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Ladies and Gentlemen,

We the undersigned, on behalf of the Internet communities we represent, and on behalf of the many consumers who will benefit from the choice, lower prices, safety, stability, and increased protection from Internet crime that new top-level domains will bring, urge you to direct ICANN staff to implement ICANN's plan to introduce new top-level domains without further delay, thereby fulfilling ICANN's founding mandate to "maintain and build on processes to ensure that competition... issues are identified and considered in TLD management decisions, including the consideration and implementation of new TLDs."

Although the many benefits of new top-level domains are obvious to many, and although they are central to ICANN's mandate, still there are doubters who with great intensity plead their special interests. We will therefore restate the case for new top-level domains in the pages that follow, so that the reasons behind this crucial innovation are not obscured by the narrow arguments advanced so vociferously by those who seek to preserve their advantages.

Much is at stake, including ICANN's credibility as an independent institution. For ten years the Internet has waited for ICANN to fulfill its promise to introduce meaningful choice and competition into the top-level domain name space. The time to act is now.

### ***Summary***

*The man who designed the domain name system..., Dr. Paul Mockapetris... said the original plan was to have country code extensions only. He added the only reason government officials gave in on the request for a .com global extension was their belief that "nobody will use .com anyhow!"*

– quoted in DN Journal

New top-level domains are good for the Internet, for consumers, and are central to ICANN's founding promise. We take it as a given that competition and choice are to be encouraged unless there are specific reasons and particular circumstances that argue otherwise. The bar is high: those who oppose new top-level domain need to prove that there is substance behind their fears. The arguments advanced by incumbent special interests, which attempt to stir up fear of the unknown, ignore the very real dangers of not moving forward.

Instead of commissioning yet more studies to prove the obvious demand for new top-level domains, ICANN's Board of Directors should instead believe the evidence of the market, heed their own staff reports, and read the conclusions of the many studies already conducted – and approve the introduction of new top-level domains without further delay.

There are many reasons why ICANN needs to introduce new top-level domains without delay, including:

- Consumer Demand
- Safety Considerations
- Internet Stability
- Innovation
- ICANN's own credibility

The undersigned, many of whom helped create ICANN and over the course of years have a keen understanding of the domain name market, and many of whom have significant experience dealing with intellectual property, respectfully but forcefully request the

Board of Directors of ICANN to fulfill ICANN's original mandate to introduce choice and competition to the domain name market.

### ***Consumer Demand Is Large and Widespread***

*If I had asked my customers what they wanted, they would have said, 'a faster horse.'*"  
– Henry Ford

We know that once new TLDs are introduced, there will be widespread adoption by consumers. A wide and convincing array of comparables proves the point.

Recently-introduced ccTLDs (e.g., .ME) have seen overwhelmingly positive response. Facebook's introduction of so-called "Vanity URLs," a close proxy for domain name demand, has resulted in over 73 million registrations as of early August 2009 – and by the time of this writing Facebook URLs probably exceed the 80 million registrations in .COM.

These real-life examples – including the rapid adoption of the web and web-based tools by consumers, governments and businesses – are far more instructive than theoretical studies that seek to predict hypothetical future demand. When it comes to new technology, consumer opinion often is a poor predictor of future demand – precisely because the new is not yet known. Henry Ford's famous quote, at the top of this section, is to the point. Studies about economic demand are at best hazy, and at worst misleading, as studies about the future will inevitably prove only that people are poor at predicting it.

The history of computing is littered with now-ridiculous predictions of non-demand:

- In 1943, the Thomas Watson, the CEO of IBM, is supposed to have said, "I think there is a world market for maybe 5 computers."
- In 1977, Ken Olsen, the CEO of DEC, said "there is no reason for any individual to have a computer in their home."
- In 1981, Bill Gates notably said that no-one would ever need more than 64K of memory.
- In 1985, Paul Mockapetris, the inventor of DNS, had severe difficulty convincing others to add .COM, .NET, and .ORG. In a 2009 speech in Silicon Valley, he recounted the introduction of the concept of the root zones we use now, and the deep skepticism he encountered about the "need", "use" and "value" of generic top-level domains, and the amount of effort involved in the addition of .COM, NET and other gTLDs alongside the two-letter county-code TLDs.

