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December 11, 2015

Re: 125 new Support Letters for .MUSIC Community Application (ID 1-1115-14110)

Dear ICANN and Economist Intelligence Unit (EIU),

Attached are 125 new, verified¹ Letters of Support for DotMusic Limited's multi-stakeholder .MUSIC community application² for Question 20f.³ We request that this Letter is posted on ICANN's Correspondence page for the EIU and the Community Priority Evaluation (CPE) process.

In response to ICANN's recent letter to DotMusic,⁴ "the CPE Panel Process does not mandate a deadline for submitting correspondence in support of an application" (See recent .SPA Re-Consideration Request determination by ICANN).⁵

That said, the Support received before CPE commencement meets the requisite CPE criteria of "multiple institutions/organizations supporting the application, with documented support from institutions/organizations representing a majority of the overall community addressed"⁶ (The application is supported by organizations with members representing over 95% of global music consumed). DotMusic's Support -- which is more than all CPE applicants combined -- provides further evidence that DotMusic meets CPE criteria, while also rejecting the notion that there is no music community.

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 Supporting Organizations: <http://www.music.us/supporters>
 Board: <http://www.music.us/board>

¹ Each support letter submitted to ICANN is double opt-in verified by an independent third party e-signature provider

² See <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>

³ For DotMusic support letters, see <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadattachment/142588?t:ac=1392>,
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-eiu-23nov15-en.pdf> (100),
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-eiu-09nov15-en.pdf>, (400+)
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-31oct15-en.pdf> (85+)
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-16sep15-en.pdf> (100+)
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-02sep15-en.pdf> (30+)
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-eiu-17aug15-en.pdf> (40+)
<https://www.icann.org/en/system/files/correspondence/roussos-to-icann-eiu-12aug15-en.pdf> (100+)
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-eiu-01dec15-en.pdf> (500)

⁴ <https://www.icann.org/en/system/files/correspondence/willett-to-roussos-zamek-04dec15-en.pdf>

⁵ <https://icann.org/en/system/files/files/reconsideration-15-14-foggy-sunset-bgc-determination-30nov15-en.pdf>, Pg.7

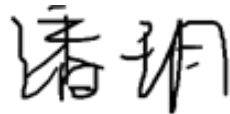
⁶ CPE Guidelines, <https://newgtlds.icann.org/en/applicants/cpe/guidelines-27sep13-en.pdf>, Pg.18

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: climbtuan@126.com, Nov 23 '15 ip: 92.204.61.195

Name: Yue Pan

Title: Ms .

Organization/Artist Name: Yue Pan

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: bazfran23@btinternet.com, Nov 23 '15 ip: 86.180.53.185

Name: Baz Francis

Title: Mr

Organization/Artist Name: Bbbb

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2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
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⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

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⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

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¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

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- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: anna-graham@live.com, Nov 23 '15 ip: 110.32.3.156

Name: Anna Graham

Title: Student

Organization/Artist Name: University of Queensland

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

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Signature: bonni.rambatan@gmail.com, Nov 26 '15 ip: 125.161.66.244

Name: Bonni Rambatan

Title: Mr .

Organization/Artist Name: Narrative Design

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[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
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Fielding Period: August 7-11, 2015, Pg. 1,2,3

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Signature: paula.lilikova@gmail.com, Nov 24 '15 ip: 94.0.186.194

Name: Paula

Title: Miss

Organization/Artist Name: Imogen Heap

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
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⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: lordoftherings_luver@hotmail.com, Nov 24 '15 ip: 115.188.105.21

Name: Alison Chapman

Title: Treasurer

Organization/Artist Name: St. Mary's

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

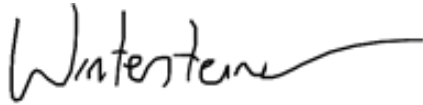
²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: contact@romicmusic.at, Nov 26 '15 ip: 62.178.200.85

Name: Ronald Wintersteiner

Title: Mr .

Organization/Artist Name: romic

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

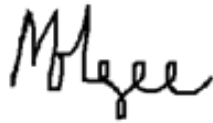
²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: mhongve@hotmail.com, Nov 23 '15 ip: 85.165.165.162

Name: Marius Hongve

Title: Mr .

