

# Privacy, WHOIS and Acceptable Use Policies

# **Privacy policy**

The Registry, having considered the applicable laws on data protection principles, adopts the following privacy policies:

- 1. Personal data shall be processed fairly and lawfully
- Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes
- 3. Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed
- 4. Personal data shall be accurate and, where necessary, kept up to date
- 5. Personal data processed for any purpose or purposes shall be kept for no longer than is necessary for that purpose or those purposes
- 6. Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data

#### Relationship with Registrars

Domain names are distributed through Registrars, accredited by ICANN, and who have entered into a Registry-Registrar Agreement with the Registry. These Registrars are agents who register domain names on behalf of their customers, and typically provide additional services (such as web hosting, email, and SSL certificates). Registrars have broad powers to register, delete, and modify the domain names that are registered for their customers, and use a variety of automated and manual tools to do so.

The Registry-Registrar Agreement requires that Registrars ensure that their connection to the Registry System is secure, and that all data exchanged between them is protected. However, the Registry cannot ensure or guarantee the security of Registrars' systems. Registrants should contact their Registrar if they have any questions or concerns about how the Registrar processes, stores and transmits their personal information.



#### Information collected by the Registry

All domain names registered in .eco have to be associated with the following information:

- 1. Registrant: the legal owner of the domain name
- 2. Administrative Contact: the entity authorised by the Registrant to interact with the Registrar on behalf of the Registrant
- 3. Technical Contact: the entity authorised by the Registrant to maintain the technical operations of the domain name
- 4. Sponsoring Registrar: The entity authorised by the Registrant to register and manage the domain
- 5. Name servers: the domain name servers to which the domain must be delegated in order to function

The following information may also be provided:

- a. Billing Contact: the entity authorised by the Registrant that is responsible for payment of registration and renewal fees to the Registrar
- b. DNSSEC DS records: digests of the DNSSEC Secure Entry Point (SEP) for the domain name

The Registrant and the Administrative, Technical and Billing Contacts described above include the following verified information:

- a. Contact Name/Role
- b. Organisation
- c. Street Address
- d. City
- e. State/Province
- f. Post code
- g. Country
- h. Phone
- i. Fax
- j. Email

The Registrar provides this information to the Registry when the domain is registered. Registrars can also amend the above information at any time during the lifetime of the domain registration. The Registrar does not share with the Registry the Registrant's methods of payment or such other information about services a Registrant may have with a given Registrar.



At the point of registration, the Registry also stores the following information:

- The creation date of the domain
- 2. The expiry date of the domain
- 3. Status codes used for Registry operations including, but not limited to, lock the domain, or prohibit updates
- 4. A random authorisation code used for transfers

The Registry may also collect and retain information voluntarily supplied by applicants under its dispute procedures, QLP and Keyword Grants Programs, its Eco Profile and Eco Policies or to support premium names applications. Such information may also be shared with third parties charged with the review of such applications and verification services or for the conduct of such dispute resolution procedures. The Registry will have such information as provided voluntarily in order to verify the Eligibility of the Registrants or Users of .eco domain name(s), any other requirements under the .eco Policies, in particular, the Eco Profile policy and the Eco System.

## Information not collected by the Registry

The Registry does not receive or store any of the following information:

- 1. The IP address of the Registrar's customer
- 2. Any credit card information supplied by the Registrant to its Registrar
- 3. Any passwords used by the Registrant to access the Registrar's website

#### How information is stored

Domain name registration information is stored in a central database. This database is hosted in a secure co-location facility and is protected by enterprise-grade firewalls.

The Registry takes regular backups of the database to ensure continuity of service. All backups are stored in an encrypted format and are transmitted to off-site locations using encrypted communications channels to prevent unauthorised access.

#### How information is used

The Registry uses the domain name, name servers, and DNSSEC DS records (if any) to publish DNS zone files to facilitate the functioning of the domains. This information can be queried through the Registry's public DNS servers. Third parties can also access copies of the zone files after signing an agreement.

