



The Internet Corporation for Assigned Names and Numbers

11 April 2012

Beth Chapman
Alabama Secretary of State
President, National Association of Secretaries of State
Hall of States, 444 N. Capitol Street, N.W., Suite 401
Washington, DC 20001

Dear Ms. Beth Chapman:

This communication is in response to your 30 March 2012 correspondence urging ICANN to restrict the delegation of .INC, .CORP, .LLC, .LLP as unrestricted top-level domain names to certain applicant types, in particular “entities that are also legally and appropriately registered with the Secretaries of State, or the equivalent state agency.”

The application window for new gTLDs ends on 12 April 2012. We encourage the National Association of Secretaries of State (NASS) to actively participate in the process and monitor the ICANN website for further developments.

The New gTLD Program is intended to open up the top level of the Internet’s namespace to foster diversity, encourage competition, and enhance the utility of the Domain Name System. While the New gTLD Program does not restrict the delegation of new gTLDs to certain applicant types, it does provide avenues to raise objections. Parties with standing have the option to have their objections considered before a panel of qualified experts. Four types of formal objections to new gTLDs will be permitted: (1) String Confusion Objection; (2) Legal Rights Objection; (3) Limited Public Interest Objection; and (4) Community Objection. A formal objection initiates a dispute resolution proceeding.

The New gTLD Program also provides a forum for governments (through ICANN’s Governmental Advisory Committee) to provide advice and voice concerns regarding names that might be objectionable or sensitive. The Governmental Advisory Committee’s key role is to provide advice to ICANN on issues of public policy, and especially where there may be an interaction between ICANN’s activities or policies and national laws or international agreements. The New gTLD Program includes two processes, the Governmental Advisory Committee “Early Warning” and “Advice” processes that also serve to protect the interests you describe in your letter. As with objections, these processes are described in Module 1 and 3 of the Applicant Guidebook for new gTLDs (available on the ICANN website). The Early Warning process allows governments to provide a notice to an applicant that an applied-for string might be sensitive or controversial, and provides incentives for the applicant to withdraw the sensitive application. The Advice process allows governments to provide advice to the ICANN Board that a certain application should be rejected.

Los Angeles
Offices:

4676 Admiralty Way, Suite 330
Brussels

Marina del Rey, CA 90292-6601
Silicon Valley

USA
Sydney T +1 310 301 5800

F +1 310 823 8649
Washington



If after reviewing these procedures you have additional questions, please do not hesitate to send them in reply to this email. NASS may also wish to consider raising directly with any potential applicant(s) for .INC, .CORP, .LLC, .LLP any issues/concerns with regards to the commercial use of such TLD(s). In addition, NASS can participate in the objection processes, or directly request that the U.S. representative to the Governmental Advisory Committee register concerns through the Early Warning and Advice processes.

For more information on the formal objection and dispute resolution process for new gTLDs, please refer to the ICANN new gTLDs website at <<http://newgtlds.icann.org>>. The Applicant Guidebook can be found at <<http://newgtlds.icann.org/en/applicants/agb>> and information about ICANN's Governmental Advisory Committee is at <<https://gacweb.icann.org/display/gacweb/Governmental+Advisory+Committee>>.

Sincerely yours,

New gTLD Customer Service

cc: Rod Beckstrom
cc: Akram Atallah
cc: Kurt Pritz
cc: Jamie Hedlund
cc: Michael Salazar
cc: Trang Nguyen