

BC Meeting – ICANN 40

gTLD Issues for Business

March 2011

Meeting Agenda

Key Issues of Interest: SSR

ICANN Outreach Event

February 14, 2011

Agenda

- Security, Stability and Resiliency (SSR) J. Bruggeman
- Domain Name Ownership Issues (WHOIS) S. Kawaguchi
- Responses and Q and A with ICANN Staff

Security, Stability and Resiliency (SSR)

Jeff Bruggeman

**Vice President of Regulatory
Planning and Policy at AT&T**

Domain Name Ownership Issues (WHOIS)

Susan Kawaguchi

**Domain Name Manager, Facebook,
Inc.**

2009 Brand Abuse - Observations

- Cybersquatting continues as most prevalent brand abuse
- Volume of abuse tells only half the story
- New measure – *persistence* – tells the other half
 - Persistence indicates profitable sites with higher potential for consumer harm and higher priority for enforcement
- No industry is immune to fraudsters, even in tough economic conditions
- Online advertising scams are more targeted and more difficult to identify

Threat Types – 2009

Threat Type	Q1-09	Q2-09	Q3-09	Q4-09	YOY
Cybersquatting*	215,820	221,927	225,524	229,498	8%
Pay Per Click Scams	34,317	35,299	34,862	36,359	8%
eCommerce	25,148	28,206	24,489	24,648	0%
Offensive Content	1,586	1,609	1,297	850	-49%
False Association	87,095	89,327	82,899	136,430	57%

* Persistent Cybersquatting

Facesboosk.com

Registrant Contact:

Facebook, Inc vsekya@usonly.net
1601 S. California Ave
Palo Alto, CA 94304
US +1.6505434800

Administrative Contact:

Facebook, Inc vsekya@usonly.net
1601 S. California Ave
Palo Alto, CA 94304
US +1.6505434800

Technical Contact:

Facebook, Inc vsekya@usonly.net
1601 S. California Ave
Palo Alto, CA 94304
US
+1.6505434800

Domain servers in listed order:

ns1.dreamhost.com
ns2.dreamhost.com

Facebook Devil

[Home](#)[Download](#)[Features](#)[Help](#)[Contact](#)

CREATE FACEBOOK ACCOUNTS

YOUR FAST AND EASY WAY TO GENERATE UNLIMITED FACEBOOK ACCOUNTS!



Complete Software Support

Facebook Devil account creator software is supported by a team that is committed to keeping it up to date



Account Export Included

Our Facebook marketing tool includes the ability to export your accounts once they are created for to



Single Account Creation

If you are in need of a few accounts we have created an area in our software to easily get these



Customize Your Accounts

Use the data you want for the accounts you create. Facebook Devil allows you to customize email

Registrar and Registry Security

- Domain Name: FACEBOOK.COM
 - Registrar: MARKMONITOR INC.
 - Whois Server: whois.markmonitor.com
 - Referral URL:
<http://www.markmonitor.com>
 - Name Server: NS1.FACEBOOK.COM
 - Name Server: NS2.FACEBOOK.COM
 - Name Server: NS3.FACEBOOK.COM
 - Name Server: NS4.FACEBOOK.COM
 - Name Server: NS5.FACEBOOK.COM
 - Status: clientDeleteProhibited
 - Status: clientTransferProhibited
 - Status: clientUpdateProhibited
 - Status: serverDeleteProhibited
 - Status: serverTransferProhibited
 - Status: serverUpdateProhibited
- Domain Name: FACEBOOKMARKETING.COM
 - Registrar: MARKMONITOR INC.
 - Whois Server: whois.markmonitor.com
Referral URL: <http://www.markmonitor.com>
 - Name Server: NS3.FACEBOOK.COM
 - Name Server: NS4.FACEBOOK.COM
 - Name Server: NS5.FACEBOOK.COM
 - Status: clientDeleteProhibited
 - Status: clientTransferProhibited
 - Status: clientUpdateProhibited

Whois Review Team

- In accordance with the principles set out in the AoC, in particular its paragraph 9.3.1, the Scope of the Whois Review Team is to assess the extent to which existing WHOIS policy and its implementation:
 - is effective,
 - meets the legitimate needs of law enforcement; and
 - promotes consumer trust.
- The WRT will undertake an analysis and determination of ICANN's performance against the AOC requirements that ICANN:
 - implements measures to maintain timely, unrestricted and public access to accurate and complete WHOIS information, including registrant, technical, billing, and administrative contact information; and
 - enforces its existing policy relating to WHOIS, subject to applicable laws.
- This assessment will undertake an evidence-based approach, and seek to identify good practice in other areas of the domain space (as a benchmarking tool).). These could include examples regarding IP addresses and ccTLDs, where relevant, in consultation with ICANN Supporting Organizations and Advisory Committees, as well as with other organizations and the larger community.

