

Proposed Service

Name of Proposed Service

Release / Allocation of Two Character Names.

Technical Description of the Proposed Service

The dotMobi Registry initially reserved all two character names (two letter, two digit and alpha numeric names) on the second level of the .mobi domain in accordance with the dotMobi / ICANN contract. dotMobi now proposes the release and allocation of those two character names in an equitable manner as per the process defined in the Business Description below.

In order to commence the allocation process the domains would, in the first instance, be entered into the zone file and moved to a 'holding account' within the Registry database. dotMobi would temporarily show as being the Registrar and Registrant of record (note: the names would not resolve at this point) until such time as the domains are transferred to applicants that are successful under the proposed allocation process. This is the same process that is currently being used by mTLD in connection with its other reserved names such as ICANN.mobi.

This is simply a release of additional names in the .mobi domain space with the standard registration process to apply once an application has been evaluated and approved. Several Registry requests for the release of two character names have been approved by ICANN in the past (.aero, .jobs, .name, .cat and .coop) with ICANN noting that there are no associated stability and security issues.

Consultation

Please describe with specificity your consultations with the community, experts and or others. What were the quantity, nature and content of the consultations?

dotMobi has consulted with its Policy Advisory Board [PAB] on the scope and nature of this project. PAB members are in full support of the reservation release and allocation of two character domains in the manner defined below and view this as an opportunity to advance the .mobi TLD by facilitating the creation of compelling content.

dotMobi also consulted with members of the .mobi Advisory Group [MAG]. Again, MAG members endorse this proposal and agree that such domains should be partnered with ‘best-in-class’ content, which the RFP process described further below is designed to ensure.

dotMobi's Board members, representatives from 14 different companies in the mobile and Internet space, strongly advocate the allocation of these names and point to the benefits to the community as further described below.

dotMobi has reviewed the GNSO New TLDs Committee / Reserved Names Working Group Report, issued May 2007 (<http://gns0.icann.org/issues/new-gtlds/final-report-rn-wg-23may07.htm>). Within that Report and in connection with two character domains on the second level (Recommendation 8), the Working Group recommended that ‘registries may propose release provided that measures to avoid confusion with any corresponding country codes are implemented’. The report goes on to state that ‘technical issues related to the release of two-letter and/or number strings have been addressed by the RSTEP Report on GNR’s proposed Registry service’.

The aforementioned RSTEP report (<http://www.icann.org/registries/rsep/RSTEP-GNR-proposal-review-team-report.pdf>) notes that: ‘our technical evaluation of this proposed registry service with respect to the likelihood and materiality of effects on security and stability concludes that it does not create a reasonable risk of a meaningful adverse effect on security and stability’.

a. If the registry is a sponsored TLD, what were the nature and content of these consultations with the sponsored TLD community?

As per above and in accordance with its Charter, dotMobi consulted with its Policy Advisory Board [PAB] and the .mobi Advisory Group [MAG].

dotMobi's PAB is made up of independent representatives from the ICANN community along with mobile and Internet experts and end user representatives. It represents a cross section of interests from the dotMobi sponsored community and consultation was carried out with the entire group. Details about PAB's membership can be found at: <http://mtld.mobi/community/policyadvisory>

The MAG is an accredited independent, industry forum set up to ensure that the .mobi domain is operated in the best interests of the global dotMobi community and the Internet at large. MAG's membership is broad and is made up of mobile content and service providers, mobile operators, mobile device manufacturers, technology vendors and ICANN accredited Registrars. Consultation was carried out with various members of MAG. Further details on MAG, including its membership, can be found at: <http://www.advisorygroup.mobi>

b. Were consultations with gTLD registrars or the registrar constituency appropriate? Which registrars were consulted? What were the nature and consent of the consultation?

Membership of MAG and PAB is open to all of dotMobi's Registrars and Registrars are actively encouraged to become involved. It should be noted, however, that Registrars' involvement in this project is quite straightforward – Registrars will play the same role they always do with respect to registration and domain transfers – and requires no new policy development.

c. Were consultations with other constituency groups appropriate? Which groups were consulted? What were the nature and content of these consultations?

Given the inclusive nature of the MAG and PAB, no other formal consultations were carried out or deemed necessary.

d. Were consultations with end users appropriate? Which groups were consulted? What were the nature and content of these consultations?

End user interests are actively represented on both the MAG and PAB.

e. Who would endorse the introduction of this service? What were the nature and content of these

consultations?

