



## Letter from the Chair

*By Elisa Cooper, Chair of the Business Constituency*

Dear ICANN Community Members,

The Internet environment is rapidly evolving. With the launch of new gTLDs, a changing Internet governance landscape, ICANN's desire for further globalization, and continued threats to domain name security, now more than ever the Business Constituency remains actively engaged.

Due to the dedication and hard work of Business Constituency members, we have been able to not only review and evaluate the issues of importance to us, but we've been able to submit our comments to ICANN through the Public Comment Process and have our collective voices heard.

While the Business Constituency had been faced with addressing open issues surrounding new gTLDs and their impacts to Business, we are now turning our attention towards the impact of the NTIA's decision to relinquish the IANA contract. Many members of the Business Constituency have been following this issue closely and are looking forward to working with the larger community to develop a solution that not only meets the criteria defined by the NTIA, but one that also provides mechanisms for assuring ICANN accountability.

Although the coming months will likely bring continued complexity, as we seek to understand this changing landscape, we will do our best to ensure that our interests are considered. Undoubtedly the road ahead may be one filled with hard work and challenges, but the Business Constituency will continue to forge ahead to ensure that our voices are heard.

Wishing you all a successful meeting in London.

Best regards,

Elisa Cooper

*ICANN Business Constituency Chair*

## GNSO Council Update

*By John Berard and Gabi Szlak, GNSO Councilors*

The GNSO Council sessions in London will cover a number of high-profile issues as well as deal with some necessary nuts-and-bolts of the policy development process. Neither is the Council immune to the intense community focus on the NTIA transition of the IANA contract and the evolution of ICANN Accountability.

This falls against a backdrop of increased call for the Council, as an entity, to offer comment. The Business Constituency has argued that the Council may be in a position to curate comments from among its constituencies and stakeholder groups in a reply period, but should shy away from competing with those member groups in the primary comment period.

The accelerated time frame for comment only accentuates the need for the Council to be cautious in offering such comment, but it has. And it may again on the subject of Internet governance. The Business Constituency has suggested that the only appropriate comment by the Council is in opposition to the accelerated time frame for public comment overall - if there is a serious attempt to bring diverse and more participation, particularly into the policy development process, which is in line with the ATRT 2 recommendations. Other groups, like the ccNSO, are already on record that the time frames do not allow it to meet its own requirements for consultation.

The Council may also offer comment on the proposal to increased Board compensation and extend it to liaisons to the Board who are not now covered. There is some concern that this will segment the community in unproductive ways and that there ought to be improved ways to support volunteerism and participation overall.

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## **The Business of Business Constituency Policy Coordination**

*By Steve DelBianco, Business Constituency Vice Chair for  
Policy Coordination*

As vice chair for policy coordination, my role is to shepherd Business Constituency members in advocating business interests whenever ICANN presents opportunities for public comment and debate.

And there are plenty of opportunities, too. So far this year, the Business Constituency filed 17 position statements in the ICANN Public Comment Process, on matters ranging from name collisions to transition of IANA functions. These and previous Business Constituency positions are the foundation for many more precise interventions and pointed questions that we raise at ICANN meetings and in working groups.

Each time that Business Constituency point of view is raised, it's clear why ICANN needs to hear the unique perspective of business users and those who register domains for business purposes.

Alone among ICANN constituencies, the Business Constituency's mission is to promote policy development and enforcement that promotes end-user confidence in an Internet where it's safe to do business. We push for policies that foster competition in the supply of registry and registrar services. And we always demand a Domain Name System that's technically secure, stable, and reliable.

To be sure, there are growing challenges facing businesses and our customers looking to increase our online interactions. That's why the Business Constituency puts so much effort into our role at ICANN. And that's why more businesses from around the world should be stepping-up to join the Business Constituency and represent their interests, too.

## **GNSO Council Update**

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Among other high profile issues will be a motion to approve a charter for a GNSO policy development process (PDP) to explore possible amendments to the Uniform Dispute Resolution Policy (UDRP) and the Uniform Rapid Suspension procedure (URS) so as to enable International Governmental Organizations (IGOs) and International Non-Governmental Organizations (INGOs) to access and use curative rights protection mechanisms.

Should the group be chartered it will run in parallel with the current work by both the Board and the GAC on the same matter. In Singapore, it was Board Member Chris Disspain who noted that the Board hoped to find a way to accommodate the advice of the GNSO Council on protection IGO and INGO names with differing advice from the GAC. That is still in play.

