



The Internet Corporation for Assigned Names and Numbers

Date: 27 January 2017

ICANN Final Determination

Re: Notice of Termination of Registry Agreement by ICANN - .theguardian

On 23 August 2016, ICANN notified Guardian News and Media Limited of its intent to terminate the .theguardian Registry Agreement entered into on 30 April 2015 (Registry Agreement). Pursuant to section 4.3(b) of the Registry Agreement, *ICANN may, upon notice to Registry Operator, terminate this Agreement if Registry Operator fails to complete all testing and procedures for delegation of the TLD into the root zone within twelve (12) months of the Effective Date.*

Pursuant to the terms of section 4.5 of the Registry Agreement, ICANN consulted with Registry Operator to assess whether to transition operation of the .theguardian top-level domain (TLD) to a successor Registry Operator.

On 8 December 2016, ICANN made a preliminary determination that operation of the .theguardian TLD need not be transitioned to a successor Registry Operator based on the following rationale:

- Registry Operator has represented to ICANN that it holds intellectual property rights for the name "theguardian".
- .theguardian qualifies as a .Brand TLD per Specification 13 of the Registry Agreement.
- The .theguardian TLD has not been delegated into the Root Zone, and there are zero (0) domain names registered in the TLD.

On 8 January 2017, after a 30-day period for comments by interested parties, no comments were received. Pursuant to section 4.3(b) of the Registry Agreement, ICANN has made a final determination to terminate the .theguardian Registry Agreement by 17 February 2017.

In conformance with section 4.5 of the Registry Agreement (as modified by section 6 of Specification 13 for this .Brand TLD), ICANN may not delegate the TLD to a successor registry operator for a period of two years without Registry Operator's consent, which shall not be unreasonably withheld, conditioned or delayed.

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ICANN