



November 13, 2013

Dr. Stephen D. Crocker and Mr. Cherine Chalaby
ICANN
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094

Dear Dr. Crocker and Mr. Chalaby,

Dot Registry welcomes the arrival of the NGPC letter to the GAC as this sheds specific light on ICANN's intentions in relation to the Category 1 Safeguard Advice.

In the last year the GAC has raised a series of concerns related to the issuance of corporate identifier extensions including calling for support of community applications and the implementation of registration requirements necessary to prevent consumer harm and fraud. Over the years, Dot Registry has worked diligently with the relevant government agencies who oversee corporate registrations to craft policies that ensure only properly registered entities in good standing have access to these sensitive strings. As a result, Dot Registry's applications have always contained the restrictions desired by the GAC and the processes necessary to enforce them.

In the recent NGPC letter to the GAC, ICANN indicates a desire for Registrars to bear the burden of enforcing GAC Advice and protecting Category 1 Strings. While Dot Registry believes that Registrars should be held accountable for the enforcement of Registry policies protecting the Category 1 Strings it is also necessary for those policies to first exist within the Registry.

The burden of protection should be shared by both the Registry and the Registrar. It is not enough to require Registrars to comply with Registry guidelines if the Registry guidelines are vague and irrelevant. Many generic applications were written to spur consumerism and thus contain overarching general statements, which allows for a wide birth of registrations and loop-holes. By asking a Registrar to adhere to Registry guidelines, which one would assume is necessary as part of an RRA, you are simply asking them to further support this climate of vagueness.

Those applicants who did not include registration requirements and restrictions to prevent fraud and abuse in sensitive strings did so in a conscious effort to put profits ahead of protections. Applicants were specifically asked to provide "fulsome and sufficiently quantitative and detailed" responses regarding registration policies that demonstrate the commitment to minimize social costs, negative consequences and abusive registrations and other activities that have a negative impact on Internet users. Applicants who failed to do that for strings of this nature either fail to grasp the seriousness involved in operating a TLD such as this or were intentionally vague as part of their application response. In either case, the ICANN Board should not be providing these applicants a free pass to sweep these omissions under the rug by allowing applicants to agree to a PIC spec, which will not be policed nor enforced directly by ICANN, and in some cases is subject to cancellation by the registry operator "in its sole discretion." To allow this significantly undercuts the Board's credibility in properly addressing the very serious issues raised by the GAC and government representatives from across the globe.

The requirement to post a contact number for Government authorities to reach out to the Registry if interested also falls well short of the intent of the GAC advice in this area, especially when it pertains to corporate registrations. It should be a non negotiable requirement that registry operators for sensitive



corporate identifier strings establish a relationship with the governmental authority responsible for the oversight of the Category 1 Strings and that burden should be placed on the Registry not the governmental body.

The ICANN community should really question the commitment to consumer protection and fraud prevention by those applicants who claim that this is too burdensome. Our application clearly demonstrates that with proper planning and preparation, this can be done. But only if the attention of the Registry operations is in a way that is commensurate with the sensitive nature of the strings it represents. Those who chose to be elusive and non specific in their applications should not be rewarded at this point in the process by a watering down of what the GAC is really asking for.

We appreciate ICANN's interest in pursuing GAC advice but would like to see a more specific and accountable response, especially as it relates to corporate identifier strings.

Instead of mitigating GAC advice to accommodate a handful of applicants, the ICANN Board should fully embrace the spirit of the GAC advice. If applications for sensitive corporate identifier strings do not contain the required consumer protection and fraud prevention mechanisms as detailed in the applicant guidebook and required via the application, then those applications should be eliminated from the process.

Sincerely,

Shaul Jolles

A handwritten signature in black ink, appearing to read "Shaul Jolles", with a horizontal line underneath.

Dot Registry, LLC
CEO
[816.200.7080](tel:816.200.7080)
dotregistry.org

cc: Fadi Chehadé, President and CEO, ICANN
Christine Willett, Vice President, gTLD Operations, ICANN
Cherine Chalaby, ICANN Board, Chair, New gTLD Program
Heather Dryden, Chair, ICANN Governmental Advisory Committee