

Letter of Motivation

The reason that I have decided to submit my name for consideration to the Competition, Consumer Trust and Consumer Choice Review Team is because I believe I am uniquely qualified to serve on the team based upon my over 16 years of experience within the ICANN multi-stakeholder model and operational experience with new TLD registry operators. As detailed below, my education and training as an engineer and intellectual property attorney, as well as my engagement with a broad range of TLD clients (for-profit; non-profit; inter-governmental; and .brands) allows me to provide multiple perspectives to both problems and solutions. I also was fortunate in the last round enough to work with TLD applicants in every ICANN region: North America, South America, Europe, Africa/Middle East, and Asia.

Through my continued consultancy services with fTLD, the registry operator of the .BANK, I have been able to part of a team that has launched the most successful and secure TLD to date. Leveraging my previous experience as Chair of ICANN's High Security Zone TLD Advisory Group, I have been able to work with fTLD and industry experts to put in place some of the most stringent security requirements and registrant verification safeguards available in the marketplace today. I believe this success is why the .BANK TLD is regularly cited by the GAC as the benchmark for sensitive strings in highly regulated industries.

I also have a deep understand of Intellectual Property issues as evidence by my testimony before the US Congress on multiple occasion, as well as my testimony as an expert in both federal and state court in connection with domain name related issues. I also conceived and authored the original Sunrise RPM concept back in 2000 as the Chair of Working Group B. Additionally, I have a deep understanding regarding the protection of geographical identifiers in the name space. As a consultant to Afiliis I have worked with the GAC over the past 15 years to ensure that GAC members have been able to obtain their corresponding .INFO domain name in accordance with ICANN Board resolution 01-92.

There is another reason why I have decided to make the substantial investment to volunteer for this review team. I genuinely believe that if ICANN does not properly incorporate the lessons learned from the 2012 round, then the future of the ICANN multi-stakeholder model is a risk. While it is still too early to make any definitive statements regarding the success or failure of the entire 2012 TLD program, there have been a number of shortcoming that the GAC, ALAC and broader ICANN community have identified that need to be accounted for in any competition, consumer trust and choice review.

Listed below are detailed responses to the qualification and experience that ICANN is looking for in connection CCT-RT Team members:

- Knowledge of ICANN and its working practices and culture, including the New gTLD Program

I have been involved in ICANN since its creation. I have not only contributed as a participant in ICANN's multi-stakeholder model for over 16 years, but I have severed in various leadership positions including but not limited to: a three year term on the ICANN Board of Directors; Chair of the Registrar Stakeholder Group; and Treasurer of the Registry Stakeholder Group. Most

relevant to this review, I also served as the Chair of ICANN High Security Zone TLD Advisory Group.

- Familiarity with the multi-stakeholder model and procedures;

As noted above I have been involved in ICANN's multi-stakeholder model and its procedures for over 16 years. I would specifically like to bring attention to my commitment to the multi-stakeholder model both before, during and after my service on the ICANN Board. Many former ICANN Board members tend to pursue other interests after serving on the ICANN Board. However, I consider myself part of a select group of former ICANN Board members that after stepping down from the board decided to roll up their sleeves and re-engage in the multi-stakeholder model from the bottom.

- Expertise in consumer protection matters;

I testified for the Florida Attorney General as an expert witness in connection with an illegal online pyramid scheme that had defrauded consumers. I have also testified twice before the United States Congress in connection with Whois Accuracy issues and its impact on consumers. In my capacity as a consultant with various Registry Operators I am periodically required to respond to law enforcement matters impacting consumers. As the original chair of the Registrar Constituency, I worked with the United States Federal Trade Commission to host a work shop in DC to address some "slamming" issues which had arisen in connection with ICANN's introduction of competitive registrar marketplace.

- Understanding of the New gTLD rights application processes and protection mechanisms;

As the Chair of Working Group B in 2000 I authored the original Sunrise RPM that was incorporated into the launch of the .INFO TLD. The Sunrise concept was subsequently used in the 2004 round of new TLDs by the majority of Registry Operators and is now a mandatory RPM expect for certain .BRAND TLDs. I have also worked with .MOBI and .ASIA in helping implement their Founder/Pioneer programs. I have also help author a Reserve Name Challenge Policy which has been incorporated into the .BANK to provide third parties the ability to remove a domain name from a registry reserve list. This is a new RPM which was implemented to address concerned by trademark owners of Registry Operators reserving certain domain names associated with famous brands.

