



PHONOGRAPHIC PERFORMANCE LTD.

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CIN - U 74999 MH 1941 GAP 142271

May 19th 2015

By email

1. Dr. Steve Crocker,
Chairman
ICANN Board;
 2. FadiChehadé,
ICANN
President & CEO;
 3. AkramAttallah,
ICANN
President of Generic Domains Division;
 4. Christine Willett,
ICANN
Vice-President of gTLD Operations;
 5. CherineChalaby,
ICANN
Chair of the NewgTLD Committee;
 6. Thomas Schneider,
ICANN
Chair of Government Advisory Committee;
- And
7. Cyrus Namazi,
ICANN
Vice-President of DNS Engagement

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit ("EIU"):

Please accept this letter on behalf of our organization, Phonographic Performance Limited (PPL). We are a company limited by guarantee which has been supporting the interests of owners of copyright in sound recordings since 1941. Our members transfer to us all rights in the licensing all non-physical exploitation of sound recordings and we both distribute royalties to them and enforce their rights. Given the nature of our activities, the problem of monetizing our repertoire over the Internet is now our first priority. We therefore fully support any proposal that serves the legitimate interests of the entire global music community under a global music community multi-stakeholder governance model with music-tailored enhanced safeguards.

Respecting and protecting music rights serves both the global music community and the public interest. Our organization supports the positions expressed in the letter² sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing "over 80% of the world's music," and the letter³ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the "community" applications for .MUSIC and that "we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind" and for ICANN "to expeditiously implement appropriate changes to address [concerns]." We also support the positions in the letter⁴ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their "support [for] the .MUSIC community applications because respecting and protecting music rights serves the global music community and the public interest."

¹<https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Application ID 1-1115-14110

²<https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

³<https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁴<https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

We support the community Application's copyright protection provisions and Enhanced Safeguards to protect intellectual property, which include incorporating all of the RIAA's recommended copyright protection provisions that include policies to stop domain hopping, takedown policies in the case of piracy, authorization provisions, permanent blocks, privacy/proxy provision, true name/address mandates and trusted sender complaint policies amongst others.⁵

We agree that the .MUSIC string must serve the global music community and the global public interest by incorporating music-focused Enhanced Safeguards to serve the community under a .MUSIC community-based string governed by the global Music Community. We are pleased that DotCom's proposal provides for protocols ensuring that only genuine music community players are entitled to use the proposed .MUSIC gTLD, that the use of the gTLD will be monitored, that there will be transparency in the allotment of domain names and a dispute resolution mechanism that will be without prejudice to judicial remedies.

We therefore support DotCom's proposal.

Respectfully submitted,

Suresh Srinivasan

Chief Operations Officer

Phonographic Performance Limited

May 19th 2015



⁵DotMusic intellectual property and copyright protection provisions, See <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, Q.20 or <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>, Pg. 24, 25, 26 and 27