New sTLD RFP Application

.cat

Part B. Application Form

Name and Address fields

Company/Organization Information

Company Name	Associació puntCAT
Company Address 1	Carrer Girona, 63; 2on., 1a.
Company Address 2	N/A
Company City	Barcelona
Company State/Province	N/A
Company Postal Code	E-08009
Company Website Address	http://www.puntcat.org
Company Country	Catalonia (European Union)

Sponsoring Organization Information

Sponsoring Organization Name	Fundació puntCAT, which would be formed only in case theTLD is delegated
Sponsoring Organization Address 1	N/A
Sponsoring Organization Address 2	N/A
Sponsoring Organization City	N/A
Sponsoring State/Province	N/A
Sponsoring Organization Postal Code	N/A
Sponsoring Organization Country	N/A
Sponsoring Organization Website Address	N/A

Namestrings and Conventions

First sTLD choice:	.CAT

Naming Conventions:	

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.CAT is proposed as a Sponsored TLD for the Catalan linguistic and cultural
community
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Registrants will be allowed to register dirctly under the TLD, ie, at the
second level. Example: mydomain.cat

Second sTLD choice:	.CTL

Naming Conventions:	

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We are bound to express that we provide second and third choices because its is
specifically offered in tha Application form, and just in case unforseen
conflicts with our first choice could surface. But .cat is by far our preferred
proposal, with the other options lying well behind in terms of usefulness and
identification value for the sponsored community.
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Third sTLD choice:	.CATALA

Naming Conventions:	

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.CATALA is the name of the Catalan language precisely in Catalan language. The
problem is that besides being fairly long for a TLD (only .museum is that
long), it is a misspelling. It should be .català, ie, the ending a has a "& a
grave" character in HTML or, in Unicode, u+00E0).
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As there are not TLDs with non-ASCII characters, and we are not proposing to do
so at this time, this third-choice string is particularly unappealing.

Sponsoring Organization Structure

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Sponsoring Organization Structure

SPONSORING ORGANIZATION

 This application is submitted by Associació puntCAT, an association
 (non-for-profit, equal-voting membership entity composed of other legal
 entities, but not of individuals) based in Barcelona. This Association has
 been incorporated and it is operated in order to vehicle the filing of the
 application for the delegation of the .cat TLD.  At present, Associació
 puntCAT is composed of 67 members, covering a wide range of sectors and
 activities linked to the Catalan linguistic and cultural community.
 Moreover, many entities involved in the said Community are in the process
 of joining the Association, so it is foreseen a significant growth of its
 membership.

 Should ICANN approve this application, the Association would be substituted
 by a Foundation to be named Fundació puntCAT, and the Association would be
 dissolved. Such a substitution is due to the clear advantages that using a
 foundation for sponsoring a TLD would suppose. Indeed, an association is
 based on formal membership, making quite difficult the access to membership
 to entities with different legal backgrounds in different jurisdictions (as
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it will be the case in regards of the Sponsor of the .cat TLD) and it also
raises significant difficulties when trying to accept at the same time
individual and corporate membership. By contrast, a foundation seems to be
a more efficient alternative, as it does not require formal membership.
Indeed, according to Spanish and Catalan civil law (which will apply to the
Foundation, as it will be based in Barcelona as well), a foundation is just
an entity managing a number of assets for the achievement of a concrete
goal (the sponsorship of the .cat TLD, in the case of Fundació puntCAT).
Therefore, any formal inconvenience derived from access and use of the
membership would be avoided by using a foundation. Actually, such a type of
entity will allow actual participation in the policy-making process and
election of the governing bodies by any member of the defined community
without recourse to legal membership procedures. Joining such entity would
be based on a mere declaration of will without more cumbersome
administrative procedures, such as being accepted by the current members.

ORGANIZATIONAL STRUCTURE

Once the foundation will be established, its formal structure will be based
on the following organs:

- Assembly of Trustees: This is going to be the organ charged with the
management and representation of the foundation (without prejudice of its
capacity to delegate some of its functions to other organs of the
foundation). In principle, this organ will be composed at most by 50
members. The assembly will be composed by representatives from different
sectors of the Community. In particular, the assembly will be composed by
representatives covering:

  - the academic sector
  - the media sector,
  - the corporate sector
  - the non-for-profit entities sector
  - individuals holding .cat domain names.

Each of the above-mentioned categories will be granted with at least 10
members, to the exception of individuals holding .cat domain names, who
will be granted with at least 5 members. Nonetheless, from the moment of
establishing the foundation until the moment where the .cat TLD will be
fully operative such an assembly will be exceptionally composed by all the
members of the current association that will converge into the new foundation.

- Executive Committee: The Assembly of Trustees will appoint an Executive
Committee, charged with the tasks of managing the foundation, including the
supervision of officers and staff. This committee will be composed by two
members from the corporate sector of the Community, two members from the
non-for-profit entities sector, one member from the academic sector, one
member from the media sector and one member representing the individuals
holding .cat domain names.

- Chief Executive Officer: The Executive Committee will be entitled to
appoint a Chief Executive Officer or General Manager, charged with the
execution of the decisions adopted by the Executive Committee as well as
with the direct supervision of the staff.

In addition to the above-mentioned organs, a General Forum and an Ombudsman
will be established. Both organs are described further below.

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MISSION

 The sole purpose of the Foundation will be to serve as the Sponsoring
 Organization for the .cat sTLD under delegation from ICANN. It will
 establish and enforce the .cat policies, and outsource, in principle, its
 technical operation.

 This will be the only activity of the Foundation.


DEFINITION OF THE COMMUNITY

 The .cat TLD is intended for the Catalan Linguistic and Cultural Community,
 ie, for those identifying themselves and/or their activities with the
 promotion of those areas in the Internet. Please refer below to
 "Appropriateness of Sponsored TLD Community".


STICKING TO THE INTEREST OF THE COMMUNITY

 The puntCAT Foundation will be by its nature a non-for-profit, non partisan
 representative of the whole community. Participation to the policy-making
 procedures and election of the Trustees will be open to all registrants, in
 a structured way that will prevent any given sector of activity or special
 interest to prevail in the long run. It is not a pre-existing entity from
 that community trying to evolve into new fields of activity, but a platform
 created by the community itself for the sole purpose of collectively
 managing the .cat TLD.

