



Privacy Policy

This document describes the privacy policy of United TLD Holdco Ltd (T/A Rightside Registry).

September 2016

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United TLD Holdco Ltd. t/a Rightside Registry (UTLDH) is the registry operator for Rightside Group, Ltd.

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UTLDH Privacy Policy - Version 2.0

Legal / Compliance

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1. Introduction

United TLD Holdco Ltd. (“UTLDH,” “we” or “us”) wishes to protect the privacy of registrants, registrars, clients and business partners (“you” and “your”). This Privacy Policy (“Privacy Policy”) describes how we process information that identifies you personally (“Personal Information”), when you visit websites operated by UTLDH (“Registry Websites”); or register, or reserve any, domain names under generic top-level domain names in which UTLDH is the registry operator (“Domain Names”) or sign up to receive any products or services offered by UTLDH.

This policy applies only to Personal Information that UTLDH collects from and/or processes about you. It does not apply to information collected by domain name registrars or third parties solely in anticipation of an application to register or reserve a Domain Name with them, nor does it apply to information collected on third party sites that you may access via a link to the Registry Websites.

By registering or reserving a Domain Name, you consent to the collection, use, processing, and transfer of your Personal Information in accordance with the terms of this Privacy Policy. If you are located in a country other than the country in which the UTLDH servers are located, including without limitation visiting from the European Union, your transactions with UTLDH may result in the transfer of Personal Information across international boundaries and you hereby acknowledge and consent to such transfer. For avoidance of doubt, such data will ordinarily be transferred, stored and accessed, including by contracted 3rd parties, subject to required safeguards, in the United States of America. In addition, therefore, you consent to the collection, use, processing, and/or disclosure of your Personal Information in the United States in accordance with the provisions of this Privacy Policy.

2. Collection & Use of Personal Information

In order to carry out registrant requests for registration and/or reserving of a Domain Name with UTLDH, or sign up to receive any services offered by our registry, individual approved registrars (acting as Data Controllers), shall provide UTLDH with your Personal Information. Personal data so received and/or collected, shall be limited, in both type and use, to only that data which is required in the fulfilment of our agreements with the Internet Corporation of Names and Numbers ('ICANN'), the organisation that assumes responsibility for the domain name allocation. Without commenting as to whether or not such information is considered personal information or not, such collected information includes your full name, mailing address, phone number, email address, technical and administrative contacts (if different), expiration date, and DNS server name and IP address (collectively, “Registration Information”). In this capacity UTLDH, shall be acting solely on the instructions of the Registrar, and as such shall be considered as a ‘Data Processor’.

It should be noted in particular that all such information shall, as is required by ICANN, be

made available, to the public via an interactive web page and a "port 43" WHOIS service. For the purposes of this Privacy Policy we will refer to this information as your "WHOIS Information." Please note that we are not able to control how members of the public may use the WHOIS Information. Such information may include: your full name, mailing address, phone number, email address, and, where provided, your facsimile number, as well as the creation and expiration dates of your domain name registration and the name server information associated with your domain name.

If you are applying to become a **registrar** for any generic top-level domain names in which UTLDH is the registry operator, UTLDH, acting as 'Data Controller' may collect additional data via the [Registrar Sign-Up Portal](#) ("RSP"). We may supplement the Personal Information you provide with demographic data from third parties. If you disagree with this Privacy Policy, please do not submit Personal Information on Registry Websites.

USE OF THE REGISTRY WEBSITES

When you visit Registry Websites, our servers automatically log certain information including without limitation: the type of browser you are using (e.g., Safari, Chrome, Internet Explorer), the type of operating system you are using (e.g., Windows XP or Mac OS), CPU type (e.g. Pentium), the way you access the Internet (e.g., connection speed through narrowband or broadband access), IP address, other information about your geographic location, and the domain name of your Internet service provider. Our servers also log header information forwarded by the Internet site you navigated from to reach any Registry Websites. Please note that UTLDH does not control the information included in the header by a referring website, which may include search terms and other information about your activities on that site. Our servers also log information about your activity on Registry Websites, including without limitation the time and date of your visits, the pages you view on any Registry Website, your responses to offerings and advertisements (if any) presented on the Registry Websites, and the searches you perform, including without limitation any WHOIS searches.

Unless you have provided Personal Information directly, for example by registering for updates, UTLDH cannot and does not attempt to use log data to identify you personally.

UTLDH uses Personal Information collected on all Registry Websites to operate and improve those websites, to fulfill your requests and respond to your inquiries, to understand how you use the websites, and to personalize the content and advertisements you see on those Registry Websites.

COOKIES AND WEB BEACONS

UTLDH may use cookies, web beacons, or similar technologies in combination with your Personal Information to enhance and personalize your experience on Registry Websites, including without limitation to operate and improve offerings through Registry Websites, to help authenticate you, to remember your preferences and Registration Information, to present and help measure and research the effectiveness of UTLDH offerings,

advertisements, and e-mail communications (by determining which UTLDH e-mails you open and act upon), and to customize the content and advertisements provided to you through Registry Websites.

