



ICANN Registry Request Service

Ticket ID: Z9S3D-2E4B2

Registry Name: Employ Media LLC

gTLD: .JOBS

Status: ICANN Review

Status Date: 2010-06-09 07:07:20

Print Date: 2010-06-09 07:07:31

Proposed Service

Name of Proposed Service:

Technical description of Proposed Service:

Employ Media proposes to implement the Phased Allocation Program detailed below.

Pursuant to the Policy Development Process ("PDP") set forth in the .JOBS agreement between ICANN and Employ Media (dated May 5, 2005), see Appendix S, Part VII (3) thereof (<http://www.icann.org/en/tlds/agreements/jobs/appendix-S-05may05.htm>), the Society for Human Resource Management ("SHRM") has created and oversees a PDP Council to review proposed amendments to .JOBS policy, practices and business rules. On June 3, 2010, the PDP Council approved by supermajority vote the following amendment (the "Amendment"), which was also approved by SHRM and Employ Media:

"To the extent that any policies, practices or business rules in .JOBS govern Employ Media's ability to provision, allocate, register (to third parties or itself), allow use of in the DNS (by third parties or itself), reserve or remove from reserve, any non-"companyname" domain names, including industry and occupational domains, geographic domains, dictionary term domains and two-character domains, all such policies, practices or business rules are amended to allow Employ Media, at Employ Media's discretion (provided that Employ Media maintains adherence to the .JOBS Charter), to provision, allocate, register (to third parties or itself), allow use of in the DNS (by third parties or itself), reserve and remove from reserve, all such non-"companyname" domain names."

The scope of the Phased Allocation Program is narrower than the Amendment approved by the PDP Council, SHRM and Employ Media; the Phased Allocation Program (and this Registry Request Service) specifically excludes all second-level country names set forth on the ISO-3166 list as referenced in Appendix 6 to the .JOBS registry agreement (<http://www.icann.org/en/tlds/agreements/jobs/appendix-6-05may05.htm>). The scope of the Phased Allocation Program does not include domains resulting from applications for "companyname" domains. For the purpose of this Registry Request Service, domains within the scope of the Phased Allocation Program are referenced as "Phased Allocation Domains."

Employ Media's proposed Phased Allocation Program will have three main components, similar to other Phased Allocation Programs previously submitted and approved for other TLDs through the RSEP:

- 1. Request for Proposals (RFP) to invite interested parties to propose specific plans for registration, use and promotion of domains that are not their company name;*



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2. By auction round that offers domains not allocated through the RFP process; and

3. A first-come, first-served real-time release of any domains not registered through the RFP or auction processes.

.JOBS is a sponsored top level domain. The Phased Allocation Program reflects the desires of the Community served by .JOBS, as demonstrated in the PDP Council's approval of the above-styled Amendment. It is Employ Media's intent to solicit plans consistent with the dictates of our Community, so long as such plans are consistent with the .JOBS Charter, the Amendment approved by the PDP Council and this Registry Service Request, including but not limited to plan(s) which may create a self-managed class of domains registered in Employ Media's name.

Prior to the time of an auction (i.e. Step 2), Employ Media will publish a list of one or more domains along with adequate notice to .JOBS registrars and public notice to interested members of the .JOBS community for the opportunity to participate on equal footing.

Consultation

Please describe with specificity your consultations with the community, experts and or others. What were the quantity, nature and content of the consultations?:

Employ Media invoked its Policy Development Process (PDP) to seek approval of the Amendment from the PDP Council, appointed by SHRM independently and representative of the .JOBS community, as defined in Employ Media's contract with ICANN. In the documentation submitted to the Council regarding Employ Media's proposal of the Amendment (Proposed Amendment and Issues Report), the industry standard methods of name allocation as set forth in the Phased Allocation Program (RFP, auction and first-come, first-serve) were specifically noted as within the authority granted under the proposed Amendment. The documentation further identified the types of names to be made available e.g. industry, occupational, geographic, and dictionary domains.

a. If the registry is a sponsored TLD, what were the nature and content of these consultations with the sponsored TLD community?:

The .JOBS Community is set forth in the .JOBS Charter as the international human resource management community. As



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policy delegate to this Community, SHRM is in regular contact with members of the Community.

As required under the ICANN/Employ Media .JOBS registry agreement, SHRM created the PDP Council (<http://www.policy.jobs/council.php>) comprising a group of Community members which represent the broad and varying interests of the Community. This PDP Council was independently created and is independently overseen by SHRM. The PDP Council members represent varying HR interests of small employers, large employers, union employers, non-union employers, government employers, private employers, international employers, academic employers, service employers, manufacturing employers, high technology employers, and recruitment companies. The PDP Council met to discuss, analyze and weigh the proposed Amendment in an atmosphere which fostered comment, discussion and debate.

