



MEMORANDUM OF UNDERSTANDING

by and between

The FORUM and

Fondation Aga Khan (Aga Khan Foundation) (“Registry Operator”)

1. Whereas:

- a) The FORUM has developed a sunrise dispute resolution policy (“SDRP”) for new top-level domains (“TLDs”) in the domain name system;
- b) Each new generic TLD registry in the Internet Corporation for Assigned Names and Numbers’ (“ICANN”) New gTLD Program must provide a Sunrise Period for domain name registration and offer an accompanying Sunrise Dispute Resolution Policy, according to the most recent version the new gTLD Applicant Guidebook, published by ICANN on 4 June 2012;
- c) Registry Operator desires the FORUM to act as a provider of SDRP services for the .AGAKHAN top level domain (“TLD”).

2. Now therefore, the FORUM and Registry Operator agree as follows:

- a) Registry Operator hereby designates the FORUM as, and the FORUM agrees to act as, a provider of SDRP dispute resolution services.
- b) In connection with the provision of SDRP services, the FORUM shall:
 - i. provide uniform SDRP services in accordance with the SDRP and the SDRP Rules (“Rules”), found at <http://domains.adforum.com>, as may be amended from time to time, to provide uniformity of the proceedings;
 - ii. develop and maintain procedures necessary to facilitate the SDRP; provided that such procedures do not contravene or be inconsistent with the SDRP or SDRP Rules;
 - iii. select each Panelist and ensure that each member of a Panel is properly qualified, including by ensuring that each such person has an understanding of global intellectual property and domain name issues as they relate to the Internet;
 - iv. ensure that all SDRP Determinations are publicly posted and searchable;
 - v. establish and maintain a conflicts of interest policy and procedure designed to identify and prevent conflicts of interest among Panelists and complainants and respondents in SDRP proceedings;
 - vi. establish and maintain procedures and processes for efficient communications with parties to a SDRP proceeding and relevant registries and registrars;
 - vii. provide SDRP services on a reasonable and cost effective basis; and

- viii. provide Registry Operator with SDRP statistics related to the TLD at issue upon a reasonable request.
- c) In connection with the receipt of SDRP services, Registry Operator shall:
 - i. timely comply with all SDRP-related requests made by the FORUM as required under the SDRP and Rules, including requests for the verification or locking of a domain name;
 - ii. timely comply with Panel Decisions made under the SDRP; and
 - iii. refrain from interfering or attempting to interfere with the Panel's decision-making.
- d) The FORUM will serve as a neutral dispute resolution administrator with respect to SDRP-related disputes filed under this Memorandum of Understanding and FORUM-appointed Panelists will serve as neutral decision makers. This Memorandum of Understanding does not alter the fundamental neutrality of the FORUM or its appointed Panelists with respect to the parties to SDRP-related proceedings filed with the FORUM.
- e) In the event that, in Registry Operator's view, the FORUM fails to comply with the terms of this Memorandum of Understanding, the SDRP or the SDRP Rules, Registry Operator may terminate the FORUM's status as a SDRP service provider with 30 days written notice; Registry Operator may terminate the FORUM's status as a SDRP service provider for any other reason with 60 days written notice.
- f) In the event that, in the FORUM's view, Registry Operator repeatedly fails to comply with requests made under the SDRP, or repeatedly fails to comply with the remedies ordered by a Panel under the SDRP, the FORUM may terminate this MoU by providing Registry Operator with 30 days written notice; if the FORUM chooses to no longer provide SDRP services for any other reason, the FORUM may terminate this MoU by providing Registry Operator with 180 days written notice.

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| <p>Fondation Aga Khan (Aga Khan Foundation)</p> <hr/> <p>Name: Title: Date:</p> <hr/> <p>Name: Title: Date:</p> | <p>FORUM</p> <hr/> <p>Name: Title: Date:</p> |
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