Organization/Artist Name: Marius Hongve

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: ailin_ng@live.com, Nov 23 '15 ip: 210.50.81.136

Name: Ai Lin

Title: MS

Organization/Artist Name: Fan

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: arya.sanati javan@gmail.com, Nov 23 '15 ip: 65.49.68.189

Name: Arya

Title: For the Love of MUSIC

Organization/Artist Name: Arya.S

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

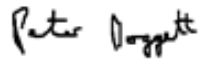
²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: peterdoggettuk@aol.com, Nov 26 '15 ip: 109.153.206.80

Name: Peter Doggett

Title: Author and journalist

Organization/Artist Name: Self-employed

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

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¹⁹ <http://www.afilias.info/about-us>

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Signature: christycarey@hotmail.co.uk, Nov 26 '15 ip: 77.100.9.135

Name: Christopher Carey

Title: Mr .

Organization/Artist Name: xeno_

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: michaelrjerome@gmail.com, Nov 23 '15 ip: 71.90.154.172

Name: Michael Jerome

Title: MR

Organization/Artist Name: Imogen Heap

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: lisatwohig@gmail.com, Nov 23 '15 ip: 92.40.248.103

Name: Lisa Twohig

Title: Miss

Organization/Artist Name: SparkFM

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
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² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

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7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

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⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

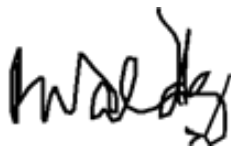
²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: piscas80851@yahoo.com, Nov 23 '15 ip: 166.176.57.117

Name: R. Valdez

Title: Inc

Organization/Artist Name: Imogene Heap

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Anthony Stratton

Signature: thealmightyant@hotmail.com, Nov 23 '15 ip: 92.25.159.143

Name: Anthony Stratton

Title: Mr

Organization/Artist Name: Halcyon Arcade

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

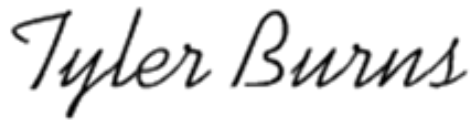
²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
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Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: tibsdoe14@gmail.com, Nov 23 '15 ip: 128.180.142.165

Name: Tyler Burns

Title: Student

Organization/Artist Name: n/a

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

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¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: amokindustries@yahoo.com, Nov 24 '15 ip: 172.249.186.82

Name: John Collins

Title: Percussionist

Organization/Artist Name: Clockpaw, Anna Marie and the 5150's

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

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¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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A handwritten signature in black ink that reads "BOJAN". The letters are stylized and connected, with a small flourish at the end of the 'N'.

Signature: milicic.bojan@yahoo.com, Nov 24 '15 ip: 79.101.201.59

Name: Bojan

Title: Milicic

Organization/Artist Name: The Satyrs, Serbia

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>


²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: piersregan@gmail.com, Nov 23 '15 ip: 86.52.224.124

Name: Piers Regan

Title: Mr

Organization/Artist Name: PTR

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
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¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Julia E Barnes-Brown

Signature: jebb89@verizon.net, Nov 26 '15 ip: 173.48.28.97

Name: Julia E Barnes-Brown

Title: Ms .

Organization/Artist Name: N/A

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Nicole Pankhurst

Signature: nicolepankhurst@gmail.com, Nov 23 '15 ip: 70.209.141.11

Name: Nicole Pankhurst

Title: Ms

Organization/Artist Name: Imogen heap

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: jochsankeh1@gmail.com, Nov 26 '15 ip: 174.24.193.126

Name: Jonathan Ochsankehl

Title: Artist

Organization/Artist Name: Jonath Ochs

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

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⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

A handwritten signature in black ink that reads "Evan Smith". The signature is written in a cursive, slightly slanted style.

Signature: iwouldthinkofthis@gmail.com, Nov 23 '15 ip: 70.197.229.18

Name: Evan Smith

Title: N/A

Organization/Artist Name: N/A

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: changedforgood07@aol.com, Nov 23 '15 ip: 172.56.4.238

Name: Kristen Rokke

Title: Local Artist

Organization/Artist Name: Kristen Rokke

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
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¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Steve Ibach

Signature: sibach@mac.com, Nov 27 '15 ip: 72.223.126.171

Name: Steve Ibach

Title: Operator

Organization/Artist Name: d1s.co

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

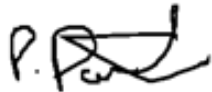
²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: pete.downton@7digital.com, Nov 23 '15 ip: 84.233.151.236

Name: Pete Downton

Title: Chief Commercial Officer

Organization/Artist Name: 7 digital

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Application ID 1-1115-14110

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⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

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¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: cbmathew92@gmail.com, Nov 27 '15 ip: 122.161.156.14

Name: Siby Mathew

Title: Mr .

