

Anti Abuse Policy (February 1, 2017)

This Policy is in effect pursuant to the terms of the Registry-Registrar agreements ("RRA") between dotSaarland GmbH ("Registry") and its accredited registrars and is effective as of February 28, 2014. All registrars are contractually obligated to pass on this Policy to all registrants as part of their registration terms for registrations in the .SAARLAND TLD ("TLD").

This Policy may be amended from time to time as provided for in the RRA.

The Registry is committed to maintaining the .SAARLAND space as a safe, secure online environment. A key component of this commitment is the prevention of malicious, illegal or fraudulent use of domain names and limiting the potential for significant harm to internet users. The Policy is intended to supplement the ICANN mandated Policies by enabling the Registry and its accredited registrars to investigate and to take swift action in case of abusive use and to deter registrants from engaging in illegal or fraudulent use of domain names. The registrant may only use a .SAARLAND domain name for lawful purposes. The applicable law at the domicile of the registry applies for the assessment of the lawfulness of the domain name or its usage.

Abuse in the context of this Policy shall be defined as an action that causes actual and substantial harm, or is a material predicate of such harm, or is illegal, illegitimate, or otherwise contrary to this Policy, including, but not limited to, the following:

- Registration of a .SAARLAND domain name using incorrect or out-of-date whois information
- Use of a .SAARLAND domain name to defraud or attempt to defraud or to fraudulently mislead members of the public or certain target audiences in any way
- Use of a .SAARLAND domain name or attempt to use a .SAARLAND domain name to cause confusion of affiliation to members of the public or certain target audiences regarding the internet service of public agencies of the local authority Saarland, its subordinated departments and local agencies in the Saarland, for example through abbreviations, re-combinations, variations of misspellings, modifications of terms with amendments or with separation of terms through punctuation or other modifications of terms of the public administration in the Saarland.
- Use of a .SAARLAND domain name or attempt to use a .SAARLAND domain name which is contrary to the public safety or order (in particular domains violating criminal law, domains which glorify violence, racist domains, domains causing sedition, domains being harmful to young persons, offensive domains, insulting domains or domains contrary to common decency) or which endangers the reputation of the Saarland.
- Use of a .SAARLAND domain name to distribute or publish hateful, defamatory, extremist or derogatory content based on racial, ethnic, or political grounds, intended or generally able to cause or incite injury, damage or harm of any kind to any person or entity ("Hatepages")
- Use of a .SAARLAND domain name to publish content threatening or invading the privacy or property rights of a third party
- Use of a .SAARLAND domain name to publish content that infringes the trademarks, copyrights, patent rights, trade secrets or other intellectual property rights, or any other legal rights of the Registry or any third party, or any action infringing on the named rights
- Violation of any applicable local, state, national or international law or regulation by use of a .SAARLAND domain name
- The use of a .SAARLAND domain name for ridiculing, defaming or otherwise negatively impacting the public opinion on the Registry and/or the federal state of Saarland and its people or

use of a .SAARLAND domain name to cause harm to the reputation of the federal state SAARLAND or to its people.