 Hereinafter this application will refer to both the existing Association
 and the successor Foundation collectively as puntCAT. Only when specific
 reeference to either one or the other entities is required a distinction
 will be made. "Punt" means "dot" so the name directly refers to its only
 purpose: becoming the Sponsor Organization for the .cat TLD for the Catalan
 Linguistic and Cultural Community.
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Appropriateness of Sponsored TLD Community

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Appropriateness of Sponsored TLD Community

Please provide detail on the community to be served and explain why the defined
community to be served is appropriate for the creation of an sTLD.

As repeatedly stated in this application form, the .cat sTLD is requested on
behalf of the Catalan Linguistic and Cultural Community. It might sound strange
to request a TLD for a language (and this is not the case, even if it looks
close to it). But then, it also seemed strange to some the idea of Sponsored
TLD altogether!

Why a sTLD for this type of community? puntCAT submits that this is precisely
the type of sTLD we should think of.

TLDs, the DNS as such, is used in many ways (and this has changed over time)
but its main purpose is still to be unique identifiers of
machines/services/people in the Internet. We all know that "services",
"products", "people" are not exactly the object of the DNS domain name. But we
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grew used to see it that way. And social realities count. Similarly, and even if all domain names have exactly the same identification value from a technical point of view, "meaning", both at the second level AND at the top level add critical values to users (domain name holders or not). Meaning, subjective identification, is as an important value as uniqueness and universal resolution of the name from the users point of view (and the various Internationalized Domain Names experiments would even suggests that in some cases, even more important).

Users want choice. They want to be able to decide whether they identify themselves to the rest of the Internet with geographic/political criteria (ccTLDs); nature of their activity (commercial; non-commercial); sector of activity (aeronautic industry) type of service (Museum) or even corporate type (Cooperative). No one excludes another. Multiple identifications can be used, as we can visit different districts in a city for different types of activity. Choice and diversity, not mutual exclusion.

ICANN decided therefore that it was worthwhile to experiment with a new type of TLDs, so-called "sponsored" TLDs, devoted to and managed by a given Community. This is a community with clear membership, needs and enough interest to apply for one.

It is only natural therefore that puntCAT applies for a .cat sTLD. The Internet is a lot of things, but probably the most important is a communication space (and means). Human beings communicate in a variety of forms, but language is the most common, and the Internet is no exception. The vast majority of people will concentrate their communications to and with the services and people using their same language. If there is a real sense of belonging to a given community within the Internet this is precisely because those belonging to the community are communicating in their own language, no matter which one it is. The sense of sharing "commonalities", of sharing common interests, needs, Internet landscapes is nowhere more evident than within the many different linguistic communities. Even if they are, most often, completely invisible to the predominant English-based Internet, which many assume to be THE only communications space.

A clear and deep sense of community, and especially, a clear perception of online community, is far more relevant here. Far more dense and intense than those of the online (and we underline this aspect) communities served by many of the current sTLDs, and many of the proposals being submitted now.

So a language community fits within the concept, but why .cat? Because it is a community interested enough to organise itself in order to apply and manage such TLD. It has sufficient size to make that proposal viable, because it has sufficient ideas to make it work, and to make it useful to he community and to the whole of the Internet.

The first question puntCAT will be posed is: why Catalan and not English or Rom or Swahili or [insert your favorite language here]. puntCAT does not have an answer, but knows that it is a wrong question. We know our needs, but cannot speak for others. English has not one, but many ccTLDs and gTLDs which are predominantly, if not exclusively, devoted to communication spaces where English is the vehicle. Catalan doesn't. And it doesn't have a good substitute, either. Certainly not a DBS feature but one of the most common Net related behaviors for multinational firms is adapting their contents to the languages of different user groups. The universal solution is matching the language versions with domains of the ccTLDs where those languages are spoken (except for the US and English, as this is certainly not required). But Google or Yahoo

cannot (yet!) use a google.cat or yahoo.cat for their (existing)
Catalan-language versions.

Sometimes this is not an issue in the commercial world as the language is
associated with a local market. Therefore the ccTLD is suitable. But product
and service markets are not all that we can find in the Net. Communities
sharing cultures, not necessarily confine themselves to either market lines or
political borders. Lots of languages are used across many different Countries.
Catalan, for instance, is spoken in three adminsitratives divisions of Spain
(and partly in a fourth), another in France and just one in Italy, as well as
being the sole official language of a country, Andorra. The political and
economic realities of the last 150 years have sent hundreds of thousands of
Catalan speakers to all continents. Most languages share similar realities. And
many share the feeling that ccTLDs are a different thing, that political (or
geographic) entities and linguistic communities are not always the same. Note,
for instance, that the Spanish Senate requested, some time ago, a TLD for the
Spanish-speaking community (.his, they proposed). They are complementary,
certainly not exclusionary.

puntCAT knows the community wants it and can sustain it. Catalan, as a
language, is not marginal at all in Internet usage terms. A couple of studies
(http://www.vilaweb.com/especials/5anys/enquesta.html and
http://www.softcatala.org/articles/article26.htm) rank Catalan as, respectively
the 19th and 23rd language in terms of online use (the second study is more
recent uses a much better methodology). The exact place tells very little, but
the relationship with other languages is telling. It is not English, but is
certainly not marginal.

Catalan is not a marginal language offline either. Taking a single statistic,
the number of books published in 2002, Catalan totals 8183, compared to roughly
7000 in Finland, 6000 in Greece of 9000 in Hungary (the statitistic only refers
to books edited in Catalan, excluding for these purposes books in Spanish
edited by Publishers based in Catalonia, which surpassed that number but should
not be counted here in fairness). In relative terms, 0.76 books were published
for each 1000 Catalan speakers, the same percentage as Italy or France. We
could provide lots of statistics about people, companies, associations, etc.
But puntCAT believes that this comparative numbers should suffice at this stage
to proof viability.

So Catalan-speaking people manage to keep more than acceptable statitistics in
those areas, even if we all had the personal advantage of being at least
bilingual, if not trilingual (normally with Spanish, less with French, some
with Italian, the rest with different languages. Languages might sometimes
compete in the territory, but not in cultural terms.