Organization/Artist Name: The Urban EarlyMen

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⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Maurice A. Smith

Signature: msprezza@gmail.com, Nov 23 '15 ip: 98.232.18.146

Name: Maurice Smith

Title: Artist

Organization/Artist Name: M. Sprezza

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: matt.j.cresswell@gmail.com, Nov 23 '15 ip: 86.24.222.249

Name: Matthew Cresswell

Title: Mr

Organization/Artist Name: Inkspiral

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
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7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

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⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Signature: 
voxinnovative@gmail.com, Nov 27 '15 ip: 50.157.145.210

Name: René Bergeron

Title: Musician

Organization/Artist Name: René Bergeron

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: jake.metz@gmail.com, Nov 23 '15 ip: 98.253.60.4

Name: Jake Metz

Title: Media Commons Tech Specialist

Organization/Artist Name: University of Illinois Urbana-Champaign

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Signature: 
rechs.dave@sbcglobal.net, Nov 27 '15 ip: 172.9.49.28

Name: David Rechs

Title: Medical Laboratory Technologist

Organization/Artist Name: self

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

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²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Signature: aaw@elmiramusic.com, Nov 27 '15 ip: 24.97.220.202

Name: Adam Wheeler

Title: Owner

Organization/Artist Name: `ElmiraMusic.com`

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

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³ <http://music.us/events>

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

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¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

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²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: christophtallerico@gmail.com, Nov 28 '15 ip: 107.184.228.202

Name: Christoph Tallerico

Title: N/A

Organization/Artist Name: Imogen Heap

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Signature: alyxbeau@gmail.com, Nov 24 '15 ip: 73.5.170.179

Name: Alyx Beauchamp

Title: Student

Organization/Artist Name: in support of Imogen Heap

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. For the Letter of Support rationale, please read the subsequent pages.

Signature: brynwell.k@gmail.com, Nov 7 '15 ip: 196.210.17.191

Name: Brynwell Kasper

Title: Mr

Organization/Artist Name: OB-1

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors. Furthermore, the senders are negligible in terms of size or relevance with respect to music as determined by a web search on those opposing entities i.e. none of these entities are globally-recognized music organizations of substantial size. Furthermore, the opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. DotMusic does not claim to represent the interests of every single Community member as some opposition letters claim. However, pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus and Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: amy.ezekiel@gmail.com, Nov 27 '15 ip: 86.162.157.139

Name: Amy Collins

Title: MS

Organization/Artist Name: N/A

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: the.mightyboosh@hotmail.com, Nov 23 '15 ip: 88.153.136.79

Name: `lucy`

Title: `ms`

Organization/Artist Name: `imogen heap`

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

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³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

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⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

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8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

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¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Signature: 
stuhenderson@live.co.uk, Nov 27 '15 ip: 86.180.82.104

Name: Stu Henderson

Title: Mr

Organization/Artist Name: Stu Henderson

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: benjaminj36@aol.com, Nov 23 '15 ip: 98.199.247.3

Name: Benjamin James Baker

Title: General Manager

Organization/Artist Name: Independent Directory Service

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

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¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

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²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: grimes.nolan@gmail.com, Nov 23 '15 ip: 68.44.252.234

Name: Charles Nolan Grimes

Title: Lover of the Arts

Organization/Artist Name: Exodus Castle

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: federico.bolza@sonymusic.com, Nov 28 '15 ip: 86.182.252.136

Name: Federico Bolza

Title: VP Strategy

Organization/Artist Name: Sony Music

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: tonaltenacity@gmail.com, Nov 28 '15 ip: 192.77.237.98

Name: Brian

Title: CEO

Organization/Artist Name: Brian King Joseph

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
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² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

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7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

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⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: agreensign@graphicalphabet.com, Nov 28 '15 ip: 162.196.180.218

Name: Nathan Paterson

Title: Designer

Organization/Artist Name: Nathan Paterson

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: ajr2200@tc.columbia.edu, Nov 23 '15 ip: 162.222.252.53

Name: Andrew Ryan

Title: Mr .

