

## **ACCEPTABLE USE AND ANTI-ABUSE POLICY**

This Acceptable Use and Anti-Abuse Policy is to be read together with the Registry-Registrar Agreement. The Parties agree that words and phrases used in the Acceptable Use and Anti-Abuse Policy shall have the same meaning than attributed in the Registry-Registrar Agreement unless otherwise specified.

Because the security and stability of its TLD is an important matter to the Registry, the Registry will not tolerate Abusive Use of domain names and requires to the Registrar to comply with its Acceptable Use and Anti-Abuse Policy.

This Acceptable Use and Anti-Abuse Policy, which is neither exhaustive nor exclusive, apply to any .OVH TLD, whether registered, renewed, licenses, leased. The Registrant is and remains the sole responsible of the respect of this Acceptable Use and Anti-Abuse policy.

This Acceptable Use and Anti-Abuse Policy constitutes a guidance to all accepted and unaccepted use of the Registry's network and domain names.

### **Article 1. Lawful purpose**

The registration and use of a .OVH TLD must be made for lawful purpose.

The Registrant shall be solely responsible for the choice of the domain name and shall be consistent with any and all applicable laws and regulations whether under French or European law or regulation, the laws or regulations of the user's country or any other place where the results of such purpose or such domain name can be accessed.

Abusive Use of domain names is defined as an illegal, malicious, or action and includes but is not limited to child pornography, hate speeches, phishing, domain name or domain theft, botnet command and control, distribution of malware, fast flux attacks/hosting, hacking, pharming, spam, piracy, infringement of Intellectual Property, damage to the Registry reputation or image, DNS hijacking or poisoning, spoofing, denial of service attacks, cybersquatting, front-running, gripe sites, deceptive and/or offensive domain names, fake renewal notices, cross-gTLD registration scam, cyber bullying or other harassment, name spinning, pay-per-click, traffic diversion, false affiliation...

The Registry provides an abuse point of contact: [abuse@nic.ovh](mailto:abuse@nic.ovh). This email address will allow the Registry staff to monitor and to handle abuse reports.

The Registry reserves the right, in its sole discretion and without notice to any other party, to deny, suspend, cancel, redirect, or transfer any registration or transaction, or place any domain name on registry lock, hold, or similar status as it determines necessary to:

- Protect the integrity and stability of the Registry;
- Comply with any applicable laws, regulations or requirements, ICANN regulations, requests of law enforcement, or any dispute resolution process;
- Avoid any liability, civil or criminal, on the part of Registry as well as its affiliates, subsidiaries, officers, directors, and employees;
- Comply with the terms of the registration agreement, the Registry-Registrar Agreement, the Registry Agreement, or any other binding commitments, whether written or otherwise;
- Correct mistakes made by the Registry or any Registrar in connection with a domain name

- registration;
- Allow for the resolution of a dispute of any sort whether or not the dispute appears to be unmerited or unsubstantiated;
  - Respond to complaints of abusive behavior on websites hosted on .OVH TLD; or
  - Otherwise implement the Acceptable Use and Anti-Abuse Policy.

The Registry also reserves the right to place upon registry lock, hold, or similar status, a domain name during resolution of a dispute. Moreover, the Registry reserves the right to disqualify a registrant from maintaining any registrations or making future registrations of .OVH TLD.

The Registry is not bound to adjudicate any dispute between parties and cannot and does not accept any responsibility for any loss or damage a domain name Registrant or anyone else may suffer as a result of any action or omission by us or by anyone else under this Acceptable Use and Anti-Abuse Policy.

More generally, the Registry reserves the right to take appropriate lawful actions to implement the Acceptable Use and Anti-Abuse Policy and to comply with any applicable law and regulations.

### **Article 2. Notice of violations**

The Registry may identify any Abusive Use by any means currently known and unknown (such as, ICANN notification, private complaint...).

### **Article 3. Contact details**

All notices under this section should be served by mail to:

OVH SAS  
Legal Department  
2 rue Kellermann  
59100 Roubaix  
France

The complaints can also be addressed to : [abuse@nic.ovh](mailto:abuse@nic.ovh).

Anyone acting under this section is responsible for all costs, fees, damages and other expenses relating to any such action, including any actions the Registry is required to take.

Registrants, their officers and employees or affiliates, determined by the Registry, in its sole discretion, to have repeatedly engaged in Abusive Use may be disqualified from maintaining any registrations or making future registrations of .OVH TLD.

In addition, name servers that are found to be associated with fraudulent registrations may be added to a local blacklist and any existing or new registration that uses such fraudulent name servers record may be investigated.

Following disqualification of a Registrant, the Registry may cause such Registrant's .OVH TLD to resolve to a page noting that the domains have been disabled for abuse-related reasons.

#### **Article 4. Disclaimer and limitation of liability**

The Registrant acknowledges and agrees that, to the extent permitted by law and regulation, the Registry and all Registry related parties shall not be liable for any direct or indirect, incidental, special, or consequential damages, including but not limited to loss of profits, business suspension, termination or the inability to use the domain name.

Additionally, the Registry shall not be liable for any losses or damages that the Registrant may suffer as a result of unauthorized use of a .OVH TLD arising from hacking, virus etc..., a system failure, unauthorized use of passwords, and more generally, any fact or circumstance considered as force majeure.

#### **Article 5. Policy Review and update**

The Registry may modify this Acceptable Use and Anti-Abuse Policy from time to time in order to comply with applicable laws and terms and/or any conditions set forth by ICANN. Any revisions or modifications to this Acceptable Use and Anti-Abuse Policy shall be effective thirty (30) days after the initial date of posting such revisions or modifications on the Registry's website and such amendments shall be binding upon the domain name Registrant. Registrar is invited to check the Acceptable Use and Anti-Abuse Policy from time to time in order to implement any modification.