- Use of a .SAARLAND domain name for the promotion, involvement in or assisting in illegal activity of any kind, as well as the promotion of business opportunities or investments that are not permitted under applicable law
- Advertisement or offer for sale of any unlawful goods or services in breach of any national or international law or regulation under the .SAARLAND domain name
- Use of a .SAARLAND domain name to contribute to the sale or distribution of prescription medication or controlled substances without a valid prescription as well as the sale and distribution of unlicensed or unapproved medications
- Distribution of child pornography or other content depicting minors engaged in any activity of a sexual nature or which may otherwise harm minors or making child pornography accessible under a .SAARLAND domain name
- Use of a .SAARLAND domain name to distribute sexually explicit material without sufficient age verification, thereby allowing minors to view such content without appropriate barriers, as well as use in violation of the requirements and directives of jugendschutz.net
- Any use of or advertisement for a .SAARLAND domain name in connection with unsolicited commercial messages (SPAM) in any form, including through e-mail, instant messaging, mobile messaging, or the spamming of websites or internet forums, as well as advertising for a domain name through SPAM
- Use of a .SAARLAND domain name for the initiation or intentional participation in denial-of-service attacks (DDoS attacks)
- The use of a .SAARLAND domain name in phishing activities, tricking internet users into divulging personal data such as usernames, passwords, or financial data, or by impersonating or misrepresenting itself as a third party service, government official or institution.
- The use of a .SAARLAND domain name in pharming, such as DNS hijacking and poisoning
- The use of a .SAARLAND domain name for the intentional distribution of spyware, botware, keylogger bots, viruses, worms, trojans or other forms of malware
- The use of a .SAARLAND domain name in unauthorized fast flux hosting, disguising the location of internet addresses or internet services. Fast flux hosting may only be used with prior permission of the Registry
- The use of a .SAARLAND domain name to command and control botnets, i.e. a network of compromised computers
- The use of a .SAARLAND domain name in activities intended to gain illegal access to other computers or networks (i.e. hacking), as well as any activity to prepare for such system penetration
- The commercial use of a .SAARLAND domain name to provide third-level domain name registrations to independent third parties
- The registration or use of a letter/letter two-character ASCII .SAARLAND domain that may create an impression, misrepresent or falsely imply to the public or certain user groups that the registrant or its business is affiliated with a government or country-code manager that uses this label as its country code if such affiliation, sponsorship or endorsement does not exist. This does not apply where such affiliation, sponsorship or endorsement exists between such parties.
- The registration or use of a .SAARLAND domain name in violation of any other Registry Policy.

Registry reserves the right to in its sole discretion either directly or through the issuing of a request to an accredited registrar deny, cancel or transfer any registration or to place any domain name(s) on permanent or temporary registry lock, hold or similar status, that it deems necessary:

- to protect the integrity and stability of the .SAARLAND TLD and/or prevent the abuse of any .SAARLAND domain name
- to prevent further violation of this Policy by the use of the domain name
- to comply with any applicable laws, government rules or requirements, court orders, requests of law enforcement of appropriate jurisdiction, or any dispute resolution process
- to avoid any liability, civil or criminal, on the part of the Registry, as well as its affiliates, subsidiaries, officers, directors, and employees
- per the terms of the Registry Agreement or
- to correct mistakes made by dotSaarland GmbH, Registry Service Provider or any Registrar(s) in connection with a domain name registration.

The Registry further reserves the right to place a domain name under registry lock, hold or similar status during resolution of an investigation or dispute without notice in case the sponsoring registrar does not take action within a time period indicated by the Registry or if necessary to prevent significant or immediate harm to internet users or if required to adhere to applicable law and regulations.

The Registry further reserves the right to place a domain under registry lock, hold or similar status in case the use of another domain registered by the same registrant was placed under registry lock, hold or similar status for violations of this Policy.

Reporting of Abuse:

Registry maintains an abuse contact at abuse@nic.saarland to receive reports of abuse involving registered names in the TLD, including reports of illegal activity. All abuse reports received by the abuse point of contact will be tracked internally in a ticketing system to ensure accountability and ease of reference, and a tracking number will be provided to the reporter. Each report will be reviewed and evaluated regarding its credibility, to determine whether the reported issue is an abuse concern and to assess the required action(s), if any. The Registry will then work in cooperation with the sponsoring registrar to rapidly address identified threats or confirmed abuse complaints, investigate all reasonable complaints, and take any appropriate action(s) thereto.

As standard practice, the Registry will forward all credible and actionable reports, including the accompanying evidence, if any, to the sponsoring registrar, with a request to investigate the issue further and to take appropriate action. The sponsoring registrar has a direct relationship with the registrant and therefore possesses further information not available to the registry operator, such as payment details, sales history, and information on further registrations of the customer, reseller data (if applicable) and other specific data unique to the customer. In case the registrar determines in the course of the investigation that the use of the domain name violates the applicable terms of use, ICANN Policies or this Policy, the registrar is required to take action within reasonable time. The Registry further reserves the right to act directly and immediately in cases of obvious and significant malicious conduct.

The Registry will implement all valid court orders or seizure warrants from courts, arbitration tribunals, or law enforcement agencies of applicable jurisdictions, provided the court orders and seizure warrants are enforceable at the domicile of the registry. The Registry will work closely together with law enforcement agencies if necessary and provide them with an additional, fast-

track access to the abuse point of contact.