Cultural socialization, even more than language, is the flavour we want to give
to this TLD. Note that even if none of you (or few...) will know a catalan
writer, you certainly know painters such as Salvador Dalí, Joan Miró or Antoni
Tàpies, musicians like Pau Casals, Montserrat Caballé or Josep Carreras,
architects like Antoni Gaudí, Josep Puig i Cadafalch or Ricardo Bofill. We stop
here ;-) There are certainly wrters as remarkable as the artists mentioned
here, but language is a bigger barrier in this case. We want the TLD as an
identifier for all those using and promoting the Catalan language or Culture.

But how can we define the community? How can we know who belongs to that
community? Well, puntCAT knows. Because it is promoted buy the most relevant,
and will be formed by nearly all, the Catalan language and cultural-related
entities. They know their members. They know the criteria. They know they have

to contribute to this effort, by helping sorting these questions out. Please
refer to all the different registration procedures, Eligibility and Naming
Selection services and compliance and dispute-resolution mechanisms. Perhaps
someone will be able to point out a mistake one day (ie, someone registered a
domain with puntCAT infringing the rules. Perhaps. But we will commit all our
resources to prevent this from ever being a problem for any third party. And
this is what counts.

The next question would be: What happens if all languages and cultures also
apply for a TLD? Why this one and not another one? puntCAT doesn't know. But it
is clear that it would be unfair to tell .aero that they cold not go until we
had the complete taxonomy of all possible industries, present, past and future.
It would be similarly unfair rejecting .museum because perhaps monument sites
or oral archives are not prepared or willing or interested in managing a TLD.

The final question would certianly be: .cat? Meow!! Yes ;-) But then .net means
"clean" in Catalan, and .nu, "naked". And this can be expanded to exhaustion.
Some names are nicer in different parts of the world. That's a fact, not a bug.

puntCAT comes here, with huge support from its community, with a solid
proposal, a viable registry and lots of innovative ideas. Give .cat a chance!

Representation

As stated in "Organisational Structure" above, the current structure of
 Associació puntCAT is widely representative of the Community. At this
 regard, one ofpuntCAT's main concerns is to fully grant representation to
 all the members of the Community and this is the reason why puntCAT aims at
 establishing a foundation once the .cat TLD is approved by ICANN, for
 instance many associations based outside Spain or the European Union have
 met some difficulties in joining the association. Inclusiveness of the
 whole community is the key operative issue here.

 Indeed, the use of such a structure would grant a flexible structure,
 allowing any member to actively participate in the activities of the
 foundation, regardless of its concrete legal nature or jurisdiction. In
 addition, other formal problems (such as appointing a representative in
 Spain, where the association will be seated) would be avoided.

 Moreover, it would grant an easy access to all the members of the Community
 to the policy-making procedures as well as to other issues linked to the
 management of the .cat TLD. In this sense, it is foreseen to allow
 participation of all the members of the Community (and not just of those
 involved in the foundation) by means of a General Forum, as described in
 "policy Making Procedures and Communications" below.

 As for the categories of stakeholders to be represented, we have already
 sketched them in "Structual Organization" above. Let's add here that while
 at the Assembly of Trustees, the large number of representatives granted to
 each category will allow internal diversity within each of them. On the
 other hand, for the more reduced Executive Committee the By-laws (already
 approved by the Association) will provide further warranties of diverse
 representation. There, for instance, for the two representatives of the
 non-for-profit sector it is provded that one of them will represent
 entities specifically devoted promote Catalan Culture while the other will
 be ellected from NGOs and other non-for-profit entities devoted to any
 other purpose. In the same line, the two representatives of the corporate
 sector will divided between one coming from companies mainly related to

Internet services at-large and the other from any other commercial user of the .cat TLD.

To provide a general sense of the quantity, quality and diversity of the initial membership, we attach the list of members we provide the list as of March 9, 2004 (please note that we had received many new memberships during this last week, plus dozens of exrpressions of interest).

Acció Cultural del País Valencià
ACET - Associació Catalana d'Enginyers de Telecomunicacins
ACETT - Associació Catalana d'Enginyers Tècnics de Telecomunicacions
Amics de la Llengua Catalana
Associació Arrels
Associació Catalana de la Premsa Comarcal
Associació Catalana de Premsa Gratuïta
Associació Catalana de Professionals
Associació Catalana de Radiodifusió Privada
Associació Catalana de Socors Mutus "Montepio de Montserrat"
Associació Conèixer CATalunya
Associació Cultural Catalana de Queensland Brisbane - Austràlia
Associació Cultural Músics per la Llengua
Associació d'Antics Alumnes d'Enginyeria i Arquitectura La Salle
Associació de Publicacions Periòdiques en Català d'Abast Nacional
Associació d'Editors en Llengua Catalana
Associació d'Empresaris Productors de Multimèdia (ADEPM-Catalunya)
Associació d'Empreses de Noves Tecnologies de Girona
Associació d'Escriptors en Llengua Catalana
Associació d'Usuaris de Java de Catalunya
Associació en Defensa del domini .CT
Associació Productors Audiovisuals de Catalunya
Associació Professionals Autònoms de Catalunya
Associazione Italiana di Studi Catalani
Capítol Català de la Internet Society
Casa Nostra Baden-Wettingen / Grup Montseny
Casal Català de Brussel.les
Casal Català de Vancouver
Casal de Catalunya de Buenos Aires
Casal dels Catalans de Califòrnia
Catalan Broadcasting Society Inc - Radiodifusió Catalana - Melbourne - Austràlia -
"Catalònia" Grup de Catalans de Sâo Paulo
Centre Català de Rosario
Centre Català del PEN Club, Associació d'escriptors
Centre Cultural Català de Perpinyà-CASAL JAUME Ier
Centre Internacional Escarré per a les Minories Ètniques i les Nacions
Cercle Tecnològic de Catalunya
CLUB D'AMICS DE LA UNESCO DE BARCELONA
Col·legi Oficial d'Enginyeria en Informàtica de Catalunya
Consorci Local i Comarcal de Comunicació
Corporació Catalana de Ràdio i Televisió
Enciclopèdia Catalana
Federació Catalana de Centres d'Ensenyament
Federació de Televisions Municipals de Catalunya
Federació d'Entitats de la Catalunya Nord
Federació d'Organismes i Entitats de Televisió Local de Catalunya
Federació Ràdios Locals de Catalunya
Fundació Catalana per a la Recerca (FCR)
Fundació Jaume I

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Fundació Societat i Cultura
Gremi d'Editors de Catalunya
Institut d'Estudis Catalans
Institut d'Estudis Eivissencs
Institut d'Estudis Ilerdencs
Institut Interuniversitari Joan Lluís Vives
Institut Linguapax
Instituto Brasileiro de Filosofia e Ciência "Raimundo Lúlio"
Intracatalonia
La Bressola
Nominalia Internet, SL
North American Catalan Society
Obra Cultural Balear
Obra Cultural de l'Alguer
Òmnium Cultural
Orfeó Català de Mèxic, A.C.
Vilaweb

Note also that many of these members are in fact the associations or
federations of record for their respective field.
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Openness and Tansparency

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For puntCAT, granting effective openness and transparency in the development of
its activities is one of the key issues related to the launching and management
of the .cat TLD. Indeed, given the fact that the Sponsor will not be a
closed-membership  organization, the involvement of the Community in said
activities requires that its members do have full access to any information
produced in regards of .cat TLDs, in order to allow them to actively
participate in the policies-making procedures as well as other decisions linked
to said domain names.