The primary instruments utilized by the PDP Council for outreach and feedback towards an informed decision included question and answer sessions about the Proposed Amendment and Issues Report documents, a scientific survey conducted by SHRM Research to approximately 3,000 practicing HR professionals, an online opinion poll sent by SHRM to approximately 300,000 HR subscribers, and multiple general public comment forums.

b. Were consultations with gTLD registrars or the registrar constituency appropriate? Which registrars were consulted? What were the nature and content of the consultation?:

Because there is little to no impact on registrars under this proposed implementation (notably the requirement that all .JOBS domain names must be registered through a .jobs accredited registrar remains unchanged), there is no need to engage in substantive consultations with gTLD registrars or the registrar stakeholder group. With this said, we believe many .JOBS accredited registrars would naturally support expanded naming conventions in .JOBS to offer domains for sale.



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c. Were consultations with other constituency groups appropriate? Which groups were consulted? What were the nature and content of these consultations?:

As .JOBS is a sponsored TLD with a defined community, and as the ICANN/Employ Media .JOBS registry agreement contains a mechanism for effectuating change for the Community via the .JOBS PDP, Employ Media saw little benefit in substantial outreach to other constituency/stakeholder groups.

d. Were consultations with end users appropriate? Which groups were consulted? What were the nature and content of these consultations?:

See above with regard to Community consultations.

e. Who would endorse the introduction of this service? What were the nature and content of these consultations?:

The .JOBS Community as represented by the activities and actions of the .JOBS PDP Council endorses the Amendment and the introduction of this service.

f. Who would object the introduction of this service? What were(or would be) the nature and content of these consultations?:



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It is reasonable to suggest that objections may come from 3 fronts, not necessarily mutually exclusive:

- 1)Registrants of domain names operating as job sites in other TLD's who would be concerned about increased choice and innovation within the community/marketplace.*
- 2)People unfamiliar with the nature and purpose of a sponsored TLD (or the delegated authority as expressly provided in the operation of .JOBS in particular) vs. non-sponsored gTLD's in existence.*
- 3)People that may interpret Employ Media's implementation as a registry operator of certain types of proposals (such as a self-managed class of domain names) to be of potential impact to one or more of the remaining overarching issues to ICANN's new gTLD process (such as Vertical Integration).*

Timeline

Please describe the timeline for implementation of the proposed new registry service:

Employ Media will timely implement the Phased Allocation Program following ICANN's approval.

Business Description

Describe how the Proposed Service will be offered:

Employ Media will seek proposals from the .JOBS community for specific plans for registration, use and promotion of Phased Allocation Domains. Plans will be evaluated by Employ Media for compliance with the .JOBS Charter; compliance with other policies, practices and business rules which govern .JOBS, as applicable; impact on the Community; compliance with ICANN requirements, as applicable; quality and innovation; the nature and strength of the applicant and/or any named partners; the effect, if any, on SHRM; and the ability of the plan to deliver as set forth, including business and technical capabilities of any relevant parties.

An auction would be provided by Employ Media (or an Employ Media contracted party) in one or more phases as determined by Employ Media.



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For any domains not allocated during RFP or auction round(s), Employ Media will announce a release date and allow open, first-come, first-serve real-time registration of domains under applicable normal rules (such as, for example, for a standard registration fee).

Describe quality assurance plan or testing of Proposed Service:

Employ Media will conduct all necessary testing with any vendor or contractor to implement any auction.

Please list any relevant RFCs or White Papers on the proposed service and explain how those papers are relevant.:

Not applicable.

Contractual Provisions

List the relevant contractual provisions impacted by the Proposed Service:

Employ Media believes that certain provisions from Appendix S, Part VII are impacted by this proposed service as offered in the Contract Amendments section of this RSEP.

What effect, if any, will the Proposed Service have on the reporting of data to ICANN:

None.

What effect, if any, will the Proposed Service have on the Whois?:

No effect as all registered domains in .JOBS properly display appropriate registry Whois information.

Contract Amendments

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

Appendix S, Part VII.2



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[Old Text]

.jobs domain registrations are limited to the legal name of an employer and/or a name or abbreviation by which the employer is commonly known.

[New Text]

.jobs "company name" domain registrations are limited to the legal name of an employer and/or a name or abbreviation by which the employer is commonly known. Domain registrations are permitted for other types of names (e.g., occupational and certain geographic identifiers) in addition to the "company name" designation.

