

# Report of Public Comments

Title:		Release of Country and Territory Names within the .BMW and .MINI TLDs	
Publication Date:	29 January 2015		
Prepared By:	ICANN Staff		
<b>Comment Period:</b>		<b>Important Information Links</b>	
Comment Open Date:	11 December 2014		
Comment Close Date:	23 January 2015		
		Announcement	
		Public Comment Box	
		View Comments Submitted	
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<b>Section I: General Overview and Next Steps</b>			
<b>General Overview</b>			
<p>On 13 November 2014, a <a href="#">Registry Services Evaluation Policy (RSEP)</a> request was submitted by Bayerische Motoren Werke Aktiengesellschaft to allow the release of country and territory names for .BMW and .MINI top-level domains (TLDs). The RSEP proposal was posted on the RSEP webpage for public information and can be found at: <a href="https://www.icann.org/en/system/files/files/request-2014061-multiple-13nov14-en.pdf">https://www.icann.org/en/system/files/files/request-2014061-multiple-13nov14-en.pdf</a>. Currently, the .BMW and .MINI Registry Agreements require country and territory names contained in specific internationally recognized lists to be withheld from registration or allocated to the registry operator at all levels.</p>			
<p>In accordance to Section 2.4 of the <a href="#">Registry Services Evaluation Policy (RSEP)</a>, ICANN conducted its preliminary determination to conclude that the proposed Registry Service did not raise significant Security, Stability or Competition issues (as defined in Section 1.3 and 1.4 of the RSEP).</p>			
<p>Following ICANN’s preliminary determination that the proposal does not raise significant competition, security or stability issues, it was further determined that the change would require a material change to the respective Registry Agreements and that an amendment is needed in order to effect the change.</p>			
<p>From 11 December 2014 – 23 January 2015, ICANN posted the proposed RA amendments for public comment, which resulted in a total of two (2) comments. One of the comments is added after the close of the public comment forum, however this comment is also included in the following analysis.</p>			
<b>Next steps</b>			
<p>As provided in Section 4 of Specification 5 of the Registry Agreement, a registry operator may propose the release of reserved country and territory names “subject to review by ICANN’s Governmental Advisory Committee and approval by ICANN”. In its <a href="#">Los Angeles Communiqué</a> (15 October 2014), the GAC advised the Board that it “will review the use of country and territory names at the second level and advise the ICANN Board in due course”.</p>			

Until the GAC provides further guidance to the Board, the ICANN community is invited to continue engagement on this issue through further Public Comment periods which are open in relation to other Registry requests for the release of country and territory names.

The proposed amendments to .BMW and .MINI Registry Agreements to implement the registry services as described in the RSEP proposal are similar to the previously submitted two RSEP requests: on 19 September 2014, a similar public comment period for the RSEP proposal and amendment for the release of country and territory names within .NEUSTAR was opened. The public comment forum for this request can be found here: <https://www.icann.org/public-comments/ctn-release-neustar-2014-09-19-en>. On 6 January 2015, a similar public comment period for the RSEP proposals and amendments for the release of country and territory names within .DVAG, .TUI, .SPIEGEL, .ALLFINANZ and .FLSMIDTH was opened. The public comment forum this request can be found here: <https://www.icann.org/public-comments/ctn-release-tlds-2015-01-06-en>.

## Section II: Contributors

*At the time this report was prepared, a total of two (2) community submissions had been posted to the Forum. The contributors, both individuals and organizations/groups, are listed below in chronological order by posting date with initials noted. To the extent that quotations are used in the foregoing narrative (Section III), such citations will reference the contributor's initials.*

### Organizations and Groups:

Name	Submitted by	Initials
Blacknight Internet Solutions Ltd	Michele Neylon	BIS
Business Constituency	Steve DelBianco	BC

## Section III: Summary of Comments

*General Disclaimer: This section is intended to broadly and comprehensively summarize the comments submitted to this Forum, but not to address every specific position stated by each contributor. Staff recommends that readers interested in specific aspects of any of the summarized comments, or the full context of others, refer directly to the specific contributions at the link referenced above (View Comments Submitted).*

Both of the comments received support the release of country and territory domain names within the .BMW and .MINI TLDs and also more generally within .BRAND TLDs.

“Such names are freely available to register in both "legacy" gTLDs and many ccTLDs. From a marketing and branding perspective it seems logical to me that a brand would want to use country.TLD and that placing a restriction on such usage is pointless. The TLD is being used solely by the brand. There is no confusion - in fact I'd imagine that this kind of usage will in fact reduce confusion if brands like them start actively using their TLDs in their global marketing.” (BIS)

“The BC believes that the use of country and territory names will allow such .BRAND registries to segment their TLDs in a way that is meaningful to Internet users around the

globe. Geographic segmentation will bring greater efficacy to .BRAND TLDs, ultimately benefitting businesses and consumers by helping the registry operator target content to audiences in specific geographic regions, using linguistically appropriate domain names and content. In addition, we firmly believe that the release of country and territory names for .BRAND TLDs will enhance security and trust in online commerce by permitting businesses to exercise more control over the security and stability of their customized web sites.” (BC)

#### **Section IV: Analysis of Comments**

*General Disclaimer: This section is intended to provide an analysis and evaluation of the comments received along with explanations regarding the basis for any recommendations provided within the analysis.*

The comments received were in favor of the release of country and territory names within .BMW and .MINI, and more generally in favor of such release within .BRAND TLDs. In sum, BIS argued that such release would reduce confusion if brands start actively using their TLDs in their global marketing and that legacy and many ccTLDs already use these names, while BC expressed that geographic segmentation will bring greater efficacy to .BRAND TLDs and that allowance of such names within .BRAND TLDs will enhance security and trust in online commerce.

In response to comments regarding the process for releasing reserved country and territory names, ICANN notes that similar comments emerged from the community with respect to the release of two-character domains required to be reserved in the New gTLD Registry Agreement. On 16 October 2014, the ICANN Board directed staff to "develop and implement an efficient procedure for the release of two-character domains currently required to be reserved in the New gTLD Registry Agreement". ICANN will consider these comments when it considers whether or not to approve the requested amendments.