Punt CAT considers that such a goal can only be granted by means of the
adoption of several instruments that allow the members of the Community being
actively involved in the development of puntCAT's activities. At this respect,
By-laws of the Foundation foresee the appointment of an Ombudsman, charged with
the task of receiving complaints and observations on how puntCAT develops its
functions. Such a figure should not be confused with a Customer Service. On the
contrary, it will rather deal with the comments from the members of the
Community in respect to the behavior (or the lack thereof) of puntCAT when
dealing with their respective circumstances.

 The Ombudsman shall obviously be independent from puntCAT, behaving as an
impartial party when dealing with disputes or complaints filed by members of
the Community. Moreover, the Ombudsman may be whether an individual or an
entity. In this sense, puntCAT has received several informal offers from
entities such as Universities or Newspapers that have adopted similar figures
for the development of their activities. At this respect, those entities have
offered their experience and knowledge on this issue in order to allow puntCAT
an adequate launching of this service.

 The Ombudsman will elaborate and publish a Yearly Report on the activities of
puntCAT, collecting the complaints filed during the corresponding year,
describing the most important problems and comments raised by the members of
the Community and making the recommendations it considers necessary in order to
grant an improvement of the quality of the services rendered by puntCAT. As
stated above, this report shall be made available to anyone, by posting it in
puntCAT's web site. In addition, the Ombudsman will deliver a copy of his
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report to ICANN as a part of the evaluation materials related to puntCAT.

 As described in other Sections of this form ("Policy-Making Process", for example) other instruments will be enacted in order to grant full transparency and openness to puntCAT's activities. At this respect, a Public Forum will be permanently available to any member of the Community for posting his comments or suggestions. In addition, access to the key information and materials related to puntCAT's activities will be made available to anyone, by posting them in puntCAT's web site. In this sense, for example, the Secretary of the Assembly will post the minutes of the meetings online. Furthermore, said meeting will be web-casted, so any member of the Community will be able to attend them and follow the discussions.

 All the documents related to puntCAT shall be drafted in Catalan. Nonetheless, the most relevant ones (such as, for example, the Ombudsman Yearly Report) will also be made available in English, in order to grant their comprehension to anyone, whether belonging to the Community or not. Finally, it is also important to point out that many materials will also be available in "offline" format (such as paper, for example).

Initial Directors, Officers, and Other Staff

All this information is avilable in Part C, Business Plan, question V

Selection of Directors, Officers, Members, Staff

Once established according to the rules already explained for the population of the Assembly of Trustees and selection of the Executive Committee itself, such Committee will appoint a General Manager, under the advise of the Steering Committee. Additional officers will be selected by the Executive Committee, as well, in accordance to the proposal made by the General Manager.

Further information on the Executive committee may be found at Part C, Business Plan - Current Operations, Question V.

Moreover, initial staff in the administrative and ENS areas will be hired by the Steering Committee, under recommendation of the part-time consultants referred in the precedent section.

Meetings and Communication

In accordance to the By-laws of the Foundation, the Assembly of Trustees will hold at least an annual meeting. Nonetheless, it is certain that beyond this legal requirement said assembly will meet most probably quarterly, at least during the first years of existence of the foundation.

 The annual meeting of the Asembly of Trsutees will be hold in Barcelona, as it is required to hold it in the place of the legal seat of the foundation. Other meetings will take place in different places, as the Assembly itself decides. Meetings of the Assembly of Trustees will offer participation through videoconference or teleconference or any other technical mean that offers its members the maximal flexibility for attending said meetings. At this regard, one of puntCAT's main goals is to make an extensive use of the most modern online systems for accessing the meetings (by means, for example, of web-casting in real time and granting access to the members of the Community by means of the foundation's web site). Thus, the use of said technologies would not only allow more flexibility to the trustees but

would also grant the members of the Community full access to the discussions held during said meetings, with the corresponding fulfillment of the goal of transparency aimed by puntCAT in regards of its activities. Information about puntCAT's activities will be further distributed thorugh mailing list, RSS feeds and or any other available technical way for disseminating information. It is planned also to publish a quarterly newsletter for more conventional dissemination.

At the end of each meeting, the Secretary of the Assembly of Trustees will prepare the corresponding minutes, being posted at the web site of puntCAT once elaborated. Said minutes will be public, so anyone will be able to access their contents.

The Executive Committee will meet monthly and meetings will be held by means of videoconference, teleconference or any other similar technique that allows remote communication between the members of said committee.

Finally, the permanent online (mailing list) based forum will hold an annual meeting. Such meetings will be held in conjunction with Internet-related events in different locations. Remote participation will be indeed offered. For more details, please see "Policy Making Processes" below.

Fiscal Information

In accordance with what it has been stated in "Organizational Structure" above, the Association filing this candidature is just a vehicle for preparing and managing such a filing. In consequence, no economic activity has been achieved by Associació puntCAT other than paying the fees to ICANN and to its own advisors in order to prepare such application (these funds have been kindly donated by some founding Members). Moreover, no staff has been recruited either. The management of the association is provided pro bono by the members of its Executive Committee, and the application process itself, but the specific Steering Committee referred to above.

On the other hand, in respect of the Foundation to be established in case of approval of the .cat TLD, it is foreseen that the initial assets it shall be granted with by its trustees will amount between 150,000 and 250,000 Euros. Please refer to Part C. "Business Plan" for details on number and timing of staff addition. During the application period the Steering Committee will be assisted by Eric Brunner-Williams as part-time consultant acting as CTO and Amadeu Abril i Abril as part-time Policy Advisor. Again refer to "Business Plan" for further details on their respective roles.