UTLDH and its advertisers may also use ad network providers and other service providers to present customized content and advertisements on Registry Websites and other websites. These providers use cookies, web beacons, or similar technologies on your computer to help present, better target, and measure the effectiveness of their content and advertisements, using data gathered over time and across their networks of web pages to determine or predict the characteristics and preferences of their audience. UTLDH may share certain non-personally identifiable information about you (e.g., zip code) with certain ad network and service providers to help them deliver more relevant content and advertisements through their networks. The use of cookies, web beacons, or similar technologies by content and ad network providers is subject to their own privacy policies, not UTLDH's. To learn more about third party content and ad network providers and the choices you have about these technologies, please visit the Network Advertising Initiative at www.networkadvertising.org.

3. Sunrise Participation and the TMCH

If you participate in any UTLDH "Sunrise" pre-registration service, you will also be required to provide information about your registered trademark(s) which may include, depending upon which Sunrise service you use, the registered trademark, the trademark registration number, and the ICANN Trademark Clearing House (TMCH) SMD file. UTLDH uses this information to validate your eligibility to participate in the Sunrise program.

4. Monitoring Information

All registered and resolving Domain Names may be scanned for viruses, malware, phishing activities, browser exploits, and other behaviors or code posing a security threat to (i) any other website; (ii) website users; or (iii) the generic top-level domain names in which UTLDH is the registry operator. Such monitoring may involve the incidental collection of Personal Information by our service providers.

5. Disclosure of Personal Information

As noted, UTLDH uses Registration Information in WHOIS records, as is required by ICANN to give effect the registration of a domain name. For the avoidance of doubt this shall be considered a disclosure, and such a disclosure is necessary for the completion of the transaction for the registration of (a) domain name(s). UTLDH does not disclose age related information, credit card information, or other supplemental information used to validate your Personal Information to the public in the form of WHOIS records.

UTLDH may disclose other Personal Information to fulfill your requests for products and

services, to respond to your inquiries, to third parties as necessary to deliver internet services in the generic top-level domain names in which UTLDH is the registry operator (including without limitation to security scanning service providers) or in furtherance of our Sunrise policies including the auction rules, and to personalize the content and advertisements you see.

UTLDH may use agents and contractors in order to help operate the Registry Websites, provide our product and service offerings, and to operate our business. You expressly consent to the sharing of your Personal Information with our agents, contractors and service providers under the premise that, if our agents and contractors have access to your Personal Information, they are contractually required to safeguard that information and prohibited from using that information for any other purpose.

USE OF PRIVACY & PROXY SERVICES

If you use a proxy service, the name of that proxy service, rather than your name, will appear in the WHOIS records.

SENSITIVE PERSONAL INFORMATION

“Sensitive Personal Information” refers to personal information specifying medical or health conditions, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership or information specifying sex life of the individual. UTLDH does not ordinarily or knowingly collect Sensitive Personal information and as such shall not use or disclose such information with third parties without your affirmative consent.

EXCEPTIONS REGARDING DISCLOSURE

UTLDH shall limit its disclosure of all personal information, including Sensitive Personal Information (as applicable), to the terms of this Privacy Policy, unless such a disclosure is: (i) necessary to fulfill a transaction or provide information you have requested; (ii) is in the vital interests of the data subject or another person; (iii) required by law or necessary to respond to legal process; (iv) in circumstances in which UTLDH believes that its Registry Websites, Domain Names, or services are being used in the commission of a crime; (v) when UTLDH has a good faith belief that there is an emergency that poses a threat to your safety or the safety of another person; (vi) as necessary to establish, assert, defend, or protect our rights or property; or (vii) as necessary to meet the requirements of requests, lawfully made by public authorities, including requests to meet national security or law enforcement requirements.

SHARING WITHIN RIGHTSIDE COMPANIES

We are a member of the Rightside Group, Ltd. family of companies (the “Family of Companies”). We share information we have about you within the Family of Companies. Such sharing however shall be limited in use, and we will only share information about you to such members of the Family of Companies to facilitate, support and integrate their activities in a manner that is consistent with, and related to, the original stated use of the information and/or or to improve the provision of such services to you. Each U.S. based member of the Family of Companies adheres to the Privacy Shield Principles.

