

Josh Bourne, President

November 18, 2011

Phil Lodico, Vice President

Mr. Rod Beckstrom
CEO and President

Bacardi & Company Limited

Internet Corporation for Assigned Names and Numbers
4676 Admiralty Way, Suite 330
Marina del Rey, CA 90206-6601

Carlson/Carlson Hotels
Worldwide/Carlson
Restaurants Worldwide

Dear Mr. Beckstrom:

Dell Inc.

DIRECTV, Inc.

On Tuesday, November 1, 2011, the Coalition Against Domain Name Abuse (CADNA) hosted the "What's at Stake: The Reality of ICANN's New gTLD Program for Brands" in coordination with engageSimply and HUM: Human Unlimited Media. Over 85 representatives from global brands attended the conference to hear from in-house legal counsel and marketing professionals from other major brands, as well as experts on Internet security, international development and ICANN policy. Regrettably, despite multiple invitations, ICANN declined to participate in the conference.

Eli Lilly and Company

H. Lundbeck A/S

Harrah's Entertainment, Inc.

Hewlett-Packard Company

Hilton Hotels Corporation

HSBC Holdings plc.

"What's at Stake" provided brand representatives with an opportunity for an open and frank discussion about ICANN's policy. While the discussion was lively and many views were presented, attendees' overwhelming response to the New gTLD Program was anxiety over the fact that, as of this moment, ICANN has only announced one definite application period. The lack of insight into when the next opportunity to apply will occur has inadvertently created an atmosphere of chaos surrounding the first round.

InterContinental Hotels Group

LEGO Juris A/S

Marriott International, Inc.

Morgan Stanley

This anxiety, which CADNA has observed both during the "What's at Stake" conference as well as through its advocacy work, motivated us to formulate a proposal to ICANN. Our ultimate goal is to make the New gTLD Program less detrimental to brand owners, who will undoubtedly make up a significant portion of new gTLD applicants. The proposal boils down to a simple request:

Nationwide Mutual Insurance
Company

New York Life Insurance
Company

NIKE, Inc.

We ask that the ICANN Board request an Issues Report to formally initiate a policy development process to determine when the next round of new gTLD applications will occur, thereby affirming its commitment to opening a second round in a timely manner.

Wells Fargo & Company

Wyndham Worldwide
Corporation

Wyndham Worldwide
Corporation

Committing to a second application round on a specific date in the foreseeable future will be extremely helpful in easing the anxiety felt by

businesses, because it will allow some brands the chance to wait out the first round to see how new gTLDs fare once they have entered into the DNS root. Businesses' anxiety stems from the fear that if they do not apply for one or more new gTLDs in this first round, they will be left behind for an unknown period of time. Namely, they will be put at a disadvantage relative to their competitors, in the event those competitors apply and gain a theoretical advantage from owning gTLDs.

Essentially, businesses feel as if their backs are against the wall, and this has created a feeling of impending chaos around the first application round. "What's at Stake" attendees and other members of the business community have expressed that if they had some insight into when they will have the opportunity to apply again, then they would be able to make a more informed, measured and less harried decision about whether or not they should pursue their own gTLDs. Instead, many feel forced into applying in order to remain competitive, especially considering that it is widely known that other applicants have little to gain from openly sharing their plans to apply or not.

Because the Internet and the domain name space have evolved into vital tools for businesses across industries and around the world, the implementation of a program that will inevitably result in a significant change to this space will understandably have a large impact on the business community. Unfortunately, because the application period will open a scant seven months after it officially approved the Program on June 20, 2011, most businesses feel that they have not had adequate time to formulate an effective strategy relative to new gTLDs.

We have heard ICANN's protest to this point before: that the New gTLD Program has been in the works for years now. This argument only serves to underscore the serious gap that exists between ICANN and the groups its policies affect. To ICANN, the New gTLD Program has been around for years. But to businesses, Internet users and others, the Program only became a reality when it was approved on June 20, 2011. Moreover, in the over four months that have elapsed since the approval, ICANN has done very little to inform the global community about the Program.

It is important for us to point out here that CADNA and the other participants and attendees at the "What's at Stake" conference are not opposed to fostering innovation and improving competition on the Internet via an expanded domain name space. But the reality is that the New gTLD Program is currently structured in such a way that these goals will not likely be met.

By not disclosing when it will open future rounds of new gTLD applications, ICANN is creating a condition of scarcity that will inevitably result in a massive land rush, where entities will scramble to apply for new gTLDs for the sole purpose of hypothetically "future-proofing" their identities in the new domain name space, without any immediate intentions to use their new gTLDs for innovative means.

Disclosing when it will open a second application round will not only alleviate the anxiety that businesses are feeling, it will give ICANN the chance to quell the animosity that has developed toward it among the business community. It will also give developing countries, not-for-profit organizations and others a better chance to prepare themselves to participate in the New gTLD



Program. Moreover, it will ensure that the New gTLD Program has a greater chance of achieving its goals of fostering innovation and increasing competition within the domain name space.

We appreciate your consideration of our proposal. We are also very willing to engage in a dialogue with ICANN to explore other alternatives to our proposal that will achieve the same goal of making the first application round less chaotic, and less detrimental, to businesses.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Bourne", is written over a light blue horizontal line.

Josh Bourne
President
The Coalition Against Domain Name Abuse

cc: Ms. Victoria Espinel, U.S. Intellectual Property Rights Enforcement Coordinator, White House

The Honorable Rebecca M. Blank, Acting U.S. Secretary of Commerce

Mr. Lawrence E. Strickling, Administrator, National Telecommunications and Information Administration, U.S. Department of Commerce

Ms. Fiona Alexander, Associate Administrator, Office of International Affairs, National Telecommunications and Information Administration, U.S. Department of Commerce

Ms. Suzanne Radell, Senior Policy Advisor, National Telecommunications and Information Administration, U.S. Department of Commerce

The Honorable John D. Rockefeller, Chairman, Senate Committee on Commerce, Science and Transportation

The Honorable Kay Bailey Hutchison, Ranking Member, Senate Committee on Commerce, Science and Transportation

The Honorable Frederick Upton, Chairman, House Committee on Energy and Commerce

The Honorable Henry Waxman, Ranking Member, House Committee on Energy and Commerce