

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 Communiqué](#) 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:

Applicant Name	dotversicherung-registry GmbH
Application ID	1-891-92750
Applied for TLD (string)	VERSICHERUNG

Response:

dotversicherung-registry GmbH 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.

dotversicherung-registry GmbH welcomes and supports the positions in 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.”

*** Community-based application for .VERSICHERUNG ***

We welcome and support the GAC Advice as published on April 11, 2013, section IV” GAC Advice to the ICANN Board”, 1.e. “Community Support for Applications”:

The GAC advises the Board: i. that in those cases where a community, which is clearly impacted by a set of new gTLD applications in contention, has expressed a collective and clear opinion on those applications, such opinion should be duly taken into account, together with all other relevant information.

We serve the Interests of the Community and the Public.

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Our application for the string .VERSICHERUNG is a community-based application. The .VERSICHERUNG Community are the multiple stakeholders in Germany, Austria, Liechtenstein and Switzerland involved in the regulation and registration of companies eligible for services on the term “VERSICHERUNG” as well as companies and individuals offering “VERSICHERUNG” related services.

We have been successfully working since 2010 on building a long-lasting relationship to the various stakeholders of the VERSICHERUNG community including

1. Governmental organizations and authorities in Austria, Germany, Liechtenstein and Switzerland;
2. Commercial associations in Austria, Germany, Liechtenstein and Switzerland representing about 13.000 companies and insurance intermediaries of the VERSICHERUNG community;
3. Companies in Austria, Germany, Liechtenstein and Switzerland being member of the VERSICHERUNG community.

The VERSICHERUNG Community members have expressed a collective and clear supporting opinion on our application by supporting documents.

We have consulted with all relevant public and private entities that make up the VERSICHERUNG Community in Austria, Germany, Liechtenstein and Switzerland.

*** General principles of operations for .VERSICHERUNG by dotversicherung-registry GmbH ***
dotversicherung-registry GmbH 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

As the insurance market is regulated in Austria, Germany, Liechtenstein and Switzerland it is needless to say that 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 dotversicherung-registry GmbH for .VERSICHERUNG based on General Safeguards ***

dotversicherung-registry GmbH, the applicant for the .VERSICHERUNG 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 - dotversicherung-registry GmbH 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. dotversicherung-registry GmbH 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.
2. Mitigating abusive activity - dotversicherung-registry GmbH 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, dotversicherung-registry GmbH 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 dotversicherung-registry GmbH identifies security risks that pose an actual risk of harm, dotversicherung-registry GmbH 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 - dotversicherung-registry GmbH 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. dotversicherung-registry GmbH 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 - dotversicherung-registry GmbH will ensure that there is a mechanism for making complaints to dotversicherung-registry GmbH 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, dotversicherung-registry GmbH 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.

dotversicherung-registry GmbH assessed that the .VERSICHERUNG gTLD will require further targeted safeguards, to address specific risks, and to bring registration policies in line with the respective offline arrangements. Therefore dotversicherung-registry GmbH incorporated in the application several further safeguards:

7. At the time of registration, the registry operator will verify and validate the registrants' authorizations, charters, licenses and/or other related credentials for participation in that sector by using official registers. Only registrations from registrants, where the eligibility criteria can be positively verified, will be accepted.

8. In case of doubt with regard to the authenticity of licenses or credentials, dotversicherung-registry GmbH will consult with relevant national supervisory authorities, or their equivalents. This includes consultation with the advisory board.

9. dotversicherung-registry GmbH will conduct periodic post-registration checks on all registrants to ensure registrants' validity and compliance with the above requirements in order to ensure they continue to conform to appropriate regulations and licensing requirements and generally conduct their activities in the interests of the consumers they serve. In particular, dotversicherung-registry GmbH is committed to verify registrants' validity and compliance with the above requirements on an annual basis.

*** Detailed commitments by dotversicherung-registry GmbH for .VERSICHERUNG based on Regulated Industries and Consumer Protection Safeguards ***

Furthermore, dotversicherung-registry GmbH commits to operate the gTLD in a way that is consistent with applicable laws, as this TLD is related to consumer protection and regulated markets.

The following safeguards will apply to .VERSICHERUNG:

1. dotversicherung-registry GmbH has included in its acceptable use policy that registrants 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.

2. dotversicherung-registry GmbH requires registrars at the time of registration to notify registrants of this requirement.

3. dotversicherung-registry GmbH requires that registrants who collect and maintain sensitive health and financial data implement reasonable and appropriate security measures

commensurate with the offering of those services, as defined by applicable law and recognized industry standards.

4. dotversicherung-registry GmbH established several years ago a working relationship with the relevant regulatory and industry self-regulatory bodies, including the development of a strategy to mitigate as much as possible the risks of fraudulent, and other illegal, activities. This includes the advisory board, which is constituted with representatives of the aforementioned bodies.

5. Registrants will be required by dotversicherung-registry GmbH to notify to them a single point of contact which must be kept up-to-date, for the notification of complaints or reports of registration abuse, as well as the contact details of the relevant regulatory, or industry self-regulatory, bodies in their main place of business.

*** Detailed commitments by dotversicherung-registry GmbH for .VERSICHERUNG based on Restricted Registration Policies ***

dotversicherung-registry GmbH welcomes and supports the GAC Advice as stated under Category 2 – Restricted Registration Policies:

The GAC advises the ICANN Board:

1. Restricted Access

As an exception to the general rule that the gTLD domain name space is operated in an open manner registration may be restricted, in particular for strings mentioned under category 1. above. In these cases, the registration restrictions should be appropriate for the types of risks associated with the TLD. The registry operator should administer access in these kinds of registries in a transparent way that does not give an undue preference to any registrars or registrants, including itself, and shall not subject registrars or registrants to an undue disadvantage.

dotversicherung-registry GmbH has setup appropriate registration policies to prevent any risks associated with the operation of .VERSICHERUNG like consumer confusion, financial fraud and phishing According to the eligibility requirements of dotversicherung-registry GmbH, only members of the regulated VERSICHERUNG Community are eligible to register domain names under .VERSICHERUNG. According to the registration policies, eligibility will be validated before domain names are approved and re-validated on an annual basis. The policies for abusive have been setup and are described under the general and specific safeguards.

dotversicherung-registry GmbH reserves the right to supplement the answer to the GAC Advice with additional or amended commitments based on community feedback including the GAC.