

Subject: FW: Business Constituency (BC) comment on Release of Geo-Names in .EMERCK, .HAMBURG and .BERLIN TLDs

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From: Steve DelBianco

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To: "comments-emerck-hamburg-berlin-amendment-02mar15@icann.org"

Subject: Business Constituency (BC) comment on Release of Geo-Names in .EMERCK, .HAMBURG and .BERLIN TLDs

The Business Constituency (“BC”) appreciates the opportunity to provide comments to the proposed amendments to the .EMERCK, .BERLIN, and .HAMBURG registry agreements submitted through the Registry Services Evaluation Policy (“RSEP”) on 23-Jan-2015, 08-Feb-2015, and 08-Feb-2015 respectively, and posted for public comment on 2-Mar-2015 at <https://www.icann.org/public-comments/emerck-hamburg-berlin-amendment-2015-03-02-en>.

The .EMERCK Request

In its RSEP request, Registry Operator Merck KGaA seeks the release of all country and territory names, as defined in Section 4 of Specification 5 of the Registry Agreement, at all levels of the .EMERCK TLD. The BC fully supports this request. [see endnote 1]

The BC believes that the use of country and territory names will allow such a .BRAND registry to segment its TLD in a way that is meaningful to Internet users around the globe. Geographic segmentation will bring greater efficacy to .BRAND TLDs, ultimately benefitting businesses and consumers by helping the registry operator target content to audiences in specific geographic regions, using linguistically appropriate domain names and content.

In addition, we firmly believe that the release of country and territory names for .BRAND TLDs will enhance security and trust in online commerce by permitting businesses to exercise more control over the security and stability of their customized web sites.

Finally, the BC notes the historical availability of country and territory names at all levels in all legacy TLDs. .BRAND TLDs should be afforded the same freedom to allocate such names, given that the risk of abuse or confusion by the use of such names in a .BRAND registry is low – likely much lower than their use in legacy TLDs.

For all these reasons, the BC fully supports this proposal and urges ICANN to amend the registry agreement for the .EMERCK TLD accordingly.

The .BERLIN and .HAMBURG Requests

In their RSEP requests, Registry Operators dotBERLIN GmbH & Co. KG and Hamburg Top-Level-Domain GmbH seek the release of all country and territory names, as defined in Section 4 of Specification 5 of the Registry Agreement, at all levels of the .BERLIN and .HAMBURG TLDs, respectively. The BC fully supports these requests as well.

Geographic TLDs such as .BERLIN and .HAMBURG, which by definition have the backing and support of the official governments of their respective municipalities, represent secure, stable, and safe spaces where the likelihood of abuse or misconduct in the use of country and territory names is low. Further, because of the geographical nature of these TLDs, use of country and territory names at other levels of the TLDs is not likely to confuse the public as to any official affiliation between the domain and the country or territory.

In addition, the ability to use country and territory names at all levels in geographic TLDs would allow enhanced community-building for Internet users in those geographic areas, as well as enable businesses in those geographic areas to provide targeted service to those communities. For example, INDIA.BERLIN could facilitate the development of a trusted online space for the Berlin-based Indian community, or the development of a trusted online space to enhance Berlin residents' access to travel, tourism, and trade with India. These opportunities for enriched competition, choice, and innovation serve the goals of the new gTLD program.

Finally, the BC notes the historical availability of country and territory names at the second level in all legacy TLDs. Geographic TLDs such as .BERLIN and .HAMBURG should be afforded the same freedom to allocate such names, given that the risk of abuse or confusion by the use of such names in these registries is no higher than their use in legacy TLDs.

For all these reasons, the BC fully supports these proposals and urges ICANN to amend the registry agreements for the .BERLIN and .HAMBURG TLDs accordingly.

[1] The BC has previously supported the release of country and territory names at all levels in .BRAND TLDs; this comment aligns with those prior comments. See Business Constituency comment on Neustar's proposal for country and territory names (Nov. 8, 2014), *available at* <http://forum.icann.org/lists/comments-ctn-release-neustar-19sep14/pdfjYdQmbpkl.pdf>; Business Constituency comment on Release of Country and Territory Names in .BMW and .MINI TLDs (Jan. 24, 2015), *available at* <http://forum.icann.org/lists/comments-bmw-mini-amendment-11dec14/msg00001.html>.

These comments were drafted by Andy Abrams and approved in accordance with our charter.

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