

Paul Twomey
President & CEO
Internet Corporation for Assigned Names and Numbers
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27 May 2008

Dear Mr Twomey, Members of the ICANN Board and ICANN Policy Staff,

By way of introduction, I am the Chairman of MARQUES, the Association of European Trade Mark Owners.

MARQUES has over 750 trade mark owning professionals in membership and is very active in different fields of Intellectual Property Law and brand protection. The goal of the Association is to assist brand owners in the management of their trade marks and to provide an effective platform for the representation of their interests.

Although MARQUES is based in Europe, it has members from around the world. Our members include some of the best known brands in the world. For example, our Council of Directors alone features representatives from Nestle, Diageo, Coty, Syngenta, Ikea, AkzoNobel, Hoffman La Roche, Bacardi, Red Bull, Sara Lee, Gucci, Velux, InBev, DSM, GlaxoSmithKline, Tetra Pak etc. plus half a dozen leading European law firms. The representatives of these firms spend many hours dealing with domain name matters. Between them, our members certainly own upwards of 2 million domain names, many of them gTLDs.

For further information, you may wish to consult www.marques.org.

In the meantime, the purpose of this letter is to raise our concerns over the GNSO Improvements Report. MARQUES recognises the value of improving the effectiveness of the GNSO. However, the proposal contained in the GNSO Improvements Report would empower registries and registrars at the expense of the private sector and Not-For-Profit communities.

If we lose our voice and face the prospect of being out-voted on every issue, what incentive is there for trade mark owners to participate in the ICANN process? It would be easier for us to leave the ICANN process and address our concerns to the national and international government agencies with which we have regular dialogue.

Indeed, an ICANN without the input of the private sector would be a trade association.

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However, we are strongly in favour of the Joint Users Proposal which is on-line at <http://forum.icann.org/lists/gnso-improvements-report-2008/msg00012.html>.

We believe this is fair and workable. No single interest group can gain control. It has the confidence of the trademark community, private sector interests and Not-for-Profit organisations. It recognises the importance of the so-called Contracted Parties (registries and registrars) but does not allow them to dominate.

If you would like to discuss our views further, representatives of the MARQUES Council will be attending the Paris Open Meeting.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Jane Collins". The signature is fluid and cursive, with the first name "Jane" being more prominent than the last name "Collins".

Jane Collins
Chairman, MARQUES