The Registrant, Administrative, Technical and Billing Contact information is published via the Whois service. The Whois system is a standard service operated by all domain name registries and Regional Internet Registries (RIRs) and is used by third parties to obtain information about registered domain names, and has a variety of uses, including:

- Supporting the security and stability of the Internet by providing contact points for network operators and administrators, including ISPs, and certified computer incident response teams;
- 2. Determining the registration status of domain names;
- 3. Assisting law enforcement authorities in investigations for enforcing national and international laws;
- 4. Assisting in combating abusive uses of information communication technology;
- 5. Facilitating enquiries and subsequent steps to conduct trademark research and to help counter intellectual property infringement;
- 6. Contributing to user confidence in the Internet by helping users identify persons or entities responsible for content and services online; and

Assisting businesses, other organizations and users in combating fraud, complying with relevant laws and safeguarding the interests of the public.

The Registry uses the Registrant, Administrative, Technical and Billing Contact information to contact the appropriate entities when dealing with the following issues, without limitation:

- 1. Processing applications for domain names
- 2. Non-payment of registration or renewal fees by the Registrar
- 3. Misdirected SSL certificate requests
- 4. Complaints of trademark or copyright infringement, malware, fraud or spam

#### An example of a typical Whois record

Domain ID: AAA-0001 Domain Name: example.eco

Created On: 03-May-2017 12:00:42 UTC Last Updated On: 16-Apr-2017 16:26:58 UTC Expiration Date: 03-May-2017 23:59:59 UTC

Status:OK

Registrant ID: ABC0001

Registrant Name: Big Room Inc

Registrant Street1: 332 - 237 Keefer Street

Registrant Postal Code: V6A 1X6 Registrant Country: Canada

Registrant Phone: + 1 604 682 6673 Registrant FAX: + 1 604 682 6673 Registrant Email: domains@home.eco

Admin ID: C5721

Admin Name: Domain Administrator Admin Organization: Big Room Inc Admin Street1: 332 – 237 Keefer Street

Admin City: Vancouver Admin Postal Code; V6A 1X6 Admin Country: Canada

Admin Phone: + 1 604 682 6673 Admin FAX: + 1 604 682 6673 Admin Email: domains@home.eco

Tech ID : C5721

Tech Name: Domain Administrator Tech Organization: Big Room Inc Tech Street1: 332 – 237 Keefer Street

Tech City: Vancouver
Tech Postal Code: V6A 1X6
Tech Country: Canada

Tech Phone: + 1 604 682 6673 Tech FAX: + 1 604 682 6673 Tech Email: domains@home.eco

Billing ID: C5721

Billing Name: Hostmaster, Big Room Inc Billing Street1: 332 – 237 Keefer Street

Billing City: Vancouver
Billing Postal Code: V6A 1X6
Billing Country: Canada

Billing Phone: + 1 604 682 6673 Billing FAX: + 1 604 682 6673

#### How to get further information or ask a question

If a Registrant has any questions or comments about the .eco Privacy Policy, please contact the Registry at privacy@home.eco.



## Whois access policy

The Whois Access Policy relates to the dissemination of domain registration information. The Registry provides access to Whois data through a standard text-based network protocol on Port 43. Whois data can also be accessed on the Registry's website at http://www.nic.eco using a standard web interface.

Both interfaces are publicly available at no cost to the user and are reachable worldwide. This service is available to any Internet user and its use does not require prior authorization or permission.

Access to Whois data in the Registry's database is provided to assist in determining the contents of a domain name's registration record. Whois data consists not only of the domain name but also the relevant contact information associated with the domain name as provided by the Registrant. It also identifies nameserver delegation and the domain name's Registrar of record.

The data in this record is provided for informational purposes only; the Registry does not guarantee Whois data accuracy. This service is intended only for query-based access. By submitting a Whois query to the Registry, you agree to abide by this Whois Access Policy. Please note that the Registry may modify this Whois Access Policy from time to time in its sole discretion.