Speaking of the GAC, the GNSO Council/GAC consultation continues with designated members of each group working together to create a smoother working relationship. Two points about this consultation are one, that the Whois studies now just concluded and noted by the Council in a motion passed as our most recent meeting were inspired by a request from the GAC. And, two, there is discussion underway to designate a GNSO Council liaison to the GAC (a likely funded position) as a way to more tightly link the two bodies.

The Business Constituency can take personal pride in being a prime mover of the Whois study funding. Under the direction of VP, Policy Steve DelBianco and the support of our four most recent Councilors, the Business Constituency call for data to inform decision making has made its mark.



## New gTLD Update

*By Elisa Cooper, Chair of the Business Constituency*

It's been six months since the first new gTLD registry began accepting registrations. Now they are launching at a rapid pace—we are seeing as many as seven registries launch every week, and that number isn't expected to slow down any time soon. As of June 6 2014, nearly 240 new gTLDs announced launch dates.

More than 970,000 domains have been registered in the new gTLD space. The biggest new gTLD to date is .xyz with 69,157 registrations, followed by .club with 64,902 registrations. .Guru, .berlin, and .photography round out the top five new gTLDs.

So what will brand holders do with their registrations? Will they be registered for purely defensive reasons or will companies actively market their brands in any of these new gTLDs? At this point, the vast majority of registrations are defensive in nature and brand holders are participating in the Trademark Clearinghouse (TMCH) and utilizing Blocking services. To date, more than 30,000 marks have been submitted to the TMCH and many large brand owners are taking advantage of Blocking services offered by Donuts and Rightside Registry.

Whether brand holders are taking an aggressive approach and registering their core brands in every new gTLD or taking a wait-and-see stance, the fact remains that all brand holders need to review the list of TLDs in order to make informed decisions about whether or not to register a new gTLD, participate in blocking, or strictly use policing strategies.

Many brand owners must also make decisions around Early Access Programs and premium domains. Moreover, some brand owners are running into roadblocks as they learn that their marks are appearing on registry reserved lists and are ineligible for registration.

It's been a very eventful six months since the first new gTLD registry launched. There have been a few surprises along the way and there will likely be many more in the next six months. Will .xyz hold the top spot, or will a geographic TLD like .london or .nyc take the lead? Will brand owners actively market their brands in one of the new gTLDs or will it be business as usual? Clearly, only time will tell.





## Why Join the Business Constituency?

The Business Constituency is the voice of commercial Internet users within ICANN. Business users rely on a stable and secure Internet and ecommerce experience, one that serves their users and customers on a global basis. Through your participation in ICANN, and in the Business Constituency, your company will make a difference on behalf of business.

So why join the Business Constituency?

### **Do you believe the private sector should guide and influence ICANN policy and activities?**

There is a real threat, without the voice of business users, that certain functions now performed by ICANN related to governance of domain names and IP addressing could be taken over by governments or become more 'intergovernmental' in their functioning or decision making. Any change from the private sector led, multi-stakeholder governance model embodied within ICANN could lead to a dramatic slowing down in decision making, and limit the voice of the commercial sector that has built and operates the Internet.

### **Are you involved in e-commerce and delivering online services or applications to users?**

All Business Constituency users are interested in ensuring a stable, reliable and resilient Internet and e-commerce platform for business. You can contribute to this through participating in ICANN, helping to make ICANN more effective and improving its accountability and transparency. Business users rely on a stable and secure Internet and ecommerce experience, one that serves their users and customers on a global basis.

### **Do you use a web site for your business?**

We all recognize that the world wants to be online. Domain names and IP addresses are part of ICANN's core coordination functions. ICANN is currently engaged in a major expansion of the top level generic space and changes portend a dramatic shift in how the DNS works, and both will have profound implications for business users and the customers they serve. The

Business Constituency has been a critical player in developing the rules for this expansion.

### **Do you ever need to find out who owns a domain name?**

Information about who registers a domain name is a critical part of how businesses deal with fraud and abuse in the DNS. These issues affect businesses of all sizes, along with law enforcement, all of whom require open and accurate Whois information. The Business Constituency takes a rational and balanced approach to dealing with Whois issues; our voice provides an informed view on why Whois matters.

### **Do you care about Internet governance?**

ICANN's existence and its stable, predictable, and accountable functioning is critical to ensure that the Internet continues to be managed and coordinated by a multi-stakeholder approach. Helping to improve and strengthen ICANN helps business in its objectives to ensure the continued leadership of the private sector in overall Internet governance.

If you answer yes to any of the above - and if you are willing to help to develop Business Constituency positions that can inform and guide ICANN's development of policy and its activities, join the Business Constituency. Membership is the way to ensure that the business voice and concerns are taken into account in ICANN.

**More information is available at [www.bizconst.org](http://www.bizconst.org).**