Organization/Artist Name: Teachers College Columbia University

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Signature: 
rudi@maine.rr.com, Nov 29 '15 ip: 198.255.234.222

Name: Rudolph A Dornemann

Title: None

Organization/Artist Name: Rudi Dornemann

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Signature: 
dom.forth@gmail.com, Nov 28 '15 ip: 70.177.90.80

Name: Dominic Forth

Title: Mr

Organization/Artist Name: Independent

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

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³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

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Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

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David Di Blasio jr

Signature: diblasio.dave@gmail.com, Nov 29 '15 ip: 107.188.228.0

Name: David Di BLasio Jr.

Title: Supporter

Organization/Artist Name: Supporter

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: kevinjoynesrh@gmail.com, Nov 29 '15 ip: 108.4.85.119

Name: kevin joynes

Title: none really

Organization/Artist Name: Imogen Heap

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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Cherine Chalaby, ICANN Chair of the New gTLD Committee;
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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: jaredswanson@me.com, Nov 23 '15 ip: 108.94.29.86

Name: Jared Swanson

Title: Artist

Organization/Artist Name: Abbot Kinney

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
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⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

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⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Signature: davidjpapple@gmail.com, Nov 29 '15 ip: 96.44.123.74

Name: David Papple

Title: Musician

Organization/Artist Name: SOCAN Member

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Miriam C. Cenicerros

Signature: mccmiriam9212@gmail.com, Nov 29 '15 ip: 172.91.59.75

Name: Miriam Cecilia Cenicerros

Title: Music Community

Organization/Artist Name: Miriam Cenicerros

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: atumca@gmail.com, Nov 28 '15 ip: 31.52.76.62

Name: D edwards

Title: Mr

Organization/Artist Name: Music consumer!

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: lloic@quasar-studio.com, Nov 30 '15 ip: 92.42.220.172

Name: Louvel Loic

Title: Manager

Organization/Artist Name: Hic & Nunc

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

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Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
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¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: quicksmudge@gmail.com, Nov 23 '15 ip: 27.253.92.206

Name: Quinn Teagle

Title: Mx

Organization/Artist Name: Yue Pan

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

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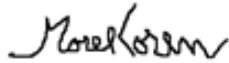
²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: morelkoren@gmail.com, Nov 30 '15 ip: 132.71.64.194

Name: morel koren

Title: Music Teacher, PhD

Organization/Artist Name: University - Bar-Ilan, Music Department, Israel

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⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

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Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

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¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Miguel Pellitero

Signature: miguelpellitero@me.com, Nov 30 '15 ip: 90.152.3.140

Name: Miguel Pellitero

Title: Artist and label support manager

Organization/Artist Name: Last.fm Ltd.

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
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⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

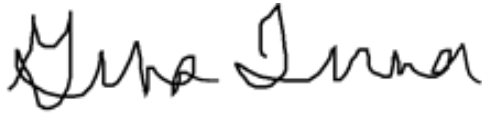
²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: theginaturner@gmail.com, Nov 30 '15 ip: 96.19.117.120

Name: Gina Turner

Title: Singer-Songwriter

Organization/Artist Name: GT

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. For the Letter of Support rationale, please read the subsequent pages.

Signature: dragonbiz72@gmail.com, Nov 13 '15 ip: 162.157.33.32

Name: Michael Brown

Title: Musician

Organization/Artist Name: Freelance

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors. Furthermore, the senders are negligible in terms of size or relevance with respect to music as determined by a web search on those opposing entities i.e. none of these entities are globally-recognized music organizations of substantial size. Furthermore, the opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. DotMusic does not claim to represent the interests of every single Community member as some opposition letters claim. However, pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus and Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: kassandraaa@hotmail.com, Dec 1 '15 ip: 178.59.89.110

Name: Kassandra

Title: Miss

Organization/Artist Name: Dancing Co

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

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 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Pierre Rodrigues

Signature: pierrescissorhands@outlook.com, Dec 1 '15 ip: 189.62.59.26

Name: Pierre Rodrigues

Title: Mycelia

Organization/Artist Name: Imogen Heap

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

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[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

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8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

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 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: hjd@freenet.de, Dec 1 '15 ip: 95.91.205.92

Name: Helmut Deister

Title: Dr .

