

ALVIN A. JAEGER
SECRETARY OF STATE

HOME PAGE www.nd.gov/sos



PHONE (701) 328-2900

FAX (701) 328-2992

E-MAIL sos@nd.gov

SECRETARY OF STATE
STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0500

March 4, 2013

Jamie Hedlund
Vice President Stakeholder Engagement
Internet Corporation for Assigned Names and Numbers
12025 Waterfront Drive Suite 300
Los Angeles CA 90094-2536

Dear Mr. Hedlund,

I appreciate your speaking at the recent NASS conference in Washington DC. As a follow up to your presentation, I am taking this opportunity to reiterate the concerns that I expressed last year.

As I understand it, ICANN is now in the process of reviewing applications that have been submitted regarding top level domain names that use extensions such as .INC, .LLC, .LLP, and .CORP.

Therefore, I have enclosed a letter that I wrote in March 2012, in which I shared my concerns related to the use of the proposed domain name extensions. My reservations remain the same and I hope they will be considered by ICANN when deciding to award any contractual agreement and that it contain sufficient community restrictions as to who is allowed to use these domain extensions.

Sincerely,

Al Jaeger
Secretary of State

ALVIN A. JAEGER
SECRETARY OF STATE

HOME PAGE www.nd.gov/sos



PHONE (701) 328-2900

FAX (701) 328-2992

E-MAIL sos@nd.gov

SECRETARY OF STATE

STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0500

March 23, 2012

Internet Corporation for Assigned Names and Numbers
1101 New York Avenue NW Suite 930
Washington DC 20005

To Whom It May Concern:

As the Secretary of State, I have the administrative oversight of various business entity registrations filed in my state.

It is my understanding that your organization (ICANN) is now accepting applications for a new expanded top level domain name program. I have learned that extensions such as .INC, .LLC, .LLP, and .CORP may be under consideration and that is of significant concern to me.

If ICANN considers approving these extensions, I respectfully request that they be approved and awarded to a company that has submitted an application that includes restrictions they will abide by, which would provide all of the possible protection for legitimate businesses and consumers from confusion or fraud.

All of these mentioned extensions are recognized under North Dakota state law as a means of identifying various types of business entities that are legally filed with my office. Therefore, it is important to ensure that the website domain name being considered for a business entity is only extended to a business entity that has a corresponding legal registration identified with that domain name. These business entities, with their registration, have lawfully earned the right to use these entity identifiers. That right should not be infringed about by any company or individual that has not obtained the legal use of them through the registration process in one of the states.

Therefore, along with my fellow members of the National Association of Secretaries of State (NASS), I am of the opinion that these extension identifiers should only be extended to entities in their respective states that are legally and appropriately registered with the Secretary of State, or the equivalent state agency.

During the past several months, the NASS Business Services Committee (of which I am a member) has been considering the proposed ICANN program and has been reviewing the potential impact these new extensions would have on existing businesses and new businesses registering with the various states.

As one member of the committee, I believe it is fundamental that NASS be consulted by companies such as DOT Registry or any other applicants regarding policy related to the registering and identifying of businesses as this expanded program is considered by ICANN. And, if ICANN approves these extensions, the successful recipient will agree to extend the new extensions only to a "community" of businesses appropriately and legally registered in one of the various states.

Without having appropriate restrictions in place, I would strongly oppose approving these extensions and awarding them to any company.

Sincerely,

A handwritten signature in cursive script, appearing to read "Al Jaeger".

Al Jaeger
Secretary of State