TRANSFERS OUT OF EEA (INCL. NORWAY, ICELAND AND LICHTENSTEIN)

With regards to such transfers, UTLDH shall ensure it will only transfer the information where the requirements of this Privacy Policy have been met. In addition, transfers shall only occur:

- where the transfer is necessary for the performance/conclusion of a contract, to which the data subject is party, or to which UTLDH is a party where at the data subject’s request and in his/her interests; or where the destination country has been approved for transfer;
- where the transfer is allowed by an exemption under the relevant Data Protection Acts;
- where the individual has consented to the transfer;
- where the company importing the information enters into an appropriate contract with UTLDH;
- where it is made to comply with international law;
- where it is made in connection with a legal claim;
- where it is made to protect the vital interests of the data subject;
- where the transfer is of publicly-held information; or
- where the transfer is necessary for reasons of substantial public interest.

6. Change of Ownership

If UTLDH’s registry ownership changes as a result of a merger, acquisition or transfer to another company, your Personal Information may be transferred. If that transfer will result in a material change in the use of your Personal Information, UTLDH will notify the relevant

authorities (as required) and provide you the opportunity to permit such a transfer.

7. Security Measures

UTLDH has implemented reasonable and appropriate security measures designed to prevent unauthorized access to or misuse of the your Personal Information, but cannot guarantee that this information will never be disclosed in a manner inconsistent with this Privacy Policy (for example, as a result of unauthorized acts by third parties that violate applicable law or UTLDH policies).

8. Use by Children

Registry Websites and registered Domain Names are intended for adults. Children under the age of eighteen are not permitted to register for or use Registry Websites, products, and services. We do not knowingly collect information from children under the age of eighteen.

FOR EUROPEAN UNION CITIZENS

The following clauses refer to the additional considerations afforded to European Union Citizens, where UTLDH is acting in the capacity as a Data Processor. (see section 2 above).

9. Data Integrity & Access

UTLDH shall ensure that each data subject has access to the Personal Information about them that UTLDH holds. Furthermore, the individual will be provided with the opportunity to correct, amend, or delete that information where it is inaccurate, or has been processed in violation of this Privacy Policy.

TIME FRAMES

Should an individual make a request as to whether or not UTLDH holds information relating to them, we shall comply with this request within a specific time frame of 21 days.

The person about whom personal information is collected has the right to obtain, if he so requests:

- a description of the purposes for which it is held;
- a description of those to whom the data may be disclosed; and

- the source of the data, unless this would be contrary to public interest.

Access will only be provided to an individual if certain conditions are satisfied.

- An individual must apply for access in writing;
- The individual must provide us, the Data Controller, with such information that may reasonably be required to establish identity, or to locate the relevant personal data or information.

In order to ensure the security of the information and to prevent data being provided to an incorrect person, should a request not satisfy this condition, and UTLDH is not satisfied that the information provided proves the identity or the requestor, and/or the information provided does not enable adequate location of the information requested, UTLDH shall not release the information until it is so satisfied.

RECTIFICATION AND DELETION

The individual also has the right to have inaccurate information rectified or deleted and the right to register a complaint. Please be aware that deleting Personal Information may result in termination of services. Data subjects will be informed if the removal of information has any consequential effects, for example, where UTLDH may no longer be in a position to provide or continue a requested service.

COPY OF THE INFORMATION

Should an individual request a copy of the information held, and again once the above conditions are satisfied, a copy will be provided to the individual within 40 days of the request.

In such an instance an optional fee, not exceeding €6.35 is payable for the request. It is the policy of UTLDH to require payment of this fee. The 40 day period does not begin until the fee is paid in full.

The information must be provided in a form which will be clear and easily understandable to the ordinary person.

EXCEPTIONS

UTLDH may benefit from exceptions to such access requests. Examples of such exceptions include, but are not limited to:

- Data kept for the prevention, detention and investigation of a crime, apprehension or prosecution of an offender, assessment or collecting of a tax, where disclosed data may prejudice the investigation.
- If privilege could be maintained in proceedings in a court in respect of that information.
- Exceptional circumstances where the legitimate rights of persons, other than the individual, would be violated or where the burden or expense of providing access would be disproportionate to the risks to the individual's privacy in the case in question.
- Instances where it is genuinely impossible to supply a copy of the data requested or if it involves a disproportionate effort.

ACCESS TO A THIRD PARTIES' INFORMATION

The right of privacy implies that an individual can only have access to his/her own data, not to another individual's data. Therefore, where a particular document contains data about two or more individuals, disclosure of the document will be done in such a way as to hide references to and the identity of the other persons involved.

RETENTION

Personal Information shall be kept for no longer than is necessary.

COMPLAINTS

Inquiries or complaints regarding this Privacy Policy should contact: legalnotice@rightside.co.

10. How to Contact Us

If you have any questions or concerns about UTLDH's Privacy Policy, or if you are unable to access and/or correct your Personal Information online, you may contact us via email sent to privacy@unitedtld.com.

11. Changes to this Privacy Policy

UTLDH may update this Privacy Policy from time to time, and will provide appropriate online notice of any significant changes. You may be provided other privacy-related information in connection with your use of specific UTLDH offerings, special features and services not described in this Privacy Policy, or products and services that may be introduced in the future.