Organization/Artist Name: Private

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: endersbass@gmail.com, Nov 23 '15 ip: 69.69.101.185

Name: Derek Jones

Title: Musician/Song Writer

Organization/Artist Name: Cirque du Soleil

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

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¹⁹ <http://www.afilias.info/about-us>

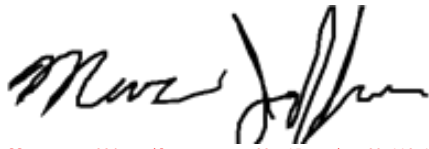
²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: jeffersonmarc334@gmail.com, Nov 23 '15 ip: 23.118.154.234

Name: Marc Jefferson

Title: Musician/Live Sound

Organization/Artist Name: N/A

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: boxed16v@gmail.com, Nov 23 '15 ip: 118.200.89.149

Name: Alvin Tan

Title: Mr

Organization/Artist Name: N . A

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Re: Support for .MUSIC Community-based Application¹

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Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: acheser19@aol.com, Dec 1 '15 ip: 23.125.180.77

Name: Alex Cheser

Title: Mister

Organization/Artist Name: Imogen Heap

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
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² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: hippotypo@gmail.com, Nov 25 '15 ip: 68.9.40.118

Name: albert bui

Title: mr

Organization/Artist Name: risd

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

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Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



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Name: albert bui

Title: mr

Organization/Artist Name: risd

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Application ID 1-1115-14110

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2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

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⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

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⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

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8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: n.heys@hotmail.co.uk, Nov 23 '15 ip: 123.16.241.201

Name: Nicholas Heys

Title: Mr

Organization/Artist Name: n/a

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
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 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: ivan.joven.04@gmail.com, Nov 23 '15 ip: 180.191.95.98

Name: Ivan Joshua L. Joven

Title: .MUSIC Community Support Letter

Organization/Artist Name: DOTMusic

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

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¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

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Signature: kev.bolus@me.com, Dec 2 '15 ip: 213.205.194.137

Name: Kevin Bolus

Title: Mr

Organization/Artist Name: Are We Static

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Signature: 
davide.erbogasto@gmail.com, Dec 2 '15 ip: 130.159.61.83

Name: Davide

Title: Erbogasto

Organization/Artist Name: –

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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¹⁹ <http://www.afilias.info/about-us>

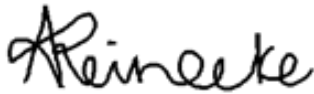
²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: amy@amyreinecke.com, Nov 23 '15 ip: 80.6.102.207

Name: Amy Reinecke

Title: Creative Producer

Organization/Artist Name: Amy Reinecke

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: noellerollingsmusic@gmail.com, Dec 2 '15 ip: 2.24.174.204

Name: Noelle Rollings

Title: Ms

Organization/Artist Name: Noelle Rollings

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: gerrygill1971@gmail.com, Dec 2 '15 ip: 213.233.147.81

Name: Gerry Gill

Title: Mr

Organization/Artist Name: Na

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Brian Hanson

Signature: brian@brianhanson.net, Dec 3 '15 ip: 67.175.72.195

Name: Brian Hanson

Title: Designer

Organization/Artist Name: Brian Hanson

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: rock_angel_love@hotmail.com, Dec 3 '15 ip: 179.212.169.205

Name: Camila

Title: Letter

Organization/Artist Name: Imogen Heap

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Signature: 
kennyimc@me.com, Dec 3 '15 ip: 165.155.208.105

Name: Ken McAleese

Title: Music Artist/Educator

Organization/Artist Name: GLASS

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>


²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: 
dneudorf@gmail.com, Dec 3 '15 ip: 216.58.12.26

Name: Darryl Neudorf

Title: Producer

Organization/Artist Name: Operation Northwoods Recording

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

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¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

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²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: 
jsscrom@gmail.com, Dec 3 '15 ip: 66.241.4.178

Name: Jesse Romigh

Title: Songwriter/Artist

Organization/Artist Name: Heartsleave

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: lebergland@gmail.com, Nov 23 '15 ip: 45.53.13.102