The dotMobi sponsored community, as represented by the MAG and PAB. See above for details of the consultation process.

f. Who would object the introduction of this service? What were the nature and content of these consultations?

To dotMobi's knowledge, no third parties have objected or would reasonably object to the introduction of this service.

Timeline

Please describe the timeline for implementation of the proposed new registry service:

dotMobi plans to launch the allocation process as soon as its market studies have been completed. dotMobi may elect to allocate registration credentials in multiple RFP allocation rounds, depending on market demand and interest. dotMobi may also elect not to allocate registration credentials for some or all of the domains offered.

Business description – describe how the proposed service will be offered:

dotMobi will issue a Request for Proposals for two character domains on the second level. The RFP will articulate evaluation criteria designed to ensure that the award and registration results in the addition of high quality, innovative content to the dotMobi community. Auctions will not form any part of this allocation process.

Evaluation criteria will take into account the applicant's business and technical capabilities, experience in the mobile market, marketing expertise, business plan and the manner and purposes for which the proposed sites would be operated. Crucially, applicants will be asked to commit to a certain level of marketing and promotional spend around the domain name requested.

The evaluation criteria will also ensure that there is no confusion with corresponding country codes. In seeking to minimize any confusion with county codes, dotMobi is willing to delegate of any two letter country codes as listed within the ISO 31-66 list to any corresponding country code managers (as listed at: <http://www.iana.org/domains/root/db/>) that express an interest in securing their domains.

Once the RFP applications have been evaluated by dotMobi's internal review team, dotMobi will notify the winning applicants that subject to reaching agreement on a binding contract, they will be offered registration credentials for these domains. Contracts with the applicants will be designed to ensure that the applicants will fulfill their obligations to build, operate and market a site in accordance with the underlying proposal. dotMobi will transfer registration credentials shortly after contract execution..

Describe quality assurance plan or testing of Proposed Service:

No specific testing is deemed necessary. dotMobi has previously used the RFP process, as approved by ICANN, to allocate certain Premium Names, as approved by ICANN.

The two character domains will not be added to the Premium Names list.

Please list any relevant RFCs or White Papers on the proposed service and explain how those papers are relevant:

As discussed throughout this proposal, the following documents are relevant:

GNR proposal for the limited release of two character names, submitted October 20th 2006:

http://www.icann.org/registries/rsep/GNR_Proposal.pdf

RSTEP Report on GNR's proposal, advising of the non-existence of any technical concerns:

<http://www.icann.org/registries/rsep/RSTEP-GNR-proposal-review-team-report.pdf>

GNSO Reserved Names working Group Report endorsing the release of two character domains provided that

measures are in place to avoid confusion with country codes:

<http://gnso.icann.org/issues/new-gtlds/final-report-rn-wg-23may07.htm>

Other Registry requests (all approved) in connection with the release of two character domains may be viewed at:

<http://www.icann.org/registries/rsep/>

25 May 2004 ICANN Board Resolution approving release of two character names in .aero:

<http://www.icann.org/minutes/resolutions-25may04.htm>.

Contractual Provisions

List the relevant contractual provisions impacted by the Proposed Service

Schedule 6 - B. Additional Second-Level Reservations. In addition, the following names shall be reserved at the second level:

- *All two-character labels shall be initially reserved. The reservation of a two-character label string shall be released to the extent that the Registry Operator reaches agreement with the government and country-code manager, or the ISO 3166 maintenance agency, whichever appropriate. The Registry Operator may also propose release of these reservations based on its implementation of measures to avoid confusion with the corresponding country codes.*

What effect, if any, will the Proposed Service have on the reporting data to ICANN?

dotMobi does not expect to add any additional reports to ICANN for this service and will simply report on any domain transfers carried out by virtue of the allocation process as is standard to reflect the second level registrations.

What effect, if any, will the Proposed Service have on the WHOIS?

The WHOIS will, in the initial stages, include data to show that the two character names are held in a holding account by dotMobi, the same exact process that mTLD currently uses in connection with other reserved names such as ICANN.MOBI. Once the domain names are transferred, the registrants will update the Whois fields as is standard and required.

A note currently appearing on dotMobi's Whois service stating that two character registrations are not permissible will be amended accordingly.

Benefits of Service

Please describe the benefits of the Proposed Service:

Quality content is critical at this stage in the lifecycle of the .mobi domain and the mobile Internet in general. The release of two character names would create a significant impact on mobile Internet awareness and adoption. Members of the dotMobi community are supportive of the release for this reason.