Definitions

- Law Enforcement is an organization or the activity of an organization all of which are authorized by a nationally or internationally recognized government to maintain, co-ordinate, and enforce laws, regulations, or multi-national treaty obligations within the internationally recognized authorized boundaries of that nationally or internationally recognized government
- **Consumer**
Individuals/organizations who are providing/maintaining/utilizing WHOIS data for commercial/non-commercial purposes

Q&A

ICANN Staff



Implications of New gTLDs

**ICANN Outreach Event
February 14, 2011**

Agenda

- Considerations for Brands as Strings
• Issues and Opportunities B. Winterfeldt
- Brand Rights Holders' Plans for gTLDs F. Felman
- Review of IP Protections S. Deutsch
- Cost and Timing Considerations J. S. Evans
- Responses and Q and A with ICANN Staff



Considerations for Brands as Strings

Issues and Opportunities



STEPTOE & JOHNSON^{LLP}

Brian J. Winterfeldt, Esq.

steptoe.com

February 14, 2011

Benefits of Participation

- Opportunity to control a distinct Internet namespace customized for your brand
- Prevent third parties (who may include other legitimate rightsholders) from registering your organization's desired TLD
- Raise profile as a technological innovator
- Undetermined when another application period may be offered

Preparing for Launch: Branding Considerations

- Evaluate current trademark and domain name portfolios
- Select potential gTLD(s) to represent your brand, considering long-term plans for each brand
- Ensure trademark and other clearances are completed for gTLDs of interest
- Consider international market needs, such as IDNs and regional brands
- Consider potential need for marketing campaign to reeducate internal and external users

Uses for a New gTLD

- Robust and secure Intranet entirely controlled by your organization
- Replacement or enhancement of your organization's existing Internet resources
- Secure and authenticated external Internet space (to avoid phishing and fraud)
- Marketing, brand promotion, and value-added programs
- Web space for affiliates and licensees
- Consolidation of Internet resources under a house brand TLD
- Connection with international users
- High-tech product applications, e.g., for Web-enabled devices
- Commercial purposes – selling second-level domains

Proposed Example - .canon

- Canon has announced plans to apply for a new gTLD
- Sample use – offering a second-level domain to each owner of a Canon camera (i.e., johnsmith.canon)
- Users could take pictures with an enabled device and have them uploaded immediately to their websites for viewing and sharing
- Could also offer premium services – additional web space, registration of additional domain names, or social media functionality

Choosing a gTLD

- Corporate name or master brand
(.facebook or .yahoo)
- Brand or product name, or other trademark
(.like, .flickr, or .delicious)
- Product or service category
(.email, .photos, or .search)
- Industry keyword
(.content, .network, or .productivity)
- Other desirable generic terms
(.social, .restaurant, or .entertainment)

IDN Script Examples

- Arabic
- Chinese
- Cyrillic
- Devanagari
- Greek
- Hebrew
- Japanese
- Korean

Evaluation Criteria for Strings

- Initial Evaluation – String Reviews
 - String similarity
 - Reserved names
 - DNS stability
 - Geographic names

String Confusion Objection

- Applied-for gTLD string is confusingly similar to existing TLD or another applied-for gTLD string in same application round
- Who may object: existing TLD operator or gTLD applicant in current round