Indemnification from Liability

The Foundation will be based upon Spanish and Catalan Law, as it shall be established in Barcelona. Consequently, the liability regime foreseen by the Catalan Foundations Act will apply.

In accordance to said Act, the maximal extent of liability for foundations is the amount corresponding to the assets it manages. Thus, once said assets are no longer available, the foundation must be terminated. Moreover, in principle, liability for the trustees and officers is excluded. Nevertheless, such a responsibility will be given in case they have behaved in bad faith or by negligence.

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For insurance plans, please refer to Part C of this Application Form.
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Proposed Extent of Policy-Making Authority

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The Sponsoring Organisation for the .cat TLD, puntCAT, for and on behalf of the
Catalan linguistic and cultural community seeks delegation of the following
policies:

- Establishment, Maintenance and Modification of the TLD naming policies as
they reflect the identification of the community served by puntCAT.

- Nature of the Eligibility and Name Selection services to be performed in
order to ensure Charter-compliant procedures.

- Design and management of the Charter Compliance Procedure.

- Design of the Charter Reconsideration Policy

- Establishement of a .CAT Code of Conduct.

- Establishment of a Mediation Procedure.

- Accreditation, in conjunction with ICANN, of additional dispute resolution
providers for .cat-specific dispute resolution policies.

- Selection of the Registry Operator and other outsourcing service providers.

- Pricing for its services to the registrars (registration+ENS; renewals;
transfers; Redemption Grace Period; Defensive Registrations; etc.)

- Additional requirements to ICANN-accredited registrars to be included in the
Registry-Registrar Agreement, but only on those areas where specific provisions
are absolutely needed, such as incorporating the Charter policies and
procedures into the Registration Agreement, to provide those specific
provisions in the Agreement in Catalan (without prejudice of doing so in other
languages; puntCAT would provide the Catalan versions of the required documents
to the registrars).

- Establishment and update of a list of Reserved domain names (as it is now
common practice, one and two letters strings, names of Internet related
services and protocols both in English and in Catalan; and symilar categories;
we will consult GAC the convenience of reserving the name of countries at the
second level).

- Establishment and update of a list of Community-assigned domain names (please
refer below to "Add New Value to the Internet Name Space" for examples of this
concept).

- Finaly, puntCAT understands the convenience of a common Who is policy but it
would like requesting some special provisions for .cat TLDs. On one hand, the
addition of some fields like one form-declaration of intent of use. On the
other hand, puntCAT is greatly concerned about the convenience and even the
legality of some current policies such bulk Whois license, mandatory
publication of certain types of personal data and indiscriminated access
through Port 43. puntCAt does explicitly request a delegation of policy in this
area, provided that special provision for this TLD could be negotiated with
ICANN.
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Even if delegation for those areas is requested, puntCAT commits to notify any such substantive modification in advance to ICANN's policy structures (such as the GNSO) and request their comments and evaluations. For all those areas where delegation will not occur in full form, puntCAT will striclty abide to ICANN policies and procedures.

Policy-Making Process

puntCAT aims at involving the Community when developing the policies it will apply to the .cat TLD. Thus, it shall create a policy-making procedure that balances the participation of the members of the Community with the consultation to the experts that may offer optimal policies for the management of this TLD.

At this respect, puntCAT will appoint a Policy Officer, who will be in charge of assisting and drafting all relevant initial and further modified policies. Moreover, an Advisory Council on this topic will be appointed. Such a council will be composed by experts, not necessarily from the .cat Community, belonging to the Internet industry and it will advise puntCAT in the adoption of new policies or the amendment of the existing ones.

Thus, the adoption of a new policy as well as the amendment of an existing one will necessarily follow the procedure that is further described. First of all, the Policy Offer will draft a Statement of Issues related to a given policy at its own initiative, at the initiative of the CEO or at the initiative of any of the legal organs of puntCAT.

Once such a document is drafted, it will be simultaneously filed before the Executive Committee, the Assembly of Trustees and the Advisory Council. In addition, the document will also be posted in the Public Forum's web site (and distributed through the mailing list, RSS feed etc), in order to allow the members of the Community to file all the documents they may have within a three-weeks period.

 Once such a period has expired, the staff will prepare a report containing a summary of the comments received from the members of the Community and it will communicate it to the Executive Committee and the Advisory Council. Additionally, said report shall be posted at the Public Forum's web site (and to the other communication means), so any member of the Community may access it.

 After reviewing the Statement of Issues and the Public Comments Report, the Advisory Council will issue a Policy Recommendation that will be notified to ICANN's GNSO, Policy Development officer, and to puntCAT'S Executive Committee. Moreover, the Policy Recommendation will be posted at the Public Forum's web site, allowing the members of the Community to file comments during a new three-weeks period. As soon as this period has expired, the staff will elaborate a new report on the comments sent by the members of the Community and it will communicate it to the Executive Committee.

 If ICANN raises no objection, the Executive Committee will adopt the Policy Recommendation by majority-vote, being immediately posted as a new applicable policy. This policy will be revised by the Assembly of Trustees in case three members of the Executive Committee, 25 % of the members of the Assembly or 50 .cat domain names registrants request so. In this case, the policy shall be adopted in case it is approved by a majority of votes of the members of the assembly from at least four of the five categories included within.

In case ICANN objects the adoption of the new policy, the corresponding standard procedures shall be applied in order to solve the issue.

A. Add new value to the Internet name space

It is a fact that any addition of a new TLD to the DNS enhances diversity. In the case of the .cat TLD proposal the main value it provides is precisely diversity regarding the type of community; diversity regarding the services provided; diversity regarding the eligibility mechanisms. On the contrary, puntCAT submits that the use of the majority of the foreseen registrations will be the traditional one: a plain Internet identifier. We do not propose to map complete directories of services, or map applications to the DNS. Thus, in this other regard it is more traditional. A TLD as we know them.

Diversity

Let's make an analogy with biology. The recurring tendency is to decrease biodiversity. Each year many species, both vegetal and animal, disappear. This in itself is a loss. Each one brings some biological experience that adds value to life and evolution. Humanity is increasingly aware of the risks of such a process and is slowly starting to take measures to reverse the cycle. Therefore, biodiversity is perceived as a value in itself.