Name: Laurel Bergland

Title: Health Aide

Organization/Artist Name: Family Pathways

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Sterling Quan Soon

Signature: chinidadian@gmail.com, Dec 4 '15 ip: 92.24.106.123

Name: Sterling Quan Soon

Title: Guitarist

Organization/Artist Name: Checklist

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: axcylae@gmail.com, Nov 23 '15 ip: 66.30.114.143

Name: Tyler Newton

Title: Vocalist / Lyricist / Songwriter

Organization/Artist Name: Tye Newton / Forging Reverie

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: louisle.edu@gmail.com, Nov 22 '15 ip: 161.45.8.245

Name: My Le

Title: Mr .

Organization/Artist Name: N/A

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
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²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: coffeysong@gmail.com, Dec 4 '15 ip: 216.4.56.170

Name: Pricilla S. Coffey

Title: Songwriter/Vocalist/Artist

Organization/Artist Name: Pricilla Summer Coffey

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: 
madeleineheitmann@googlemail.com, Dec 5 '15 ip: 93.219.132.25

Name: Madeleine Heitmann

Title: artist, music producer, singer, multi-instrumentalist

Organization/Artist Name: Sonic Bloom/Madeleine Bloom

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
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⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

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¹⁹ <http://www.afilias.info/about-us>

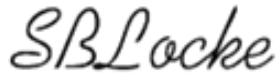
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Signature: info@stmedia.me, Dec 5 '15 ip: 124.191.103.186

Name: Shayne Locke

Title: Program Manager

Organization/Artist Name: ST Media

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Application ID 1-1115-14110

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⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: counts_jesse@hotmail.com, Nov 23 '15 ip: 98.157.3.254

Name: Jesse Counts

Title: Producer

Organization/Artist Name: Jesse Counte

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

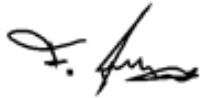
²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Christine Willett, ICANN Vice-President of gTLD Operations;
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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: falk.ziesmann@gmail.com, Dec 6 '15 ip: 79.253.186.55

Name: F. Ziesmann

Title: independent musician

Organization/Artist Name: BassFever

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

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2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

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⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: dan@danielmulhern.com, Dec 6 '15 ip: 82.45.204.241

Name: Daniel Mulhern

Title: Composer

Organization/Artist Name: Daniel Mukhern

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

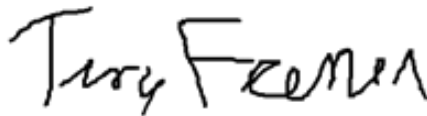
²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Christine Willett, ICANN Vice-President of gTLD Operations;
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Cyrus Namazi, ICANN Vice-President of DNS Engagement;
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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: disstroy@yahoo.com, Nov 23 '15 ip: 184.146.25.83

Name: Troy Feener

Title: Mr

Organization/Artist Name: Planet Joy Music

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

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2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Christine Willett, ICANN Vice-President of gTLD Operations;
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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: carmelo@mikesmusic.com, Nov 23 '15 ip: 66.49.188.70

Name: Carmelo Scaffidi

Title: Mr

Organization/Artist Name: Mikes Music

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: joan.lockwood@gmail.com, Dec 8 '15 ip: 82.108.129.154

Name: Joan Lockwood

Title: CMO

Organization/Artist Name: Tido Music

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

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³ <http://music.us/events>

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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

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Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

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Samantha Peterson

Signature: sampulsemusic@gmail.com, Dec 8 '15 ip: 72.182.68.68

Name: Samantha Peterson

Title: Sam Pulse

Organization/Artist Name: Sam Pulse

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Signature: mcwilliams.andrew@gmail.com, Nov 24 '15 ip: 107.107.57.26

Name: Andrew Mcwilliams

Title: Mr .

Organization/Artist Name: andrew mcwilliams

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Cherine Chalaby, ICANN Chair of the New gTLD Committee;
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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: fionabevan@gmail.com, Dec 9 '15 ip: 77.101.156.58

Name: Fiona Bevan

Title: Songwriter, Singer

Organization/Artist Name: Fiona Bevan, Venus Climbing Records

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
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7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: jarencrist@gmail.com, Dec 9 '15 ip: 158.135.133.17

Name: Jaren Crist

Title: Mr .