Most consumers today do not know about ICANN or the possibility of a world with multiple new top-level domains. A survey of a thousand customers would be unlikely to find that a majority would say they "needed" new extensions, just as most horse owners would not have said they "needed" a car in 1908, or a computer in their home, or more than 64K of memory.

Yet we do have some excellent indicators that there will be very significant and rapid adoption of new top-level domains.

Specifically, new TLDs address the following problem points on the existing Internet:

- 70 percent of consumers cannot and do not get their first name of choice when selecting a domain name. This has substantial impact on a company's ability to brand and market itself, and is a common frustration for individuals.
- Because consumers cannot obtain short, meaningful names in the current primary (registry) market, either they make due with a substandard name obtained in the primary market, or they pay thousands of dollars (or more) on the secondary market for a previously-owned domain name. The increasing prices in the secondary market, combined with unavailability in the primary market, means that only the wealthier consumers can get good names, tarnishing ICANN's most significant achievement to date, namely the dramatic lowering of domain prices through the introduction of the registry-registrar system. New TLDs would bring these prices down and introduce alternatives, once again giving people a choice of good names at reasonable prices.
- Businesses and organization will be able to get meaningful domain names in extensions that are relevant to their activities. For example, United Capital, who lost out to United Airlines for united.com, may be able to get united.fund.
- A wide variety of governments, organizations, and businesses have understood the demand and have announced their interest in applying for new top-level domains:

Governments and private organizations in the cities of Barcelona, Berlin, Hamburg, Köln, London, New York, Paris, Rome, San Francisco, Sydney, and Tokyo among many others; the regions of Bavaria, Brittany, Galicia, Quebec, Léon (the largest non-national region in all of Europe), Scotland, Transylvania, Wales, and Zululand; the national government of the People's Republic of China; and the supra-national Arab League has announced its intention to apply for the .arab top-level domain.

Organizations and businesses have announced their intentions to apply for .eco, .gay, .green, .horse, .hotel, .money, .movie, .music, .phone, .radio, .vin and .web. Many other organizations intend to apply but have not yet made their applications public in an attempt to avoid competitive bids.

Each of these announced applications, whether motivated by profit or public good, represents the market demand perceived by skeptical and knowledgeable people.

- Confusion between trademarks will be reduced, and the new domain name space will resemble the real world by having different categories of goods and services. In the example above, United Airlines will not have to worry about policing its trademarks in .fund, because that describes a different class of goods and services.

We know how this plays out in the real world, because we've seen that companies currently, and logically, do not register in ccTLDs where they don't do business.

- Due to the lack of second-level availability in existing TLDs there is less incentive to introduce useful, new applications that are linked to the domain name system. For example, an entrepreneur who wants to offer domains coupled with spam protection is more likely to do so in a new TLD such as .MAIL, in which there is complete second level availability and all domains can consistently offer the new service – as opposed to introducing the new service piecemeal in something like .COM.
- Requiring the implementation of new standards such as IPV6, DNSSEC and other security features enables a technological leapfrog over current less secure standards.

These facts are in themselves sufficient reason to introduce new top-level domains. Combined with what we know about demand for newly-introduced ccTLDs and the astonishing uptake on Facebook URLs, they provide very significant evidence that new top-level domains will be met with widespread consumer adoption.

### ***Building a Safer Internet***

Protection from criminal Internet scams is a key reason for implementing changes in the TLD process. Domain name squatting, phishing, cybersquatting, spamming, and other abuse are rampant.

As part of the process for new TLDs, additional safeguards are being built into the registry selection process and the registry/registrar contracts. For example:

- New registries will be obliged to reduce opportunities for behaviors such as phishing or pharming via measures such as takedown procedures.
- ICANN is likely to adopt *significant* portions of the recommendations for trademark protections offered by the Implementation Recommendation Team (IRT), a committee of trademark experts.
- The combination of requirements that will apply to registries operating new TLDs will far surpass the trademark protections available in current TLDs such as .COM.
- Many of the new registries are aggressively building in additional protections, including proactive policing and takedown measures, adopted from successful ccTLD policies.