It is also a fact that languages are experiencing a similar trend. The globalization of all aspects of our lives and the increasing strength of dominant languages is putting strong pressure on the rest of them. The communicative spaces in most languages is shrinking under this pressure. On the Internet, the pressure of the dominant language is even bigger. Promotion of use of other languages to a level that will them viable communication tools is not only a concern for small or nearly disappearing languages but also to some of the strongest like Spanish or French. In this context, the .cat TLD proposal is a humble contribution in the direction of giving dignity of use and equal chances to less favored languages. It is certainly not a solution and it is certainly a desperate situation either. It would be an encouraging sign sent to all sort of communities around the world that cultural diversity has its space on the Internet.

As we show in different parts of this application form and will be able to provide more details during the evaluation process, this is a proposal arising from a communication space sharing a culture and a language which strongly supports it. Bear in mind that puntCAT is just a vehicle for this application process. Even so, we have already 67 members and dozens of others going through the membership process. It is not an existing association that brings its members here. Many of our members have on their own hundreds, if not thousands, of members, but this a special purposed initiatives for this very process. They have devoted the time, the energy and the money (which, by the way, seems to be an artificial filter to cut off lots of well-thought proposals) and will keep doing so. The Community, the one that puntCAT represents, is excited about pioneering a new type of sponsored TLD: diversity in the cultural and linguistic space.

The choice of .cat as the character string for the TLD has been overwhemingly supported by the Community. CAT is in fact the abbreviation they all use for different purposes. Among the three funding members of the association, the

Catalan Chapter of Internet Society is known as ISOC-CAT. The Catalan Studies Institute is IECAT and so on: the Catalan Terminology Consortium is known as TERMCAT, if someone launches an economic information site it is MERCAT, etc.

The second and third strings provided by this application form fall well behind in our Community's preferences.

Apart from the above-mentioned values, .cat TLD proposes an experiment with internationalized domain names. Catalan language has only 11 non-ASCII characters and those would be offered for registration. The innovation would consist in that each registrant of an IDN string would also get the closest equivalent ASCII string. For instance, puntCAT will provide the complete equivalence table during the evaluation period. The reason for doing this is that it is not completely clear yet that IDNs resolve universally, as it still depends on the implementation and the browser. It is only for the web, but not for e-mail or other Internet-related services. PUNICODE relies on UNICODE but UNICODE is much less stable than what IETF and ICANN seem to think. Future migrations to other encodings or even complete abandon of the current path can still happen. This is why puntCAT proposes so-called "Reversible IDN Registrations" (indeed if the ASCII equivalent is not available, no IDN could be registered and both strings would follow the same registry life).

Another service our Community has proposed and puntCAT will experiment is Community.Assigned Domain Names, i.e. names used as a shared resource for cultural purposes. Let's give a couple of examples: first, some universities and publishing companies are offering to sponsor the following experiment: the names of the major Catalan literary works will be used for publishing there the integral work (if it is already in the public domain). Another example from the cultural side this time comes from gastronomy… an integral part of Catalan culture J puntCAT will launch a series of "wiki-wiki receipts" where all .cat TLD registrants will be able to contribute their own variances of typical Catalan dishes. A third service that at this time has not been approved by our Community is the "Dictionary DNS", this is reserving all the common words in Catalan language and building specific sites with definitions, examples of literary works, ethimology and so on. But, as we said, this does not seem the direction our Community will follow.

puntCAT being a non-for-profit entity whose sole purpose is managing a TLD for the Catalan linguistic and cultural community cannot generate profits or use financial surpluses in unrelated goals. Therefore, any such financial availability would be devoted to promotion of its core goal: promoting the Catalan communication space on the Internet. Projects that would obtain support in that event would be, for instance, development of open source, cross-platform, dictionaries and language correction tools or automated translation services.

B. Protect the rights of others

Protecting the Rights of Others

 Abusive registrations within sTLDs are far less likely than within gTLDs. For one thing, the very nature of a sTLD is to establish criteria as to who can register a domain and who cannot. The very existence of such "border controls", so to speak, make abusive registrations less attractive, as the speculative value of the domain is diminished by those controls, and because the much lower ability to confuse anyone in a community-specific domain. To put this in context, the conflicts with third parties within the three current sTLDs has been non-existent, to our knowledge. In any

case, no single Decision under their respective Charter Dispute Resolution
Policy (or Eligibility DRP at that) seems to have been issued. Indeed,
Name value as well as the specific focusing to a given community diminishes
the attractiveness of abusive registrations of sTLDs.

Even so, we propose a wide array of effective safeguards in order to
protect third-party rights. They are based on the following policies and
practices:

- Eligibility-Compliant Registration Procedure
- Charter Compliance Policy (See below, C)
- Charter Eligibility Dispute Resolution Policy
- Uniform Dispute Resolution Policy (UDRP)
- Compliance Reconsideration Policy
- Mediation procedure
(See below under D for the last four mechanisms)

In addition to the above-mentioned standing procedures, two specific
mechanisms for the initial Start-up period would be provided:

- Special provisions for Start-up Period
- Defensive Registrations procedure

Eligibility-Compliant Registration Procedure

This Procedure is designed to ensure that non-compliant applicants
(non-members of the relevant Community) cannot register domain names with
this TLD. In order to achieve such a goal, puntCAT will check each
application in order to ensure the fulfillment of a series of criteria,
both with automated and manual processes. Only when the relevant criteria
are met, the Sponsor will activate the domain name in order for it to be
operative. This is what in the context of this application is referred to
as Eligibility and Name Selection services (ENS).

The Registration Procedure will require two main elements (besides, indeed,
the canonical registration data, regarding name, different contacts,
nameservers, etc.).
Declaration and Intent of Use
On one hand, the Registration Agreement will contain a declaration form
where the Applicant shall expressly declare its identity and belonging to
the Community as well as a statement on how the domain name will be used.
As explained below, failure to provide true information by the Applicant
will be considered as a cause of cancellation of the domain name, as it
could be a use diverse from the one declared.

