

Der IT-Beauftragte der Bayerischen Staatsregierung  
Franz Josef Pschierer, MdL



STAATSSSEKRETÄR IM BAYER. STAATSMINISTERIUM DER FINANZEN

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**New gTLD Program; here: Batching and the Public Interest**

Dear Dr. Crocker,

referring to our fruitful discussion in Munich last year, I wish to confirm that the State of Bavaria supports the application submitted by Bayern Connect GmbH for the .bayern top-level domain.


Please allow me to comment on the proposed batching procedure for the New gTLD Program. We are concerned about the absence of any consideration of the public interest in this proposal for building application batches.

As the guardian of the global public resource that is the Domain Name System, ICANN has a responsibility to ensure that a fair balance between public and private interests is kept. In our view, the proposed batching procedure could prevent that this balance can be maintained, bringing with it the danger that applications by appli-

cants acting in the public interest may be excluded from the evaluation for a prolonged time. At the same time, applications without any apparent regard for the public interest seem to be favored by the "digital archery" proposal.

We are confident that you share our opinion that this is a problematic scenario under any standard of responsible public management. Hence we recommend ICANN to ensure that community-based public-interest geographic gTLD applications are evaluated in the first batch, or given the necessary priority to be approved within a year of the launch of the initial new gTLD application window on January 12, 2012.

Yours sincerely



Franz Josef Pschierer