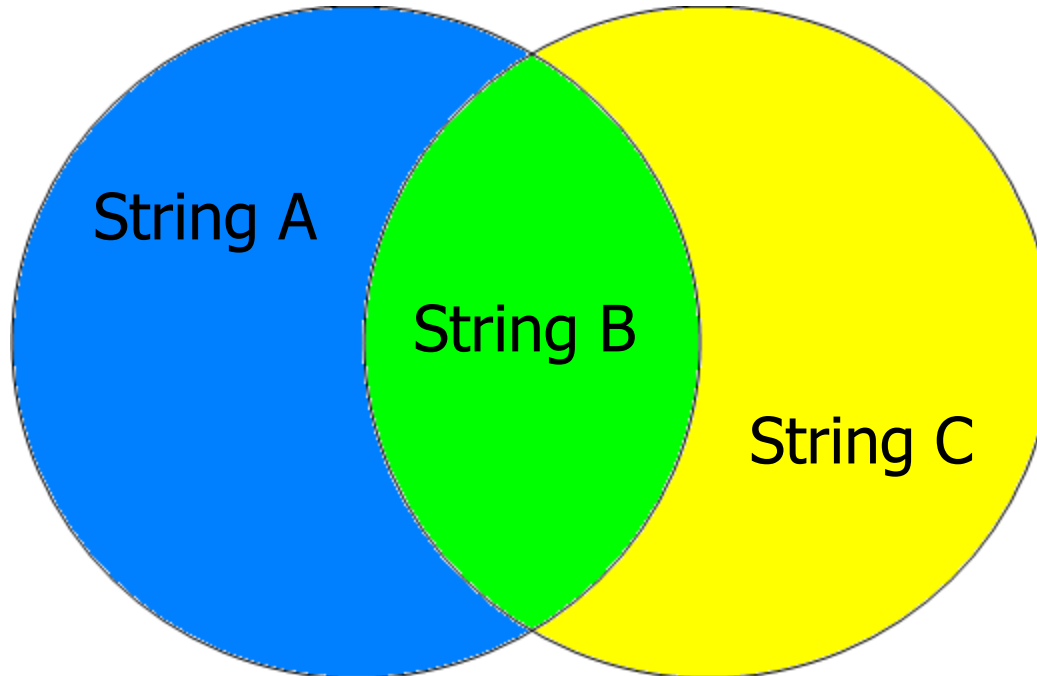
String Contention Procedures

- String contention occurs when:
 - Two or more applicants for identical gTLD string successfully complete all previous stages of evaluation and dispute resolution; or
 - Two or more applicants for similar gTLD strings successfully complete evaluation and dispute resolution, and strings are identified as creating the probability of user confusion

String Contention Terms

- Direct Contention – two strings are identical or similar with the probability of user confusion
- Indirect Contention – two strings are both in direct contention with a third string, but not with one another
- Contention Sets – groups of applications containing identical or similar applied-for gTLD strings

String Contention Illustration



Strings A and B and Strings B and C – Direct Contention

Strings A and C – Indirect Contention

String Contention Phases

- Identification of preliminary contention sets
- Evaluation and dispute resolution stages
- Identification of final contention sets
- Community priority evaluation (if applicable)
- Auction
- Settlement/agreement between parties may occur at any time

Conclusion

- Understand benefits of participation for your brand
- Balance participation costs with potential opportunity cost of not participating
- Begin considering selection and clearance of potential strings
- Understand evaluation criteria for strings and potential for objections, string contention, and auction

Thank You!

