

**VIA EMAIL and CSC**

Christine A. Willett  
Vice President, GDD Operations  
ICANN  
12025 Waterfront Drive, Suite 300  
CA 90094-2536, **Los Angeles**

UNITED STATES OF AMERICA

**Re: .RADIO “On-Hold”** Case 00157532 (*Afilias Ltd, BRS Media, Inc. and Tin Dale, LLC CEP*)

Geneva, 5 August 2015

Dear Mrs Willett,

Thank you for your reply of 24 July 2015 to our letter of 16 July 2015.

However, we are very disappointed to note that your letter is without any substantial answer to the questions that we raised. It merely makes references to the procedural steps taken so far in this lengthy process, but does not explain in any manner whatsoever the factual reasons why our application is still being on hold due to a CEP procedure.

In particular, your letter fails to set out for which particular reason our application is made subject to a CEP procedure, as well as why that process was at all deemed necessary despite a positive outcome of the CPE reconsideration request. Secondly, your letter does in no manner explain why the CEP process in our case needs an exceptionally long period of more than 5 months, given that the Bylaws prescribe a regular resolution within a few days. Your letter has not explained on which particular element of our application there may be a need for further clarification, and the EBU has not been informed on any new aspect of the gTLD that was not already subject to the CPE or the reconsideration request. You will understand, we hope, that we must therefore insist that this situation is wholly unjustified and unacceptable to us.

On numerous occasions, we have had to postpone the launch of the .RADIO TLD foreseen at various specifically suitable occasions. For example, the launch was scheduled at the occasion of the World Radio Day celebrations 2015 together with ITU and UNESCO. The EBU co-produced that event with a total cost of close to 150.000 USD. Also, we missed the chance to make a common launch campaign with the .EUROVISION TLD.

Moreover, we had to re-organise the occasion of the World Broadcasting Unions' Director-General's meeting of June this year (with attendees from 5 different continents) as we shall now be obliged to reconvene a special meeting of the same body once the process will be over.

Finally, there were earnings from the .RADIO registration fees forecast in the EBU 2015 budget which had to be cancelled. All this damage occurred without even counting the precious time of our internal staff on a matter that was supposed to be done and over already one year ago.

Your letter has further not explained for which reasons it can be justified that two decisions by ICANN in our favour (CPE and the reconsideration request) can be abused by the complainants simply to hinder finalization of the application process.

As per our previous letter, the EBU therefore insists on its demand that ICANN concludes the Cooperative Engagement Process with Complainants with immediate effect and dismiss any request for an Independent Review Process regarding the .RADIO gTLD.

Yours faithfully,

Alain Artero

cc (via email only):

Fade Chehadé

Steve Crocker

Chris LaHatte, Ombudsman, ICANN ([ombudsman@icann.org](mailto:ombudsman@icann.org))