- Expertise in or knowledge of mitigating DNS and potential security threats;

In addition to serving as the Chair of ICANN High Security Zone TLD Advisory Group, I have served as a consultant to fTLD since its inception. fTLD is the registry operator of the .BANK and .INSURANCE TLDs. I have participated in fTLD's security advisory calls that originally proposed and continue to enhance a number of enhanced security requirements. These security requirements were specifically referenced in ICANN's Applicant Guidebook. .BANK has regularly been acknowledged in the ICANN Government Advisory Committee as the benchmark for registrant verification in connection with a string associated with a highly regulated sector. The lessons learned from the .BANK launch are now being incorporated into the pending launch of .INSURANCE another sensitive string associated with a highly regulated sector. Through my

consulting services with fTLD I am involved in a range of security mitigation issues in connection with its various advisory and working groups.

- Experience in evaluating competition and market forces in the gTLD space or in other industries;

I have regularly consulted in the past with leading Wall Street and international investment firms in connection with publicly traded companies within the domain name industry regarding competition and market forces. I have periodically interacted with the United States Department of Justice in connection with competition issues within the industry. In connection with my consulting activities with clients in non-branded TLDs, we need to analyze trends and market forces to best position their TLD for adoption/success.

- Expertise in quantitative analysis and information systems;

I engage in quantitative analysis on a daily basis in connection with the operation of my own business. I also engage in quantitative analysis in assisting client in analyzing different business models. These analytical skills have been honed over 20 years of professional experience as well as my education and training as both an engineer and lawyer.

- Expertise in or knowledge of intellectual property rights protection;

As noted above I have been intimately involved in intellectual property rights protection. As the Chair of Working Group B I authored the original Sunrise program which has now been adopted as an industry standard. I was also involved in helping to draft the UDRP in my capacity as the Chair of the Registrar Constituency back in 1999. I have previously served as a UDRP panel for WIPO. I have worked with numerous registries over the last decade in successfully launching their respective TLDs that have included a variety of RPM mechanisms. I have testified as an expert witness in both federal and state court in connection with trademark and domain name related issues.

- Knowledge of competition, consumer choice and consumer trust in the domain name or other marketplaces; and

In my capacity as chair of the Registrar Stakeholder group back in 1999, I was at the forefront of helping to spur innovation and choice within the new registrar marketplace that ICANN had created. In 2000, I worked with a coalition of approximately 20 registrars to form Afilias which secured the rights to operate the .INFO TLD. Afilias has now grown to become the second largest gTLD registry operator. As noted above in my capacity as chair of the Registrar Stakeholder group, I coordinated with US law enforcement and consumer protection agencies to address early consumer protection issues brought about in connection with the introduction of registrars to the domain name marketplace.

I have testified before the US Congress on multiple occasions and as an expert witness for the Florida Attorney General in connection with an illegal online pyramid scheme that had defrauded consumers. As the Chair of ICANN's High Security Zone TLD Advisory Group, we analyzed a number security features that could help build consumer trust into the DNS. As a

consultant to fTLD, the registry operator of the .BANK TLD, I have been able to be part of a team that has made some of these concepts a reality.

Having worked with clients from both the private and public sector and spanning every ICANN geographic region over the years, I appreciate how the concepts of competition, consumer choice, and consumer trust are not fixed and must be analyzed through different lenses. This approach has allowed me to serve my clients best interest whether they were the League of Arab States applying for the .ARAB and [عرب](#) TLDs, fTLD applying for the highly regulated .BANK and .INSURANCE strings, or the many corporate clients that I helped secure their own .BRAND TLD.

Some additional data points that are relevant to the issues of competition, consumer choice and consumer trust include my involvement with the various String Confusion and Community Objection proceedings. I am not only intimately familiar with the entirety of these Panel's decisions, but also the issues raised in connection with the various ICANN Accountability Review Processes invoked, e.g. Ombudsman, Reconsideration Request, and IRP. Finally, in connection with the work that I do with my Chinese clients, I have a much greater understanding of how national governments are imposing additional safeguards on new TLD Registry Operators to protect consumers.

- Capacity to draw fact-based conclusions and feasible and useful recommendations.

My education and training as an engineer and a lawyer has taught me to make fact based conclusions and communicate feasible and useful recommendations for most of my professional life. In my various leadership positions with the Registrar and Registry stakeholder groups as well as a chair and participant in numerous ICANN Working Groups, I have learned first-hand the importance of this skill set. However, perhaps more important lesson I have learned in over 16 years of participating in ICANN is the need to document the multiple sides of an issue when there is NOT consensus.

Looking back historically at each of the three previous ICANN new TLD rounds 2000, 2004, and 2012 there was always an element of controversy before the launch of each respective round. With history as a guide, there is likely to be similar controversy before any future expansion. This review team serves an important function to research all available data and make recommendations that the broader ICANN community (ALAC, GNSO, GAC, etc.) can then review. In the absence of any consensus recommendations, the review team needs to document all the available data so that either the ICANN community or ultimately the ICANN Board can make a determination in connection with any future TLD rounds.