



The Internet Corporation for Assigned Names and Numbers

18 June 2015

Ms. Elisa Cooper
Chair, ICANN Business Constituency

Dear Ms. Elisa Cooper:

Thank you for your letter of 8 May 2015, regarding the .SUCKS gTLD. We have posted it to the ICANN correspondence page.¹ We acknowledge and understand the Business Constituency's concerns about the proposed pricing structures and related actions of Vox Populi Registry Inc., and we are looking into these activities to evaluate the possibility of actionable harm to intellectual property rights holders or other consumers.

ICANN's enforcement authority is limited to enforcing compliance with the terms and conditions of its agreements. Allen Grogan, ICANN's Chief Contract Compliance Officer, who oversees ICANN's contractual compliance and consumer safeguards work, is analyzing Vox Populi's actions and considering contractual remedies.

As you know, John Jeffrey, ICANN's General Counsel and Secretary, sent a letter to the United States Federal Trade Commission (FTC) and Canada's Office of Consumer Affairs (OCA) asking them to consider assessing and determining whether Vox Populi is violating any laws or regulations enforced by their respective offices.² The Business Constituency's letter stated, "It is not clear why ICANN feels it should seek clarification from these two North American agencies." As Vox Populi and ICANN are based in North America, we believe that the FTC and the OCA are the appropriate agencies to review Vox Populi's actions.

ICANN has now received responses from the FTC and OCA. We refer you to the 27 May 2015 letter from the Honorable Edith Ramirez to John O. Jeffrey³ and the 9 June 2015 letter from John Knubley to John O. Jeffrey.⁴ ICANN is considering these responses and will continue to monitor Vox Populi's compliance with ICANN's Registry Agreement for the .SUCKS TLD.

We encourage the Business Constituency and all members of the ICANN community to continue to share information that may be helpful.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

Akram Atallah
President, Global Domains Division
ICANN

¹ See <https://www.icann.org/en/system/files/correspondence/cooper-to-atallah-08may15-en.pdf>

² See <https://www.icann.org/en/system/files/correspondence/jeffrey-to-ramirez-knubley-09apr15-en.pdf>

³ See <https://www.icann.org/en/system/files/correspondence/ramirez-to-jeffrey-27may15-en.pdf>

⁴ See <https://www.icann.org/en/system/files/correspondence/knubley-to-jeffrey-09jun15-en.pdf>