Such declarations will be stored and publicly available. Domain name
holders will be able to update/modify them.
Identification as member of the Community
On the other hand, the Sponsor shall verify the identity of the applicant
and the compliance of the eligibility requirements prior to the activation
of the domain name by three different means:

1. Requesting the corresponding documentation.
For certain categories of users, well-established lists do exist (be that
professional or public registries; professional guilds or membership of
certain associations or Federations). The categories puntCAT has already
identified include:

- Universities or other academic entities that promote the Catalan language
  and/or culture. For instance, by means of specific departments, Chairs,
  Degrees, or courses.
- Publishing companies that publish works in the Catalan language or
  relating to the Catalan culture.
- Media/communication entities that use the Catalan language.
- Public or private entities whose aim is promoting the Catalan culture.

A list of required documentation for each of the above-mentioned categories
(and others which are currently being elaborated within the Associació
puntCAT) will be prepared and posted. Examples would be being a member of
the Catalan Publishing Association or a member of the Guild of Writers in
Catalan language (the Catalan section of the PEN Club, for example), or the
Association of Catalan Cultural Centers in any of the different regions
where they exist. The space allocated in this application form is not
enough to provide all the possible examples. As pointed out, previously
puntCAT will individually check each application before activating the
requested domain name.

Please note that belonging to the above-mentioned categories is not enough
at this stage. The prospective registrant will need to identify effective
inclusion in one of those lists used by the Sponsor for ENS purposes. In
case it is not, the applicant will need to go to use any of the other two
mechanisms described below.

It should also be noted that in fact many of these lists/registries are
maintained by entities which are already members of the Associació puntCAT
(and many others will come shortly on board), so obtaining them and
performing the relevant checks will not be a big challenge for the Sponsor.

2. Proof of actual use of Catalan language in online communications.

Entities or professionals who already use the Catalan language to
communicate with their users and customers will be able to point to those
existing services as a proof of their eligibility. As of now, running web
pages or a mailing list would be accepted, but not showing simple mail
exchanges.

3. Proof by Reference

But there is still a long part of the community who does not fit within the
previous criteria, but who clearly would qualify as a member of the Catalan
linguistic and cultural community. Take any of the individuals representing
the current 67 members of Associació puntCAT, for instance. We belong to
that Community, and we want to use the proposed TLD as (one of) our
Internet identifiers. "Community" is precisely the operative word here, and
the third criteria is precisely proof of belonging to a Community by
reference of other members of that social network, of that Community.

In those cases, besides the always-required Declaration and Intent of Use
referred to above, the applicant would need to provide a number of
references of actual members of the Community (and already .cat registrants
themselves). The reference will come in form of email address. Our ENS
system will generate an automatic email requesting confirmation, and the
domain would not be activated until such time the confirmation arrives.

In case of the reference being one entity in the category listed at #1.
above, one single mail would suffice. In this case, for instance, a

University using Catalan as one of its teaching courses could, if so they
wish, reference (sponsor) its professors and researchers. Or a newspaper,
its subscribers.

In case the applicant cannot get introduced to the rest of the Community
(namely, to the Sponsoring Organization, puntCAT) by those members of the
categories at #1. above, (those on established lists and registries) then
three names (and mail addresses) of three different current registrants
would be required.

We have discussed and designed with CORE, our Registry Operator, a system
for handling this procedure. Indeed, references and mail addresses would be
kept by the Sponsor, but not made public under any circumstance other than
challenges under the CEDRP discussed below, and only to the panelist.

The current members of the Association, as well as those who will join in
the near future, are committed to cooperate with such a procedure. This is
what social networking, and communities are about, and there is no-best
proof of belonging to one than precisely being identified by other members.

Obviously, all registration procedures will be based on "first come, first
served" criteria, provided that the eligibility requirements are met
(checking sufficient right, instead of establishing better right). We will
only provide for a limited-time prior right of entry to certain categories
during the initial launch of the TLD.

C. Assurance of charter-compliant registrations and avoidance of abusive registration practices

Charter Compliance

 Guaranteeing that the .cat names are only registered by members of the
 Community is one of the main concerns of puntCAT, and one of the main
 duties of a Sponsoring Organization. Thus, a Charter Compliance Policy
 shall be adopted in order to grant that all the registrants of domain names
 do fulfill the requirements set out by the Charter.

 In accordance to this Policy, puntCAT will verify whether the declaration
 made by the registrant when registering the domain name at issue contains
 inaccurate or false information about the registrant's identity or
 he/she/it does not actually fulfill the requirements set out by the
 Charter. In case puntCAT does find out that the registrant does not comply
 with Charter, it shall not register the domain name and, if it is already
 registered, it shall be cancelled.

 Moreover, in accordance with this policy, puntCAT will verify the
 conformity of the use given to the domain name by its registrant vis-à-vis
 the Intent of Use declared at the moment of the registration (or modified
 thereafter). Should said use be different to the one publicly stated, the
 domain name will be put on registry hold (no resolution).

 In order to verify the information provided by the registrant when applying
 for the domain name, puntCAT shall be entitled to request supplementary
 information from the registrant.

 Said verifications will be made daily and on a random basis by puntCAT or
 as a consequence of the filing of a complaint by a member of the Community.
 The complaint form will be available on the registry site, and the

procedure will be at no cost to the complainant.

puntCAT provides this service at its own cost as it is clearly critical for the rest of the Internet users that no sTLD becomes a de facto, disguised, open and generic TLD.

In order to finance both this service and the initial registration checks, the .cat registrants will pay an initial registration fee plus an ENS fee (in our current proposal, twice as much as the price of registration) when first registering the domain. On successive years, the renewal fee would not be accompanied of that ENS fee.

Apart from the above-described standing procedures, we will provide two further specific set of provisions related to the TLD launching period. Special provisions for the Start-up period
 puntCAT will implement a Start-up Period to allow certain members of the Community to register domain names corresponding to their registered trademarks, commercial names, entity names or well-established names before the general launching of the .cat TLD.

Such a Start up Period shall be divided in two phases. During a first phase (three months), the registration of domain names will be available for those members of the Community included in pre-existing available registries that are professionally linked to the promotion of the Catalan culture or language. These entities are the same as in group #1. above (Universities and academic institutions, publishing companies and writers, media; as well as public or private entities whose main aim is promoting the Catalan language and/or culture).

Once the first phase is over, a second one will be open (two months) to all categories but individuals (where the likelihood of conflicts is statistically much higher). In both phases, the Registry will verify the identity of the applicant and the evidences filed in order to prove its belonging to the Community.

From that point on, the registration will be open to all qualifying registrants. puntCAT would reserve the right to delay the opening for one further month in case the (very unlikely) accumulation of conflicts (complaints) arising from the registrations required some extra time to be sorted out.

