gTLDs, and create new options for consumers in the market.
- To foster diversity, encourage competition, and enhance the utility of the DNS.
- ICANN expects a diverse set of applications for new gTLDs, including IDNs, creating
significant potential for new uses and benefit to Internet users across the globe.

We fully support these goals with the underlying principles of openness and non-discrimination
and which will lead to greater choice and diversity for consumers based on competition among
registries.

Detailed commitments by ACO SEVERIN AHLMANN GMBH & CO. KG for .ACO based on General
Safeguards

ACO SEVERIN AHLMANN GMBH & CO. KG, the applicant for the .ACO top-level domain, will
implement as already stated in the application the following safeguards in a manner that (i) is
fully respectful of human rights and fundamental freedoms as enshrined in international and, as
appropriate, regional declarations, conventions, treaties and other legal instruments – including,
but not limited to, the UN Universal Declaration of Human Rights, (ii) respects all substantive
and procedural laws under the applicable jurisdictions, and (iii) the gTLD be operated in an open
manner consistent with general principles of openness and non-discrimination. The safeguards
will be subject to contractual oversight.

The Safeguards are in detail:
1. WHOIS verification and checks - ACO SEVERIN AHLMANN GMBH & CO. KG will conduct checks
on a statistically significant basis to identify registrations in its gTLD with deliberately false,
inaccurate or incomplete WHOIS data at least twice a year. Registry operators will weigh the
sample towards registrars with the highest percentages of deliberately false, inaccurate or
incomplete records in the previous checks. ACO SEVERIN AHLMANN GMBH & CO. KG will notify
the relevant registrar of any inaccurate or incomplete records identified during the checks,
triggering the registrar’s obligation to solicit accurate and complete information from the
registrant.
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2. Mitigating abusive activity - ACO SEVERIN AHLMANN GMBH & CO. KG will ensure that terms of use for registrants include prohibitions against the distribution of malware, operation of botnets, phishing, piracy, trademark or copyright infringement, fraudulent or deceptive practices, counterfeiting or otherwise engaging in activity contrary to applicable law.

3. Security checks - While respecting privacy and confidentiality, ACO SEVERIN AHLMANN GMBH & CO. KG will periodically conduct a technical analysis to assess whether domains in its gTLD are being used to perpetrate security threats, such as pharming, phishing, malware, and botnets. If ACO SEVERIN AHLMANN GMBH & CO. KG identifies security risks that pose an actual risk of harm, ACO SEVERIN AHLMANN GMBH & CO. KG will notify the relevant registrar and, if the registrar does not take immediate action, suspend the domain name until the matter is resolved.

4. Documentation - ACO SEVERIN AHLMANN GMBH & CO. KG will maintain statistical reports that provide the number of inaccurate WHOIS records or security threats identified and actions taken as a result of its periodic WHOIS and security checks. ACO SEVERIN AHLMANN GMBH & CO. KG will maintain these reports for the agreed contracted period and provide them to ICANN upon request in connection with contractual obligations.

5. Making and Handling Complaints - ACO SEVERIN AHLMANN GMBH & CO. KG will ensure that there is a mechanism for making complaints to ACO SEVERIN AHLMANN GMBH & CO. KG that the WHOIS information is inaccurate or that the domain name registration is being used to facilitate or promote malware, operation of botnets, phishing, piracy, trademark or copyright infringement, fraudulent or deceptive practices, counterfeiting or otherwise engaging in activity contrary to applicable law.

6. Consequences - Consistent with applicable law and any related procedures, ACO SEVERIN AHLMANN GMBH & CO. KG shall ensure that there are real and immediate consequences for the demonstrated provision of false WHOIS information and violations of the requirement that the domain name should not be used in breach of applicable law; these consequences should include suspension of the domain name.

ACO SEVERIN AHLMANN GMBH & CO. KG would like to note that registration policies will be setup according to this request.

ACO SEVERIN AHLMANN GMBH & CO. KG would like to note that .ACO is not a generic term and therefore the GAC Advice on exclusive access of generic terms does not apply. Furthermore ACO SEVERIN AHLMANN GMBH & CO. KG would like to state that the .ACO is not in the public interest, but a representation of Intellectual property rights of ACO SEVERIN AHLMANN GMBH & CO. KG.

However ACO SEVERIN AHLMANN GMBH & CO. KG reserves the right to supplement the answer to the GAC Advice with additional or amended commitments based on community feedback including the GAC.