At present, two character domains in the dotMobi Registry are sitting 'idle' and provide no benefit to the dotMobi community and/or mobile Internet users. Allocation of two character domains based on the RFP process will make new content, new services and features available to mobile Internet users. This usage, together with the associated marketing and awareness campaigns, will help drive adoption of the .mobi domain as well as mobile Internet usage in general.

Because domains that require fewer keystrokes are of particular importance to a TLD like .mobi that is geared towards mobile users, the two character .mobi domains will attract significant interest from mobile content providers. Consultations with members of the sponsored community also point to the fact that as well as offering content to end users, two character domains will provide search benefits and marketing / promotional opportunities for content providers.

Since dotMobi's launch, the Registry has made it clear on its web-site and via its Registrars that registrations must be three characters or longer in compliance with its contract with ICANN. However, dotMobi continues to receive enquiries from companies and brands seeking to register two character domains and as such, several entities are eagerly awaiting the release of these domains.

Competition - Do you believe your proposed new Registry Service would have any positive or negative effects on competition? If so, please explain.:

This new service is necessary to maintain, and expected to enhance competition among Registries, particularly among Registries that propose to allocate two character domains.

How would you define the markets in which your proposed Registry Service would compete?

Under the proposed allocation process, companies and individual players within the mobile content space will compete against each other to offer innovative services and products in connection with a domain name that will ultimately benefit the end user. In addition, innovation in this space will enhance competition among Registries in general.

What companies / entities provide services or products that are similar in substance or effect to your proposed registry service?

As described above, several Registries have made two character domains available using a variety of allocation methods.

The RFP process has previously been used by dotMobi to allocate certain premium names to qualified players within the mobile market.

In view of your status as a registry operator, would the introduction of your proposed Registry Service potentially impair the ability of other companies / entities that provide similar products or services to compete?

No.

Do you propose to work with a vendor or contractor to provide the proposed Registry Service? If so, what is the name of the vendor / contractor, and describe the nature of the services the vendor / contractor would provide.

dotMobi will work with its back end service provider, Afiliast Limited.

Have you communicated with any of the entities whose products or services might be affected by the introduction of your proposed Registry Service? If so, please describe the communications.

dotMobi is not aware of any entities that would be uniquely affected by the availability of a small number of additional second level domains.

Security and Stability

Does the proposed service alter the storage and input of Registry Data?

The two character names would have to be created in the Registry database with provision to add contact data etc in order to resolve.

The proposed RFP process will preserve the stability and security of the Registry since there will be no one-off, first-come-first-served rush for the domains.

Operation of any second level domains registered following the RFP process would be subject to ICANN consensus policies.

Please explain how the proposed service will affect the throughput, response time, consistency or coherence of responses to Internet servers of end systems?

N/a

Have technical concerns been raised about the proposed service, and if so, how do you intend to address those concerns?

Any previous technical concerns have been addressed by the GNSO Reserved Names WG Report and the RSTEP report on the GNR Proposal (both reports are referenced above).

Other Issues

Are there any Intellectual Property considerations raised by the proposed service?

The proposal would modestly increase the number of unique domain names to be registered in the .mobi TLD. All of the safeguards afforded to owners of intellectual property (eg UDRP, anti-cybersquatting laws, regulation etc) will apply to the introduction of such names. dotMobi does not believe that there are unique IP issues raised by the allocation and registration of two character domains at the second level.

Some businesses / individuals may claim or have attempted to apply for trademarks in two characters or in conjunction with the .mobi TLD, especially in anticipation of a release by the Registry of these valuable domains. These entities may be interested in applying for a two character .mobi domain via the RFP process and will be entitled to do so along with any other third party. In addition, to the extent that the parties believe that registration by another party infringes their intellectual property, ICANN has provided ample tools to resolve these claims.

dotMobi's primary objective is to secure compelling content for end users and the RFP process will be designed to identify applicants that offer the best content solutions and proposals on the .mobi domain and adhere to the technical rules and recommendations that dotMobi endorses.

dotMobi's PAB and MAG members were of the opinion that no unique prior rights should attach to those claiming trademark rights in two characters. Nothing in this proposal undermines anyone's right to assert superior intellectual property rights in a domain and the UDRP process will always be available to any trademark holder who feels that their trademark rights are violated by any bad faith registration by a Registrant.

Does the proposed service contain intellectual property exclusive to your gTLD registry?

No

List Disclaimers provided to potential customers regarding the Proposed Service

N/a

Any other relevant information to include with this request:

N/a