ICANN Organization Response to Comments Received
Registry Agreement Termination Process - xn--mgb9fbpob

03 July 2019

On 28 February 2019, GreenTech Consultancy Company W.L.L. (GreenTech) notified ICANN of its intent to terminate the xn--mgb9fbpob Registry Agreement entered into on 18 December 2014. Pursuant to Section 4.4(b) of the Registry Agreement, Registry Operator may terminate the Registry Agreement for any reason upon one hundred eighty (180) calendar day advance notice. Pursuant to the terms of Section 4.5 of the Registry Agreement, ICANN consulted with GreenTech to assess whether to transition operation of the xn--mgb9fbpob top-level domain (TLD) to a successor Registry Operator.

On 29 April 2019, ICANN made a preliminary determination that operation of the xn--mgb9fbpob TLD need not be transitioned to a successor Registry Operator. This initiated a 30-day comment period that concluded on 29 May 2019. During the comment period, two (2) comments were received. Below is a summary and analysis of the comments.

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| Mr. Wael Nasr of Mobiledots L.L.C. on 4 May 2019 | In response to the Preliminary Determination for the xn--mgb9fbpob and .mobily TLDs, ICANN received a comment from Mr. Wael Nasr, Chairman of Mobiledots L.L.C., asserting that one of the grounds ICANN listed as supporting its preliminary decision not to appoint a successor Registry Operator was incorrect: "--Registry Operator [GreenTech Consultancy Co. W.L.L. ("GreenTech")] does not sell, distribute or control or use of any registrations in the TLD to any third party that is not an Affiliate of Registry Operator." In support of his statement, Mr. Nasr provided a description of a third party dispute between GreenTech and Mobiledots regarding the intended registry operators of the xn--mgb9fbpob and .mobily TLDs. ICANN notes that it has previously been made aware of this third party dispute multiple times but has never received any documentation, such as a court order, invalidating the current Registry Operator of record. Furthermore, it is not within the remit of ICANN to transfer the TLDs to a specific successor Registry Operator (such as Mobiledots L.L.C., as Mr. Nasr requests) through this termination process. ICANN appreciates Mr. Nasr’s comment, however the information in the comment received from Mr. Nasr does not change ICANN org’s original assessment that operation of the xn--mgb9fbpob and .mobily
TLDs need not be transitioned to a successor Registry Operator. That assessment was based on various factors which remain unchanged, including ICANN org’s determination that transitioning the TLD is not necessary to protect the public interest as well as GreenTech’s attestation, and ICANN org’s verification, that GreenTech does not sell, distribute or transfer control or use of any registrations in the TLD to any third party that is not an Affiliate of Registry Operator.

As such, ICANN org will process the voluntary termination request submitted by the Registry Operator of record pursuant to Sections 4.4(b) and 4.5 of the Registry Agreement.

ICANN org notes that it is possible for an interested party to have the opportunity to apply for these or other TLDs in a future round of new gTLD applications.

| Mr Wael Nasr of Mobiledots L.L.C. on 12 May 2019 | Mr. Nasr, Chairman of Mobiledots L.L.C., requested confirmation that ICANN org received his comment from 4 May 2019. ICANN org confirmed receipt of the comment. |