

Proposed Service

Name of Proposed Service

Release / Allocation of Single Character Names

Technical Description of the Proposed Service

dotMobi has reserved all single character (to include single letter and single digit) names on the second level of the .mobi domain. These domains are not presently available for registration in accordance with the dotMobi / ICANN contract [Appendix 6].

dotMobi now proposes to release and allocate all single character domains on the second level in an equitable manner as described in the Business Description below.

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 be listed as the Registrar and Registrant of record (the names would not resolve at this point) until such time as the registration credentials for the domains are awarded and transferred and the names are registered by the successful applicants.

This is simply a release of additional domain names in the .mobi domain space. As such, there is no unique, technical aspect or complexity to this project.

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 single character domains in the manner defined below and view it as an opportunity to advance the .mobi TLD by facilitating the creation of

compelling content. Members believe that this provides a particularly relevant and beneficial opportunity for the .mobi community in particular, where names with shorter keystrokes have huge appeal in the context of mobile devices.

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.

Finally, dotMobi has reviewed the GNSO New TLDs Committee / Reserved Names Working Group Report, issued May 2007 (<http://gnso.icann.org/issues/new-gtlds/final-report-rn-wg-23may07.htm>). Within that Report, the Working Group recommends that single letters and digits be released at the second level in future gTLDs and that those currently reserved in existing gTLDs should be released. That release should, according to the Report, be contingent upon the use of appropriate allocation frameworks. The Working Group concluded that the historical technical reasons for reserving single-character names at the second level were no longer present.

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://www.advisorygroup.mobi/policy_advisory.htm

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/mag.htm>

b. Were consultations with gTLD Registrars or the Registrars 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. Any Registrars active within MAG and PAB were afforded the opportunity to provide feedback as part of the consultation process.

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 during Q3/Q4 of 2008.

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

dotMobi will issue a Request for Proposals for single 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.

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.

Auctions will not form any part of this allocation process and dotMobi will not make a profit from this process.

Once the 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 and operate a site in accordance with the underlying proposal. dotMobi will transfer registration credentials shortly after contract execution.

dotMobi may elect to allocate registration credentials in multiple RFP allocation rounds, depending on market demand and interest. dotMobi will also elect not to allocate registration credentials for some or all of the domains offered.

Describe quality assurance plan or testing of Proposed Service:

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

The single 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:

The GNSO New TLDs Committee / Reserved Names Working Group Report stated that the original purpose of reserving single characters was driven by technical concerns. In that regard, RFC 1535 may be relevant – it discusses security problems posed by some resolvers that attempt to resolve a partial name by processing a search list of partial domains to be added to portions of the specified host name until a DNS record is found. However, the Report concluded that this reservation requirement was no longer necessary.

The issues raised in RFC 1535 were also cited in the RSTEP report drafted for the GNR proposal (which was

approved) for the Limited Release of Initially Reserved Two-Character names: Names:(<http://www.icann.org/Registries/rsep/RSTEP-GNR-proposal-review-team-report.pdf>).

Contractual Provisions

List the relevant contractual provisions impacted by the Proposed Service

Article 3 (d) C of the dotMobi Agreement requires the Registry operator to reserve and not register any TLD strings (i) appearing on the list of reserved TLD strings attached as Appendix 6 for registration at the second level.

Appendix 6 will need to be amended to delete the first bullet point of Section B, which prohibits registration of single character names at the second level:

Schedule 6 – Schedule of Reserved Names

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

- All single-character labels.

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.

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 single character names are held with a holding account by dotMobi. 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 single character registrations are not

permissible will be amended accordingly.

What effect, if any, will the proposed service have on the price of a domain name registration?

No effect. These names will be sold at the standard registration price charged by dotMobi Registrars.

Please describe or provide the necessary contractual amendments for the proposed service

The reservation requirement noted in the contractual provisions noted above (specifically, Appendix 6) would be removed.

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 single 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, single character domains in the dotMobi Registry are sitting 'idle' and provide no benefit to the dotMobi community and/or mobile Internet users. Allocation of single 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 single character .mobi domains will attract significant interest from mobile 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. This has inhibited the number of written inquiries on this matter. However, consultations with members of the sponsored community point to the

fact that as well as offering content to end users, single character domains will provide search benefits and marketing / promotional opportunities for content providers.

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 single 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?

Single letter and number second level domains are widely used in country codes and as IDNs, and six letters are used in the existing legacy generic top level domains at the second level (q.com, x.com, z.com, i.net, q.net and x.org). Because currently only dotMobi requires Registrants to format content for delivery on handheld devices, we are not aware of any proposal by generic and/or sponsored TLDs – even those that propose to offer single character domains – to provide a service exactly like this. Nothing, however, would preclude this sort of competition.

The RFP process has been previously 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. See above.

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, Afilias 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 single 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 stability and security 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?

Currently, all 16 gTLD Registry Agreements provide for the reservation of single-character names at the second level. Before the current reserved name policy was imposed in 1993, Jon Postel took steps to register all available single character letters and numbers at the second level, purportedly to reserve them for future extensibility of the Internet.

All but six (q.com, x.com, z.com, i.net, q.net, and x.org) of the possible 144 single letters or numbers at the second-level in .COM, .EDU, .NET and .ORG were registered and remain reserved by IANA. Those six registrations have been grandfathered, and several have been used for various purposes and/or transferred amongst different Registrants.

Single letters and numbers are widely delegated at the second level, in 63 TLDs and as IDN (U-label) versions. Therefore and as concluded by the GNSO Reserved Names Working Group, there is no obvious technical reason why remaining letters should remain reserved.

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. 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 single letter names at the second level.

Some businesses / individuals may claim or have attempted to apply for trademarks in single letters 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 single 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 single characters. In addition, given the limited availability of single character registrations to date, MAG and PAB felt that applicants for these names should compete from a level playing field. 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:

ICANN held a public comment period during Q4 2007 on potential allocation methods for single-letter and single-digit domain names at the second level. ICANN posted a summary of comments received - http://www.icann.org/public_comment/single-letter-summary-comments-23dec07.pdf

It should be noted that dotMobi's request is consistent with the Registry Constituency Statement on this matter which reads as follows:

"The gTLD Registry Constituency (RyC) supports the recommendation in the report of the GNSO Reserved Names Working Group (RN-WG) that "single letters and digits be released at the second level in future gTLDs, and that those currently reserved in existing gTLDs should be released." The reservation of single-digit domains

is a contractual condition for each of the existing 16 gTLD Registries and we support the RNWG's removal of this contractual condition in future gTLDs. Adoption of this recommendation would be in accordance with the principles of equity and fairness that should guide ICANN's contractual relationships with all Registries.

Due to the fact that there are significant differences amongst the existing 16 gTLD Registries, the RyC recognizes that finding an appropriate allocation method (or methods) and determining potential uses of revenue is not an easy task. It is for this reason that there are significant differences that we strongly oppose a one-size fits all allocation method, both for existing Registries and for future gTLD Registries.

For existing Registries, the RyC believes that the best approach is to allow each operator or sponsor to choose its own method of allocation. We note that the Registry Services Technical Evaluation Process exists as one method for each Registry to develop a fair, predictable and timely procedure for ICANN to handle requests for authorizations, approvals or consents required by our contracts or related contractual amendments. In short, we believe a process exists today to enable each existing gTLD Registry or sponsor to implement an allocation method of single-digit domains in a manner most likely to be consistent to its individually delegated purpose and mission''.