

30 May 2024

Russ Weinstein – VP, GDD Accounts and Services

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USA

Via email: correspondence@icann.org;

To: Russ Weinstein

Cc: John Jeffrey; Catherine Maleki; Danielle Gordon; Lisa Carter; Nicolai Bezsonoff; Georgia Byrne;
Crystal Peterson; Gemma Keegan

Re: .XXX Registry Agreement Renewal – Removal of Sponsorship

Dear Russ,

We are pleased to see that the recent public comment period on the proposed renewal of the .XXX Registry Agreement received interest and community input on this very important topic.

While we have exhaustively evaluated this matter over the last three years, we appreciate that this is the first opportunity the wider ICANN community has had to weigh in on this renewal. As the community has not had the benefit of being part of the extensive discussions between ICANN and GoDaddy Registry, we would like to provide some further information and address some of the comments raised.

.XXX TLD's Current Operations

Of concern to us is seeing that some comment submissions allege our operation of the .XXX TLD is not compliant with the Registry Agreement. Our view is that we have operated the .XXX TLD in full compliance with the current Registry Agreement since its acquisition 2021. It is important to note that the .XXX Registry Agreement has been amended multiple times over the years, and the practical effect of these amendments is to more closely align the original agreement to the base gTLD Registry Agreement in many areas.

Given how close the current Registry Agreement is to the base gTLD Registry Agreement, this renewal presents the perfect opportunity to evaluate the form of the Registry Agreement and the benefits of moving fully to the base gTLD Registry Agreement, which we maintain is more reflective of the current TLD landscape.

Rationale for Removing Sponsorship for the .XXX TLD

In our [letter to ICANN dated 2 February 2024](#), we explained the rationale for removing sponsorship for the .XXX TLD. We encourage the community to read this letter to better understand why the sponsorship of the .XXX TLD is no longer necessary or fit for purpose.

While some legacy sponsored TLDs have moved to a new gTLD Registry Agreement with a Specification 12, it is not a universal approach as not all have. In this case, we strongly maintain that a Specification 12 is not necessary. Sponsorship no longer serves a purpose for the .XXX TLD and is not desired or supported by the majority of the Sponsored Community.

Contained in our letter of 2 February 2024 to ICANN, our survey of the sponsored community shows that a statistically significant proportion of the survey respondents had no objection to removing the sponsorship requirement. If there is no relevant community to be protected, a Specification 12 is superfluous, as is the case for the other adult new gTLDs (.ADULT, .PORN and .SEX) that do not have a Specification 12.

Currently, the .ADULT, .PORN and .SEX TLDs operate under the new gTLD Agreement, with no sponsorship or Specification 12. They are independent of IFFOR and do not require membership in the Sponsored Community for registrations. Between these TLDs, there are over 22,000 domain name registrations. The incidence of abuse in these TLDs is low. In the past 12 months, we have received one (1) report of Child Sexual Abuse Material (CSAM) or other abuse in the .ADULT, .PORN or .SEX TLDs.

No Lessening of Safeguards

We want to be very clear that there are no safeguards being removed from the .XXX TLD as part of this renewal. Appendix 9 of the current .XXX Registry Agreement mirrors the language of Section 3 and Section 4 of Specification 11 found in the .ADULT, .PORN and .SEX Registry Agreements.

The requirements of Appendix 9 go further than the Sponsored Community model to protect children and ensure the responsible and safe operation of the .XXX TLD. Comparing the two, the more effective and extensive set of protections is contained in Appendix 9, which would be carried over to the proposed new .XXX Registry Agreement as Specification 11.

Compliant and Responsible Operation of the .XXX TLD

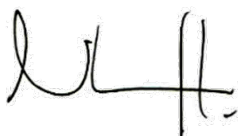
Our compliant and responsible operation of the .XXX TLD has been noted in the annual IFFOR Ombuds Office Report for the last several years, with the IFFOR Ombuds even going as far as to say that our operation of the .XXX TLD could be considered a benchmark for other Registry Operators.

Many of the concerned comments raised during the public comment period assume that we are not in compliance with our obligations and need further restriction or punitive measures. There is, however, no basis for the unfounded claims.

As noted by commenters in support of the proposed .XXX Registry Agreement, verification and membership requirements are outdated and have not provided any significant benefit to the public. The public, end-users and registrants are best served through reliability and consistency in our operation of the .XXX TLD.

We look forward to progressing the renewal of the .XXX Registry Agreement.

Yours sincerely,



Nicolai Bezsonoff
VP and General Manager
GoDaddy Registry