Those concerned about spam, phishing, pharming, and other forms of abuse (as we are) should welcome new TLDs and the rules that come with them.

### ***Lack of new top-level domains threatens Internet stability***

Those who are concerned about new TLDs creating confusion should be frightened instead at the chaos that will ensue if the Internet becomes balkanized and is no longer interoperable. Fragmentation of the root is a real concern as global Internet users who clamor for new “real estate” are met with delay and obstruction.

Without new TLDs large groups of users – linguistic, political, or ethnic – could reject the ICANN community model and set up alternate addressing spaces to meet their needs, as has already happened in China and Arabic-speaking countries. This would undermine the value of the single, global Internet, causing chaos for individuals and businesses, including trademark owners, who rely on a single, ubiquitous and reliable network. ICANN, which provides a single place for Internet addressing policy to be worked out, would become increasingly irrelevant as policy debates fragmented into different Internets. The Internet as a global market place would be seriously threatened.

Looming as an even greater danger, beyond the threat of non-interoperable multiple roots, are addressing systems that do not use the DNS at all. Private businesses can and have created addressing systems (e.g., keyword navigation in South Korea) that are entirely outside of ICANN’s purview and competence. Trademark holders in particular will be put at a great disadvantage as they try to police their intellectual property across multiple private networks, all of them without the protections built in to the ICANN process. While companies such as Facebook and many other social networks are law-abiding and responsive to legal processes, anyone who follows the history of the Internet knows that this is not always the case.

### ***ICANN and the U.S. Government Should Support Innovation and Economic Growth***

*My guiding principle is, and always has been, that consumers do better when there is choice and competition. That's how the market works.*

– President Barack Obama

New TLDs will create new businesses (each new registry is a new business) and enhanced competition, which will result in innovation and associated consumer benefits, as well as significant financial investment and job creation. Many individuals and businesses have set aside capital to invest in new TLDs, creating thousands of jobs. Choice and competition have fostered breathtaking economic development in the Internet world and extraordinary economic progress over the past 15 years. We foresee many new business models springing up with the availability of new TLDs; most of us have seen very creative plans already. On the Internet, innovation has always been key, has always outpaced expectations, has led to the creation of new businesses (large and small), and has resulted in the expansion of existing businesses and the creation of many new jobs.

The U.S. government has a history of standing back and allowing Internet to flourish. The benefits to citizens around the globe have been immeasurable. Moving forward, we'd like to see the U.S. Government facilitate competition through policies that let innovation thrive and flourish.

### ***ICANN should respect and follow its own policy development rules***

ICANN has constantly, since its inception, re-invented itself to be more transparent, more democratic, and more responsive to its mandate of bottom-up policy development. The U.S. Government (among others) has been vocal in its insistence that ICANN follow this mandate.

ICANN has made appropriate adjustments throughout the long process leading to the new round of gTLDs. Earlier rounds of new TLD creation, judged as flawed because of the lack of community input, provided learning for the Policy Development Process that resulted in the recommendation to create new top-level domains. Unlike earlier rounds, the current proposed new top-level domains were instigated by the community, following transparent policy development processes.

ICANN should not turn its back on its firm public commitment to follow its processes, especially after having been criticized so heavily for failing to do so in the past. A few well-paid lobbyists representing special interests should not be allowed to derail a transparent, open and democratic process that has been insisted upon by the entire community and by governments around the globe.

### ***Conclusion***

We, the undersigned, request that the Board of Directors of ICANN initiate the new top-level domain application period without further delay. The domain name space needs the choice and competition that new top-level domains will bring. By acting now, ICANN will:

- Respond to consumer demand;
- Provide lower prices for domain names;
- Avoid the chaos that will ensue from alternative addressing schemes that have no community input;
- Foster innovation and competition in the domain name space.

Finally, ICANN needs to complete its original mandate to give users choice, to create competition, and to respect the policy development process that has directed the Board to create new top-level domains.

Respectfully,

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[As founding signatories]