



6 January 2015

Dr. Stephen Crocker, Chairman, Board of Directors
Mr. Fadi Chehadé, President and CEO
Mr. Cherine Chalaby, Chair, New gTLD Program Committee (NGPC)
Internet Corporation for Assigned Names and Numbers (ICANN)
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094

Dear Dr. Crocker and Messrs. Chehadé and Chalaby,

We write on behalf of our client Cruise Lines International Association (CLIA), applicant for the .CRUISE new gTLD application.

As the trade association for the global cruise industry, CLIA represents over 98% of the global cruise industry and is the designated Non-Governmental Organization (NGO) for the global cruise industry at the United Nations' specialized agency the International Maritime Organization (IMO).

CLIA's primary mission includes representing industry positions before regulatory and legislative policy makers to foster continued growth of a safe and secure cruise industry, as well as promoting the value, desirability and affordability of the cruise vacation experience to the public.

CLIA applied for .CRUISE in furtherance of public trust and safety

As a non-profit membership organization which operates in a highly regulated market sector, CLIA's main objective in applying for .CRUISE was to provide a trusted source of comprehensive public information to benefit the cruise industry and the members of the public that are interested in cruising.

In line with its mission and purpose to foster safety and security in the cruise industry, CLIA's proposed business model is to offer domain name registrations to trusted, qualified members of the cruise industry including cruise operators, travel agents, vendors and service providers that can demonstrate their compliance with the mandated standards of safety and security and fulfil the necessary certification requirements. In order to ensure the proper application of these standards, registration eligibility will be validated upon application for every domain name registration, and may be re-validated annually.

The intended registry model is clearly stated in CLIA's .CRUISE application and included as a binding commitment in CLIA's Public Interest Commitments (PICs). This meets the Government Advisory Committee (GAC)'s requirements regarding the non-discriminatory policies for "generic string" TLDs listed as Category 2 TLDs in the GAC's Beijing Advice. It also provides a mechanism for the validation of eligibility that would address GAC concerns regarding TLDs applicable to regulated industries which have been identified as Category 1 TLDs. Whilst .CRUISE has not in fact been identified as a Category 1 TLD, CLIA considers that such a validation mechanism would enhance the integrity of the .CRUISE TLD since the cruise industry is heavily regulated and monitored under both national laws and international maritime law.

Current status of .CRUISE

Although CLIA has repeatedly expressed its intention to operate .CRUISE in a way that serves a public interest goal, the application has been on hold for almost a year. Its contender in the contention set for the .CRUISE TLD, Viking River Cruises (Viking), is a private entity which has chosen not to address the GAC's Category 2 Safeguards Advice and instead has confirmed its intention, if awarded the TLD, to restrict registration exclusively to itself and its affiliates. As ICANN's New gTLD Program Committee (NGPC) is yet to issue a decision on how it proposes to deal with the applications of such private entities, CLIA is unduly disadvantaged since its own application is consequently on indefinite hold whereas the similar TLD string .CRUISES signed its Registry Agreement in 2013 and was introduced into the market more than eight months ago, although without any of the validation safeguards that CLIA's TLD would offer.

The latest update on the issue was provided by the NGPC in the [minutes of its 12 -14 October 2014 meeting](#) which states:

"The Committee debated the various options, and requested that staff provide additional briefing materials to explore the option of consulting with the GNSO on exclusive registry access for generic strings."

CLIA is extremely concerned at this development since consulting with the Generic Names Supporting Organization (GNSO), ICANN's policy making body consisting of representatives from all stakeholder groups, means even further delay and uncertainty for the future of the .CRUISE applications. Such an outcome would not only prevent CLIA from realizing its public interest goals but also exacerbate CLIA's disadvantaged position.

CLIA notes that when asked by ICANN to explain how their proposed registry model would serve the public interest, Viking submitted a [brief response](#) in January 2014 demanding a full refund or alternatively 70% refund in application fees. Despite this, ICANN has made no substantive progress on resolving this issue throughout the whole of 2014. Since ICANN has long accepted the GAC's Category 2 Safeguards Advice and implemented it by amending the Registry Agreement to prohibit registry operators of "Generic String" TLDs from imposing exclusive registry access, CLIA urges ICANN to consider practical settlement options such as Viking's refund request and resolve the issue as a matter of urgency.

Thank you for your consideration of this important concern regarding the future of CLIA's new gTLD application.

Yours sincerely,

Susan Payne
Head of Legal Policy
Valideus Ltd.

Cc: Mr. Thomas Schneider, Chair, Government Advisory Committee