

gTLD String: .med
Applicant Entity Name: Medistry LLC
Application ID#: 1-907-38758

**SPECIFICATION 11
PUBLIC INTEREST COMMITMENTS**

1. Registry Operator will use only ICANN accredited registrars that are party to the Registrar Accreditation Agreement approved by the ICANN Board of Directors on [date to be determined at time of contracting], 2013(or any subsequent form of Registrar Accreditation Agreement approved by the ICANN Board of Directors) in registering domain names. A list of such registrars shall be maintained by ICANN on ICANN’s website.

2. Registry Operator will operate the registry for the TLD in compliance with all commitments, statements of intent and business plans stated in the following sections of Registry Operator’s application to ICANN for the TLD, which commitments, statements of intent and business plans are hereby incorporated by reference into this Agreement. Registry Operator’s obligations pursuant to this paragraph shall be enforceable by ICANN and through the Public Interest Commitment Dispute Resolution Process established by ICANN ((posted at [url to be inserted when final procedure is adopted]), as it may be amended by ICANN from time to time, the “PICDRP”). Registry Operator shall comply with the PICDRP. Registry Operator agrees to implement and adhere to any remedies ICANN imposes (which may include any reasonable remedy, including for the avoidance of doubt, the termination of the Registry Agreement pursuant to Section 4.3(e) of the Registry Agreement) following a determination by any PICDRP panel and to be bound by any such determination.

[Registry Operator to insert specific application sections here, if applicable]

3. Registry Operator agrees to perform following specific public interest commitments, which commitments shall be enforceable by ICANN and through the PICDRP. Registry Operator shall comply with the PICDRP. Registry Operator agrees to implement and adhere to any remedies ICANN imposes (which may include any reasonable remedy, including for the avoidance of doubt, the termination of the Registry Agreement pursuant to Section 4.3(e) of the Registry Agreement) following a determination by any PICDRP panel and to be bound by any such determination.

Registry Operator submits the following based upon ICANN’s requirement that Public Interest Commitments (“PIC” or “PICs”) be submitted to ICANN by 5 March 2013, even though (i) the relevant Specification 11 (“Spec 11”) of the Revised New gTLD Registry Agreement (this Agreement) has not cleared the reply period for public comment, (ii) Spec 11 is thus subject to modification unilaterally by the ICANN Board, (iii) ICANN has released few, if any, standards, procedures, guidelines or details regarding the PICDRP, (iv) the PICDRP is subject to modification unilaterally by the ICANN Board, and (v) GAC advice, for which Spec 11 is in main part directed, is not due until substantially after 5 March 2013, not affording Registry Operator the ability to respond to any such advice in the below.

Accordingly, Registry Operator reserves the right to amend, modify, withdraw and otherwise change the below in its sole discretion at any time due to any material activity or material change in the substance of any of the enumerated points in the paragraph immediately preceding this one which materially impacts Registry Operator’s ability to perform its obligations under this Agreement and specifically the language in this Spec 11 PIC (3).

In light of the above, Registry Operator will perform the following PICs, with a sixty (60) day window to cure (as define below):

- 1. The purpose of .MED is to benefit registrants, Internet users and others by, among other reasons, providing a trusted name space wherein users can come to find trusted sources for medical related information, consistent with the Cleveland Clinic's mission of integrating clinical and hospital care with research and education in a digital world.**
- 2. The lone method of domain name allocation in .MED will be by Request for Proposal (RFP) under guidelines, rules and criteria as set forth by the Cleveland Clinic in its sole discretion.**
- 3. Request for Proposals for domain name registration in .MED will be reviewed for approval by the Cleveland Clinic, in its sole discretion, independent of Medistry LLC (the Registry Operator under contract with ICANN).**
- 4. Additional restrictions, policies or practices may be set forth by the Cleveland Clinic, in its sole discretion, during initial operations of the .MED gTLD so that the .MED gTLD can be launched and initially operated in a controlled manner, granting the gTLD the opportunity to fulfill its stated mission(s)/purpose(s), and allowing the Cleveland Clinic the opportunity to study use of the gTLD and user adoption of the gTLD.**
- 5. Medistry LLC will provide a single point of contact responsible for addressing reports of registration abuse and to constructively work with law enforcement to address reported cases of abuse.**
- 6. Medistry LLC will use commercially reasonable efforts to ensure accurate and accessible WHOIS information of all .MED domain name registrations.**
- 7. Medistry LLC will prevent registration of exact matches of IGO names at the second level, according to the list to be provided by the GAC as per the GAC Toronto Communiqué of 17 October 2012, except by authorized representatives of the IGO in question.**

As ICANN has yet to provide any details regarding application of the PICDRP, Registry Operator reserves the right to cure any judgment, adjudication, determination, decision or otherwise of the PICDRP within sixty (60) days of written issue thereof, including taking any action Registry Operator deems necessary to place Registry Operator in compliance with the terms of Spec 11 as interpreted by the PICDRP. ICANN shall withhold enacting any remedy ICANN may have under the Agreement, including for avoidance of doubt the termination of this Agreement pursuant to Section 4.3(e) therein, until after Registry Operator has been given the full sixty (60) day window to cure.

Given the current uncertainty surrounding Spec 11, and in particular that many material details of the PICDRP are yet to be determined, the express PICs set forth above state the sole public interest commitments by Registry Operator for .MED at this time. While it is Registry Operator's position that the PICs set forth above are entirely consistent with statements of intent and business plans made in Registry Operator's application to ICANN for .MED, and as such do not warrant an amendment to the application for .MED for new matter and do not otherwise impact Registry Operator's representations and warranties under Section 1.3 herein regarding material information provided and statements made in the .MED application, Registry Operator makes no other representations or warranties, express or implied, to ICANN, any entity engaging the PICDRP or any other entity, regarding Registry Operator's operation of .MED, outside of, or in addition to, the express PICs set forth above. Except for the express PICs set forth above, with regard to any public interest commitment, Registry Operator hereby disclaims all

warranties, express or implied, whether in fact or by operator of law, statutory or otherwise, including but not limited to warranties of merchantability and fitness for a particular purpose.