### Security and Stability Considerations

Abuse of the Registry's Whois interface through data mining may be mitigated by detecting and limiting bulk query access from single sources. Such queries by non-authorised parties will be limited and unauthorised queries may result in responses that do not include data sets representing significant portions of the registration database.

In addition, the Registry's Whois web interface adds a simple challenge-response CAPTCHA that requires a user to type in the characters displayed in a certain image.

The Registry will employ a blacklist to block access to Whois Data by those found to violate this Policy or any Registry policy. At the Registry's sole and complete sole discretion, individual Internet protocol ("IP") addresses or IP ranges may be prevented from accessing Whois data.



#### Terms of Use

By accessing Whois data from the Registry, the user agrees to use the Whois data only for lawful purposes and that under no circumstances will use the Whois data to:

- allow, enable, or otherwise support the transmission by e-mail, telephone, or facsimile
  of mass unsolicited, commercial advertising or solicitations to any entities (other
  than your existing customers from whom you collected such information with their
  knowledge and permission);
- enable high volume, automated, electronic processes that send queries or data to the systems of the Registry, its registry service provider or any ICANN-accredited Registrar, except as reasonably necessary to register domain names or modify existing registrations; or collect or attempt to collect the majority or entirety of the Whois database contents

Users who collect Whois data by any of the above purposes are prohibited from publishing such Whois data.

When using the Registry's Whois service, the user should consider the following:

- a. The Whois service is not a replacement for standard EPP commands;
- b. Whois data is not considered authoritative for registered domain objects;
- c. The Whois service may be scheduled for downtime during production or operation, testing and evaluation maintenance periods; and,
- d. Queries to the Whois service may be "throttled" (i.e. if too many queries are received from a single IP address within a specified time, the service will begin to reject further queries for a period of time to prevent disruption of Whois service access).

Information regarding the Registry's searchable Whois service is available on its website at http://www.nic.eco

## Acceptable use policy

By registering a name in the .eco top-level domain, the Registrant represents and warrants that it will not use that registration for any illegal purposes, including without limitation, to:

- a. Distribute malware or engage in malicious hacking, bot-netting, phishing, pharming, fast flux hosting, fraudulent or deceptive practices;
- b. Use, promote, encourage the promotion of, or distribute child abuse images or engage in the exploitation of minors in any way;
- c. Illegally sell or distribute pharmaceuticals;
- d. Infringe the intellectual property rights of any other person or entity including, without limitation, counterfeiting, piracy or trademark or copyright infringement;
- e. Impersonate any person or entity, or submit information on behalf of any other person or entity, without their express prior written consent;
- f. Violate the privacy or publicity rights of any other person or entity;
- g. Promote or engage in any spam or other unsolicited bulk email;
- h. Distribute software viruses or any other computer code, files or programs designed to interrupt, destroy, or limit the functionality of any computer software, hardware, or telecommunications equipment or computer or network hacking or cracking;
- i. Interfere with the operation of .eco or services offered by the Registry; or
- j. Otherwise engage in activity that is contrary to applicable laws or .eco Policies.

#### By registering a name in .eco:

- a. The Registrant represents and warrants that it has provided current, complete, and accurate information in connection with its registration, and that it will correct and update this information to ensure that it remains current, complete, and accurate throughout the term of any resulting registration. The Registrant's obligation to provide current, accurate, and complete information is a material element of its Registration Agreement, and the Registry reserves the right to immediately deny, cancel, terminate, suspend, lock, or transfer any registration if it determines, in its sole discretion, that the information is materially inaccurate;
- b. The Registrant agrees that if it is found by the Registry to be in breach of its Registration Agreement the Registry may cancel the relevant .eco domain name(s) after sixty (60) days' notice of such breach has elapsed and the cause of the breach identified by the Registry remains;
- c. The Registrant consents to the collection, use, processing, and/or disclosure of its personal information in accordance with the .eco Privacy Policy posted on the .eco website at http://www.home.eco/privacy;



d. The Registrant agrees to submit to proceedings commenced under the Uniform Dispute Resolution Policy ("UDRP"), the Uniform Rapid Suspension Service ("URS"), the Transfer Dispute Resolution Policy, the .eco Sunrise Dispute Resolution Policy and .eco Community Eligibility Dispute Resolution (CEDR). The Registrant further agrees to abide by the final outcome of any of those processes, subject to any appeal rights provided in those processes or the law, and releases the Registry, its affiliates and service providers from any and all direct or indirect liability associated with such dispute resolution processes.