[Delete]

A reserved list of names will be employed to prevent inappropriate name registrations. Certain groups of domains will be reserved, such as, e.g., a list of occupational identifiers (e.g., the U.S. Bureau of Labor Statistics list of SOC occupations), industry identifiers (e.g., healthcare.jobs) and certain geographic identifiers (e.g., northeasternohio.jobs). These restricted lists are in addition to the restriction that .jobs domains comprise only trade names or commonly-known names (reserved list domains will be registered to the Registry Operator in the registry database to reflect their status as reserved names). In the event other domains are made available for registration (which would require approval as set forth in this Agreement), such domains will be specifically enumerated (i.e., not creatable by an applicant) and will be pre-screened to remove any inappropriate names.

Appendix S, Part VII.3

[Old Text]

SHRM and Employ Media have already agreed upon certain policies (available upon request in the Employ Media/SHRM agreement). The Charter is an example. In an additional example, .jobs registrations will only be allowed for domain names which (i) are for the legal name(s) under which a proposed registrant does business (e.g., a trade name such as ElduPontdeNemours.jobs), for a name under which the proposed registrant is commonly known (e.g., dupont.jobs) or which includes such a legal or commonly-known name (e.g., dupontcanada.jobs); (ii) are based upon an application for registration which is submitted by a Qualified Applicant; and (iii) names as the registrant of the domain name the entity which is identified by the trade name or commonly known name. These current policies are only revisable/amendable via the policy making process described herein.

[New Text]



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Appendix S, Part VII.4

[New Text]

4. .JOBS non-companyname Phased Allocation Program ("Phased Allocation Program")

The domain names included within the scope, referred to by Employ Media in its Registry Services Evaluation Process (RSEP) as the Phased Allocation Program, shall be limited to non-companyname .jobs domain names, not including all second-level country names set forth on the ISO-3166 list as referenced in Appendix 6 to this Agreement.

Pursuant to the Phased Allocation Program, Registry Operator may elect to allocate the domain names via the following processes: 1) Request for Proposals (RFP) to invite interested parties to propose specific plans for registration, use and promotion of domains that are not their company name; 2) By auction that offers domains not allocated through the RFP process; and 3) A first-come, first-served real-time release of any domains not registered through the RFP or auction processes. Registry Operator reserves the right to not allocate any of such names.

Benefits of Service

Describe the benefits of the Proposed Service:

Employ Media believes the proposed service will offer the following benefits:

- enable members of the .JOBS community to submit proposals to Employ Media for use of domains in the DNS in ways that can serve community interests;*
- provide the HR community with increased choices to display employment opportunities;*



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- increase usage, marketing, promotion and awareness of the .JOBS TLD;
- allow opportunity for new innovation in the .JOBS TLD in ways to serve needs of the HR community.
- increased revenue and marketing resources

Competition

Do you believe your proposed new Registry Service would have any positive or negative effects on competition? If so, please explain.:

With regard to competition within DNS services and other top level domains, we do not believe the proposed service will have any positive or negative effect on competition.

With regard to competition within our Community, we believe there will be a positive effect on competition and choice such as to promote employment opportunities. The results of the PDP, and the vote of the PDP Council gives us such knowledge.

How would you define the markets in which your proposed Registry Service would compete?:

Employ Media operates in the DNS registry market, in competition with other Registry Operators. As .JOBS is a sponsored TLD, operating for the benefit of the .JOBS Community, we do not believe there is much cross-over into the markets of other Registry Operators.

What companies/entities provide services or products that are similar in substance or effect to your proposed Registry Service?:

An RFP/auction/first-come, first serve construct has been approved before, most recently with .INFO with regard to one- and



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two-character domains.

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.

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.:

Employ Media is likely to work with a vendor or contractor to provide auction services. Employ Media has not selected any such vendor or contractor.

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.:

Yes. Independent job site operators in other TLD's may be affected by the introduction. Some have indicated a positive interest to submit an RFP if such were made available. Others have indicated that the proposed registry service could enable an expansion of their product and service offerings in new/innovative ways.

Do you have any documents that address the possible effects on competition of your proposed Registry Service? If so, please submit them with your application. (ICANN will keep the documents confidential).:



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See attachment.

Security and Stability

Does the proposed service alter the storage and input of Registry Data?:

No.

Please explain how the proposed service will affect the throughput, response time, consistency or coherence of responses to Internet servers or end systems:

Employ Media anticipates no adverse impact on the throughput, response time, and consistency of coherence of responses to Internet servers or end systems.

Have technical concerns been raised about the proposed service, and if so, how do you intend to address those concerns?:

Employ Media is not aware of any technical concerns regarding the proposed service.

Other Issues

Are there any Intellectual Property considerations raised by the Proposed Service:

Any Intellectual Property considerations raised by the proposed service are addressed by established, existing processes (UDRP).

Does the proposed service contain intellectual property exclusive to your gTLD registry?:

No.

List Disclaimers provided to potential customers regarding the Proposed Service:



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Not applicable.

Any other relevant information to include with this request:

Additional information as released by SHRM may be relevant.