Organization/Artist Name: Constantine Roussos

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: jennyt@gmx.de, Dec 9 '15 ip: 87.79.138.66

Name: Jenny Thiele

Title: Mrs.

Organization/Artist Name: Jenny Thiele // Nunuk

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: sterling5567@gmail.com, Dec 9 '15 ip: 142.147.68.252

Name: Luke Sterling

Title: Mr .

Organization/Artist Name: Luke Sterling

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: phraser@uk2.net, Dec 9 '15 ip: 86.152.199.159

Name: John Bray

Title: Musician

Organization/Artist Name: phraser

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

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¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

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¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

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²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: thunderluc@gmail.com, Dec 10 '15 ip: 84.241.210.1

Name: LUC

Title: LUC

Organization/Artist Name: Sum luc

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: rob_colling@hotmail.com, Dec 10 '15 ip: 88.113.141.203

Name: Rob Colling

Title: n/a

Organization/Artist Name: Handspan

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
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¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

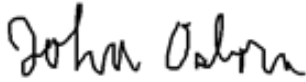
²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: johnosborn13@gmail.com, Dec 10 '15 ip: 152.33.43.96

Name: John Osborn

Title: Mr .

Organization/Artist Name: John Osborn

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>


²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Signature: 
dave.mcbass@gmail.com, Dec 10 '15 ip: 76.66.108.137

Name: Dave McManus

Title: Musician

Organization/Artist Name: The Junction City All-Stars

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: bgiles2@gmail.com, Dec 11 '15 ip: 82.132.229.233

Name: Beni Giles

Title: Mr

Organization/Artist Name: Adhelm

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

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⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: bgiles2@gmail.com, Dec 11 '15 ip: 82.132.229.233

Name: Beni Giles

Title: Mr

Organization/Artist Name: Adhelm

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

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¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

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¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: bgiles2@gmail.com, Dec 11 '15 ip: 82.132.229.233

Name: Beni Giles

Title: Mr

Organization/Artist Name: Adhelm

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Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

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[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: bgiles2@gmail.com, Dec 11 '15 ip: 82.132.229.233

Name: Beni Giles

Title: Mr

Organization/Artist Name: Adhelm

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

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⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

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Signature: suarezi93@gmail.com, Nov 23 '15 ip: 68.49.162.172

Name: Isabel Suarez

Title: Ms .

Organization/Artist Name: University of Michigan

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
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⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Signature: 
sinnless@web.de, Dec 6 '15 ip: 109.91.240.50

Name: Johannes Faehrmann

Title: Mr

Organization/Artist Name: 441 Music

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: jonny.bennett@gmail.com, Nov 21 '15 ip: 109.67.1.93

Name: Jonathan Bennett

Title: Mr

Organization/Artist Name: Independent

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Signature: lizzie_sealey@hotmail.com, Nov 21 '15 ip: 80.229.17.75

Name: Lizzie Winfield

Title: Mrs

Organization/Artist Name: –

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Michael A Close

Signature: mandrewc@gmail.com, Nov 21 '15 ip: 172.56.8.46

Name: Michael Close

Title: CSR

Organization/Artist Name: Imogen Heap

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
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¹⁹ <http://www.afilias.info/about-us>

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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: jameskrausse@gmail.com, Nov 21 '15 ip: 24.205.93.193

Name: James Krausse

Title: Mixer/Producer

Organization/Artist Name: James Krausse

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: makoajohnsonmusic@gmail.com, Nov 21 '15 ip: 24.131.187.128

Name: Mako Johnson

Title: Producer, engineer, songwriter, musician.

Organization/Artist Name: Freelance

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
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⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

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¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

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²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: jenevievedreyer@gmail.com, Nov 21 '15 ip: 67.161.5.43

Name: Jenevieve Dreyer

Title: Interior Designer

Organization/Artist Name: One Workplace

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5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: unicorns.riding.high@gmail.com, Nov 21 '15 ip: 67.168.109.173

Name: Sarah Mabe

Title: Fan

Organization/Artist Name: Imogen Heap

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

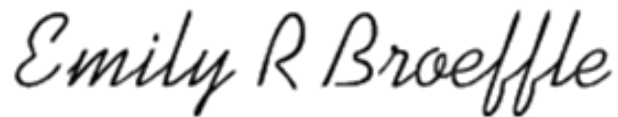
²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: emilyrpowell@gmail.com, Nov 21 '15 ip: 68.54.106.100