#### By registering a name in .eco:

- a. The Registrant acknowledges and agrees to abide by all .eco Policies set forth on the .eco website at http://www.home.eco/policies. The Registrant specifically acknowledges and agrees that the .eco Policies may be modified by the Registry, and agrees to comply with any such changes in the time period specified for compliance;
- b. The Registrant acknowledges and agrees that the Registry reserves the right to disqualify it or its agents from making or maintaining any Registrations or reservations in .eco if the Registrant is found to have repeatedly engaged in abusive registrations, in the Registry's sole discretion;
- c. The Registry reserves the right to deny, cancel or transfer any Registration or transaction, or place any domain name(s) on registry lock, hold or similar status, that it deems necessary, in its sole discretion if it reasonably concludes that the domain name is being used in a manner that appears to (i) conflict with .eco Policies including this Acceptable Use Policy, (ii) threaten the stability, integrity or security of .eco, the DNS or the global Internet, or any of its Registrar partners and/or (iii) put the safety and security of any Registrant or user at risk. The process also allows the Registry to take proactive measures to detect and prevent criminal conduct or cybersecurity threats.
- d. The Registrant acknowledges and agrees that the Registry reserves the right, in its sole discretion, to take any administrative and operational actions necessary, including the use of computer forensics and information security technological services, among other things, in order to implement this Acceptable Use Policy. In addition, the .eco Registry reserves the right for itself and for its affiliates, subcontractors and other service providers to deny, cancel or transfer any Registration or transaction, or place any domain name(s) on registry lock, hold or similar status, that it deems necessary, in its sole discretion:
  - i. to enforce .eco Policies, as amended from time to time;
  - ii. to protect the integrity and stability of the Registry, its operations, and .eco;
  - iii. to comply with any applicable law, regulation, holding, order, or decision issued by a court, administrative authority, or dispute resolution service provider with jurisdiction over the Registry or the Registrant;
  - iv. to establish, assert, or defend the legal rights of the Registry or a third party, or to avoid any liability, civil or criminal, on the part of the Registry as well as its affiliates, subsidiaries, owners, officers, directors, representatives, employees, contractors, and stockholders;
  - v. to respond to violations of this Policy;

- vi. to correct mistakes made by the Registry or any Registrar in connection with a Registration or reservation; or
- vii. as otherwise provided herein.
- e. The Registrant agrees to indemnify to the maximum extent permitted by law, defend and hold harmless the Registry, its affiliates and service providers, and each of their respective directors, owners, officers, employees, contractors, and agents, from and against any and all claims, damages, liabilities, costs and expenses, including reasonable legal fees and expenses, arising out of or relating to the Registrant's use, operation, registration of any name and/or website in the .eco TLD.
- f. The Registry reserves the right to modify, change, or discontinue any aspect of its services, agreements, or this Acceptable Use Policy.

This Acceptable Use Policy does not give rise to any rights of compensation or claims against the Registry howsoever caused.

Victims of any breaches or infringements of this .eco Acceptable Use Policy are encouraged to contact the Registry with specific complaint(s) at abuse@home.eco in order that the Registry may investigate the matter. The Registry does not guarantee a reply or that any action will be taken. If the Registry in its sole discretion finds that any of the terms herein have been breached then the Registry may suspend, lock or cancel the registration.

The Registry must take into account all applicable laws, rules and regulations in the jurisdictions where it operates. As such the Registry reserves the right to deny or cancel registrations based upon relevant sanctions, programs or standards administered and/or supported in other jurisdictions.

The Registry will respond to any reports from law enforcement and consumer protection agencies within 24 hours.