

Dr. Stephen Crocker, Chairman of the Board of ICANN  
Mr. Cherine Chalaby, Chairman of the New gTLD Committee

Internet Corporation for Assigned Names and Numbers (ICANN)  
12025 Waterfront Drive, Suite 300  
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Dear Dr Crocker and Mr Chalaby,

I am an attorney at law based in Athens, Greece. The main focus of my practice is Intellectual Property where I advise clients, amongst others on trademark and domain name related issues and disputes. However this letter is not being written in my capacity as an Intellectual Property specialist but rather as a Greek citizen who feels that it is important his perspective be voiced in order to set the facts right and potentially provide insight that might assist in preventing a mistake.

It is with genuine interest that I have been following the ongoing debate regarding the objections that have been raised against the new gTLD application of *.amazon*. But I cannot omit saying that, at the same time, I feel somewhat astonished by GAC's proposal to the ICANN Board that the application of *.amazon* (application number 1-1315-58086) and its related IDNs in Japanese (application number 1-1318-83995) and Chinese (application number 1-1318-5591) be rejected, following an Early Warning submitted by the governments of Brazil and Peru. The purpose of this letter is not to raise and elaborate on legal arguments but rather to approach the matter from a linguistic and historical perspective.

First of all, for the sake of clarity it has to be stated that the name of the river is in Portuguese and Spanish not only *Rio Amazonas*, but also *Rio Marañon* and *Rio Solimoes*. In all the other languages it is referred exclusively by its Greek name *Amazone*.

While many fascinating facts about the great river can be found by simply looking up the article *Amazon River* of an encyclopedia (e.g. such as the *Britannica Encyclopedia*) one fact remains widely unknown and is of crucial importance in the present case. This is the origin of the river's name.



The source of Amazon's name is to be traced back to when the first European explorers arrived in the area. According to some accounts, and this is the most widely accepted theory, the Amazon River was named by the 16<sup>th</sup> century Spanish explorer *Francisco de Orellana*, who during his explorations of the area, was attacked by native tribes. It was during one of these attacks that he noticed that women fighters were also participating in the attack. These fighting women reminded the explorer of the race of women warriors he had encountered in the Greek mythology, who were known as the Amazons (article *Amazon* of the *Britannica Encyclopedia*).

Regardless of whether or not the legend of the Amazons is indeed the origin of the naming of the river, it is in my opinion imperative to provide some insight as to their myth. Furthermore, it is important to provide some information regarding the Amazons' place in Greek mythology in order to better understand and evaluate their significance in the Greek and European culture and, consequently, for ICANN's Board to make a well-informed, balanced decision, taking all interests and facts into account.

The Amazons were the daughters of *Ares* (or *Mars* in Latin) who was the God of war and one of the twelve gods residing on Mount Olympus and of the nymph *Harmonia* (a nymph in Greek mythology is a minor female nature deity, typically associated with a particular location or landform). It is one belief that Amazons used to live apart from men, and only used them to proliferate by sleeping with a man they liked once a year. If they had a son, they would leave him to the father, as they only accepted females to their society.

There are several myths that involve the Amazons (which of course cannot be analyzed here in detail but make excellent readings) who apparently were confronted by some of the most famous heroes of the Greek mythology such as *Bellerophon*, who killed the Amazons because they had invaded Lycia, *Hercules* whose ninth feat was to obtain the famous belt that belonged to the Amazons queen *Hippolyte* and was a gift to her by God *Ares*, *Theseus* who kidnapped the beautiful *Adiope* and was given a son by her named *Hippolyte* (his nickname was also Amazon, being of course the son of an Amazon) and finally *Achilles* who slayed *Penthesilea*, the queen of the Amazons at the time.