Name: Emily Broeffle

Title: Technology Professional

Organization/Artist Name: Amateur musician and music lover

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination,²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
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⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Christine Willett, ICANN Vice-President of gTLD Operations;
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Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Chris sullivan

Signature: cjsull01@gmail.com, Nov 21 '15 ip: 24.193.3.135

Name: Chris sullivan

Title: Mr

Organization/Artist Name: Imogen heap

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

Miriam Mason

Signature: mimabbymason@comcast.net, Nov 21 '15 ip: 67.189.70.127

Name: Miriam Mason

Title: Fan

Organization/Artist Name: of Imogen Heap

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
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 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.



Signature: divan009@gmail.com, Nov 21 '15 ip: 197.88.87.152

Name: Divan du Plessis

Title: Music lover

Organization/Artist Name: Music community

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

Please accept this Letter of Support for DotMusic Limited's .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians' rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;²
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
4. is the only .MUSIC applicant without a formal Community Objection filed against it;⁶

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

³ <http://music.us/events>

⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

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²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Re: Support for .MUSIC Community-based Application¹

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support for DotMusic’s .MUSIC community-based application. Furthermore, this Letter also “reject[s] the notion that there is no music community,” a position that has been strongly voiced to ICANN and the EIU recently by members of the global music community and organizations with members representing a majority of music consumed globally. For the Letter of Support rationale, please read the subsequent pages.

LeKeith Edmundson Jr.

fuxksteezharvey@gmail.com, Nov 21 '15 ip: 24.168.241.1

Signature:

Name: LeKeith Edmundson Jr

Title: Mr .

Organization/Artist Name: Walah Records

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008 spanning hundreds of events and community meetings;³
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,⁴ FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.⁵
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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
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¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

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Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

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Signature: david.c65@btinternet.com, Nov 21 '15 ip: 86.155.47.207

Name: David a cook

Title: Mr

Organization/Artist Name: David cook

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited
Application ID 1-1115-14110

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⁴ For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

⁵ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁶ A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment⁷...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”⁸
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”⁹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for *Community Establishment, Nexus* and *Support*, agreeing that the defined community is accurate and matches the applied-for string;¹⁰

⁷ The AGB also has no language disallowing membership based on participation in the community defined (e.g. in the prevailing .RADIO CPE Determination, the EIU was able to conclude that the .RADIO community is “clearly defined” and that, solely on the basis of being “participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community,” Pg.2). Furthermore, a non-exhaustive list of membership criteria was allowed by the AGB, which may include: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (e.g. in the prevailing .HOTEL CPE Determination, the EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (e.g. in the prevailing .OSAKA CPE Determination, the EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (e.g. in the prevailing .ECO CPE Determination, the EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

⁸ [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392), 20a

⁹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

¹⁰ <http://music.us/expert/letters>

8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching¹¹ or discrimination.
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic's defined community fulfill the "Nexus" criterion that requires that the string is commonly-known (i.e. known by most people¹²) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."¹³ In conclusion, a majority of the general public agreed that DotMusic's associated definition of the community addressed (i.e. "a logical alliance of communities of individuals, organizations and business that relate to music"¹⁴) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹⁵
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.¹⁶ These enhanced safeguards include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and

¹¹ According to Merriam-Webster dictionary, "substantial" is defined as "considerable in quantity: significantly great" (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or "being largely but not wholly that which is specified"). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined "substantial proportion" is "significantly more than the majority" (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS "music" subset codes (Every NAICS code is preceded by "music" to ensure the string matches the community defined and exclude entities without an association or essential relationship with "music" i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by "Musical groups and artists" category (NAICS code 711130) which alone considerably exceeds all the other delineated "music" NAICS subset codes (limited to only "music" entities) combined.

¹² <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

¹³ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <http://music.us/board/>

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

- email authentication verification process; a priority-based launch phase¹⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
 13. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),¹⁸ a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;
 14. has partnered with Afilias,¹⁹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined; and
 15. is accountable to the global Music Community through its Public Interest Commitments²⁰ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

¹⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

¹⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁹ <http://www.afilias.info/about-us>

²⁰ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>