Defensive Registrations

This procedure has been offered by other TLDs in their initial phase. It is designed to provide for specific protection to registered-trademark holders. puntCAT does not believe that such a mechanism is required for a sTLD, as the main protection against trademark dilution steams precisely from the strict character of the eligibility criteria, and, in addition, from the Compliance Procedure, which will allow easy and fast challenges to non-compliant registrations at no cost.

Nevertheless, puntCAT will implement a special Defensive Registrations window to allow registered trademark holders who do not comply with the eligibility criteria and do not belong to the Sponsored Community to submit a request to block the domain names consisting on its trademark (literal and exact content). Registered trademark holders shall provide with documental evidence of such registration in any jurisdiction and pay the corresponding fee (which is indeed higher than the regular registration

fee). Such a Defensive Registration (excluding a matching registration)
will be valid for one year (renewable).

Furthermore, if later on the titleholder of a defensive registration
becomes eligible under the .cat Charter, and wants to register the domain,
it could be activated by applying through one of the registration
procedures described above.

As stated above, in addition to the registration procedures, puntCAT will
develop and apply several policies in order to grant the protection of
third-parties' rights. Said policies are described in detail in Part D
(Charter Eligibility Dispute Resolution Policy, UDRP, Compliance
Reconsideration Policy and the Mediation Procedure).

D. Assurance of adequate dispute-resolution mechanisms

puntCAT does foresee the adoption of four policies focused on the
resolution of any dispute that may arise from the registration and
ownership of the domain names. Said policies are the Charter Eligibility
Dispute Resolution Policy, and UDRP, now standard across gTLDs and sTLDs,
plus a specific Compliance Reconsideration Policy and a Mediation procedure.

1. Charter Eligibility Dispute Resolution Policy

This policy is designed to allow any third party to challenge a
registration which is allegedly made in violation of the Eligibility
Charter. We want to underline that in fact the Registry assumes itself the
burden of what is commonly deemed to be the subject-matter of the CERDP
through the Charter Compliance Procedure described above. As already
stated, the Sponsor will not only run ex officio, random checks, but also
commit to dealing with all third-party complaints, and at no cost to the
challenger. Even so, for the seek of cross-sTLD coherence of the namespace,
we will certainly adhere to the CEDRP.

Main features of such Policy are:
- Any third party will be entitled to file a complaint based on this
  policy before any of the accredited Dispute Resolution Provider, in
  accordance to the rules that may be adopted regarding this policy, even if
  she has previously filed a complaint under the Sponsor's own Charter
  Compliance Procedure.
- Any domain name registered in infringement of this policy shall be
  cancelled upon decision of the panel appointed by policy's solutions
provider.

We request from ICANN a specific modification of the CEDRP for .cat in the
sense that when a challenger prevails and the name is canceled, the
challenger will, in case of being eligible for such name under the Charter,
have 21 days to proceed though the registration process for the challenged
name. In case of not succeeding in completing the registration for any
reason, including lack of eligibility, then the name would be deleted and
made available.

2. Compliance Reconsideration Policy (CRP)

We propose to create the CRP as a mechanism for appealing against a
decision issued by puntCAT pursuant to the Charter Compliance Policy,

described above, ie, when the Sponsor would put a domain name on hold or delete it because of failure to comply with the complete eligibility requirements
The main features of this proposed Policy will be:
- Any registrant whose domain name has been deleted or put on Registry-hold by puntCAT through the Charter Compliance Procedure (either following a third-party complaint, or ex officio by the Sponsor) or whose registration has been initially refused is entitled to challenge such decision before any accredited Dispute Resolution Provider.
- If the panel finds that the registrant was in compliance with the Charter, an order will be issued to the sponsor so as to restore the functionality of the domain name in question (The announcement of a Challenge will have the effect of keeping registrations provisionally on hold, even if they were rejected prima facie under ENS scrutiny by puntCAT).

3. Uniform Dispute Resolution Policy

All registrants under .cat will abide to the UDRP as approved by ICANN, through the usual provisions included in the Registrant Agreement, and the Registry-Registrar Agreement.

Accredited registrars shall commit themselves to fulfill the above-mentioned policies, as well as to expressly accept them by their registrant (by means of including them in the corresponding registration agreements).

Both CEDRP and UDRP will be managed by those dispute resolution providers accredited by ICANN. As for CRP, we propose the specific accreditation of IQUA, Internet Quality Agency (http://www.iqua.net). IQUA is an initiative of some independent regulatory authorities for broadcasting and electronic communications, with the participation of many different actors from both the public and private sector in order to promote self-regulation as a means of improving the quality of Internet experience, both from technical service, service and content perspectives. They promote quality seals, codes of conduct and alternative dispute resolution. Even if their scope is global, some of their founding members are independent broadcasting authorities from different areas of the Catalan linguistic domain (while others are from different parts of Spain; and private members come from a wide spectrum of places and professional fields).

We have been working with IQUA in order to implement such a CRP but also a Code of Conduct for .cat domain-name holders and, as stated below, a Mediation procedure.

4. Mediation

Finally, we will also propose a Mediation procedure, also managed by IQUA, related to the conflicts among members of the Community regarding their respective expectations towards the registration of the same domain name. We consider that many conflicts among members of the Community could be solved if such a Mediation procedure was available. Indeed, belonging to a same community could be a key issue for solving said conflicts as a common set of rules of conduct would establish the basic criteria for finding a solution for this type of conflicts.

E. Provision of ICANN-policy compliant WHOIS service

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PuntCat will provide a Whois service fully compliant with ICANN polices and up
to the highest technical standards. For the details regarding the concrete
operation of the whois and the allocation of resources, please refer to Part E
of this application (Technical Proposal).

Designing a new Whois service is a difficult task today. The ICANN community is
currently in midst of a though reformulation process, involving the Whois
purpose and the applicable policies.

As already stated in this application (extent of policy delegation), puntCat
would like to submit several contributions to this debate. For instance, the
addition of special-purpose fields covering the Intent of Use. More
importantly, puntCat expresses reservations about uncontrolled access to port
43 Whois, and bulk Whois licensing. puntCat is also concerned with regard to
publication of personal data of registrant beyond what is strictly necessary.
Puntcat will actively and constructively contribute to this debate and abide by
ICANN policies or recommendation within the limit of applicable law.
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