



Date: 04 December 2019

ICANN Preliminary Determination

Re: Notice of Registry Operator Request for Termination of Registry Agreement - .nadex Top-Level Domain

On 16 October 2019, Nadex Domains, Inc. notified ICANN org of its intent to terminate the .nadex Registry Agreement entered into on 11 December 2014. Pursuant to Section 4.4(b) of the Registry Agreement, Registry Operator may terminate the Registry Agreement for any reason upon one hundred eighty (180) calendar day advance notice.

Pursuant to the terms of Section 4.5 of the Registry Agreement, as modified by Section 6 of the Specification 13 (.Brand TLD Provisions), ICANN org consulted with Nadex Domains, Inc. to assess whether to transition operation of the .nadex top-level domain (TLD) to a successor Registry Operator.

Subject to an ongoing evaluation, ICANN org has made a preliminary determination that operation of the .nadex TLD need not be transitioned to a successor Registry Operator. ICANN org's review and determinations regarding transition to a successor registry are subject to Section 4.5 of the Registry Agreement (as modified for a .Brand TLD).

ICANN org's preliminary determination to not transition the TLD to a successor Registry Operator is based on the following rationale:

1. .nadex qualifies as a .Brand TLD.
2. Transitioning the TLD is not necessary to protect the public interest.

In conformance with Section 4.5 of the Registry Agreement (as modified for a .Brand TLD), ICANN org may not delegate the TLD to a successor registry operator for a period of two years without the Registry Operator's consent, which shall not be unreasonably withheld, conditioned or delayed.

Before releasing its final determination, ICANN org will consider input provided by interested parties via email at [ra-termination-comments@icann.org](mailto:ra-termination-comments@icann.org). The deadline to submit input is 03 January 2020 – 23:59 UTC.

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