According to ancient lore, it was believed that their name came from the combination of the prefix "*a*", which in ancient and modern Greek grammar and vocabulary is used in order to describe the absence of a specific thing or property ("*alpha privativum*") and the word *mazos* (*μαζός* which in modern Greek means *μαστός*, breast), referring to the belief that Amazons would sever their right breast (*α-μαζόν*) so that this would not obstruct them when using their weapons (throwing the spear, or using the bow). Despite the fact that this theory was later discredited, this shows the extent to which people of ancient Greece and modern scholars have gone in order to discover the origin of their name.

According to another point of view, the prefix "*a*" is used in order to strengthen the word *mazos* (breast) to emphasize the fact that these female warriors were known to fight like men.



The Amazons have also been the source of inspiration for many great artworks of the antiquity such as *“the Amazon of Ephesus”* created by Polykleite and the *“wounded Amazon”* of Pergamos, which is considered to be one of the most beautiful sculptures of that era. The Amazons were so well known at the time, that according to the Roman writer Pliny the Younger a competition was held in the mid-fifth century B.C. between five famous sculptors, including Pheidias, Polykleitos, and Kresilas, who were to make a statue of an Amazon for the temple of Artemis. The Amazons are even depicted on the frieze of the west side of the Parthenon (Amazon wars of the Parthenon).

Today the word Amazon is commonly used in Modern Greek in order to describe bold and daring women. Even in France the riding outfit used by women is referred to as *“amazone”* or *“habit d’ amazone”*.

In the most prestigious Greek language Dictionary of Prof. Babiniotis, the word amazon is given three definitions: **1.** *According to mythology, it is the woman belonging to a nation of war mongering women who were famous for their riding and bowing skills and their hostility towards men.* **2.** *The woman that rides frequently and is adept at that: The young amazons of the Country Club will present their riding skills today. Also used as a synonym of the woman that rides.* **3.** *(a) a woman with proud and vigorous posture (b) brave, fierce woman: no danger frightens her. She is a true amazon.*

In the same dictionary, under the article *Amazonios*, which is the name of the great river in the Greek language, the same explanation is given as mentioned above that the river was named like that in 1541 by the Spanish explorer *Francisco de Orellana*.

The above mentioned facts are but a few things worth mentioning about the Amazons without becoming tiring. However, one thing is obvious. It cannot be disputed that the word Amazon is part of the Greek culture and, henceforth, of world culture and legacy. If any country had the right to object to Amazon’s application for the gTLD *.amazon* that should be Greece. I am afraid that if ICANN’s Board follows GAC’s proposal, ICANN would be acting as a judge of history and would be assigning quasi sovereign exclusivity on the name Amazon to Brazil and Peru, depriving the world of its cultural heritage.

I would ask ICANN to be very considerate while deciding this case. It is one thing when an individual or a company uses a name or a symbol of the Greek mythology as its trademark or as its name, and another when a country claims that it has exclusiveness on the very same name, basing its argumentation on the fact that it has connotation of sovereignty. In the first case, it is widely accepted that the private entity is using the name in an imaginative and commercial way that leads to exclusivity in the course of trade and as a point of reference in order to catch consumer’s attention and which is understood as such by consumers (in fact there are several well known trademarks that draw their name from history, legends or myths, such as *Marco Polo*, *Mars*, *Hermes* the Greek and Roman God of war, *Nike* the Greek goddess of victory *Νίκη*, *Olympus* the mountain where the 12 ancient gods resided, *Asus*, *Apollo* etc) whilst in the second case the claim of a country can be seen as a sovereign appropriation of cultural heritage that belongs to everyone.

Indeed when Brazil and Peru claim that *“the granting of exclusive rights to this specific gTLD to a private company would prevent the use of this domain for purposes of public interest”* or *“it would also hinder the possibility of use of this domain to congregate web pages related to the population inhabiting that geographical region”*, it is easily understood that they perceive the word Amazon as being theirs to manage, license, exploit and protect. By going down that road, they are appropriating a cultural asset, which belongs to every nation and which should be preserved.

Thank you for your time and consideration.

Sincerely yours

Stefanos Tsimikalis  
Attorney at Law