Brian Winterfeldt

Partner, Steptoe & Johnson LLP

202.429.6260

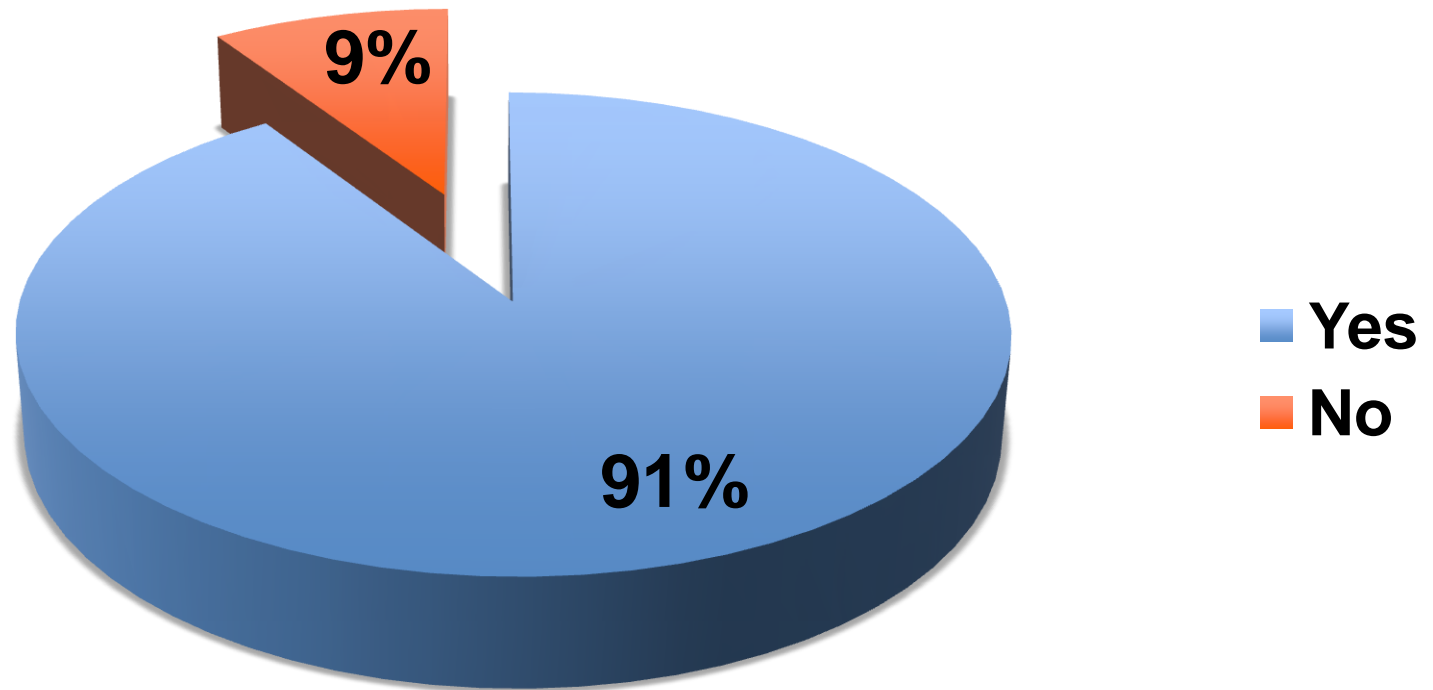
bwinterfeldt@steptoe.com

FOLLOW ME ON  : @bjw72

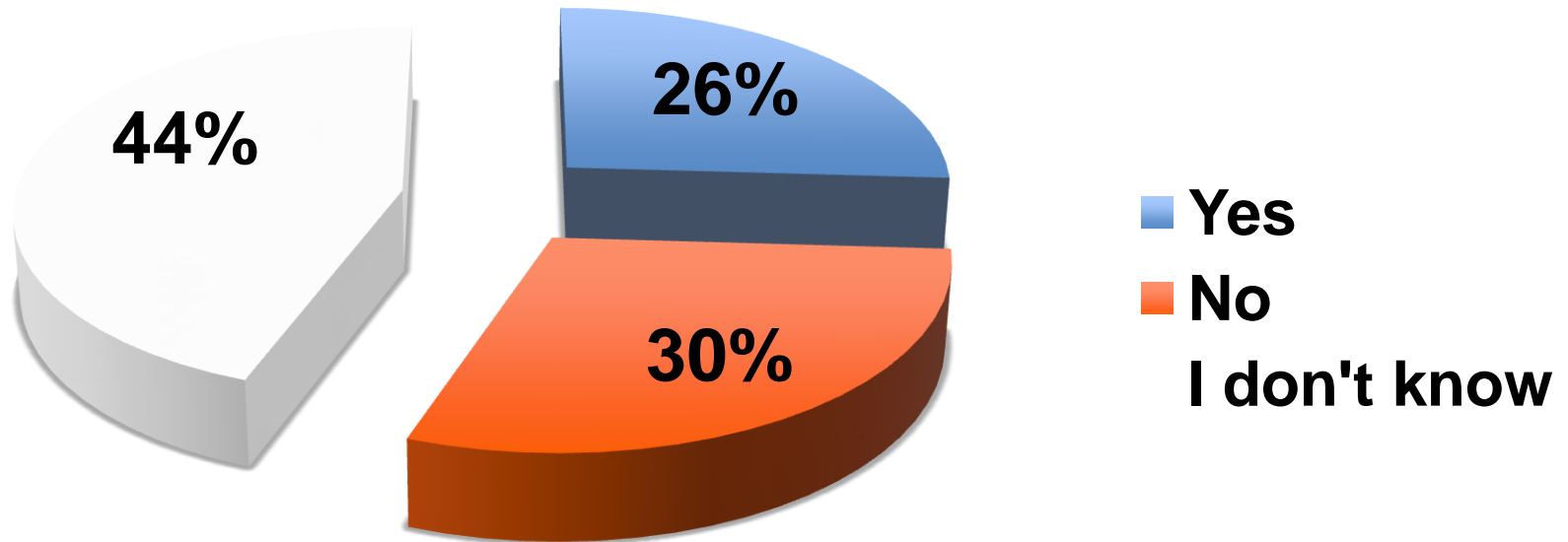


Corporate gTLD Intent and Plans

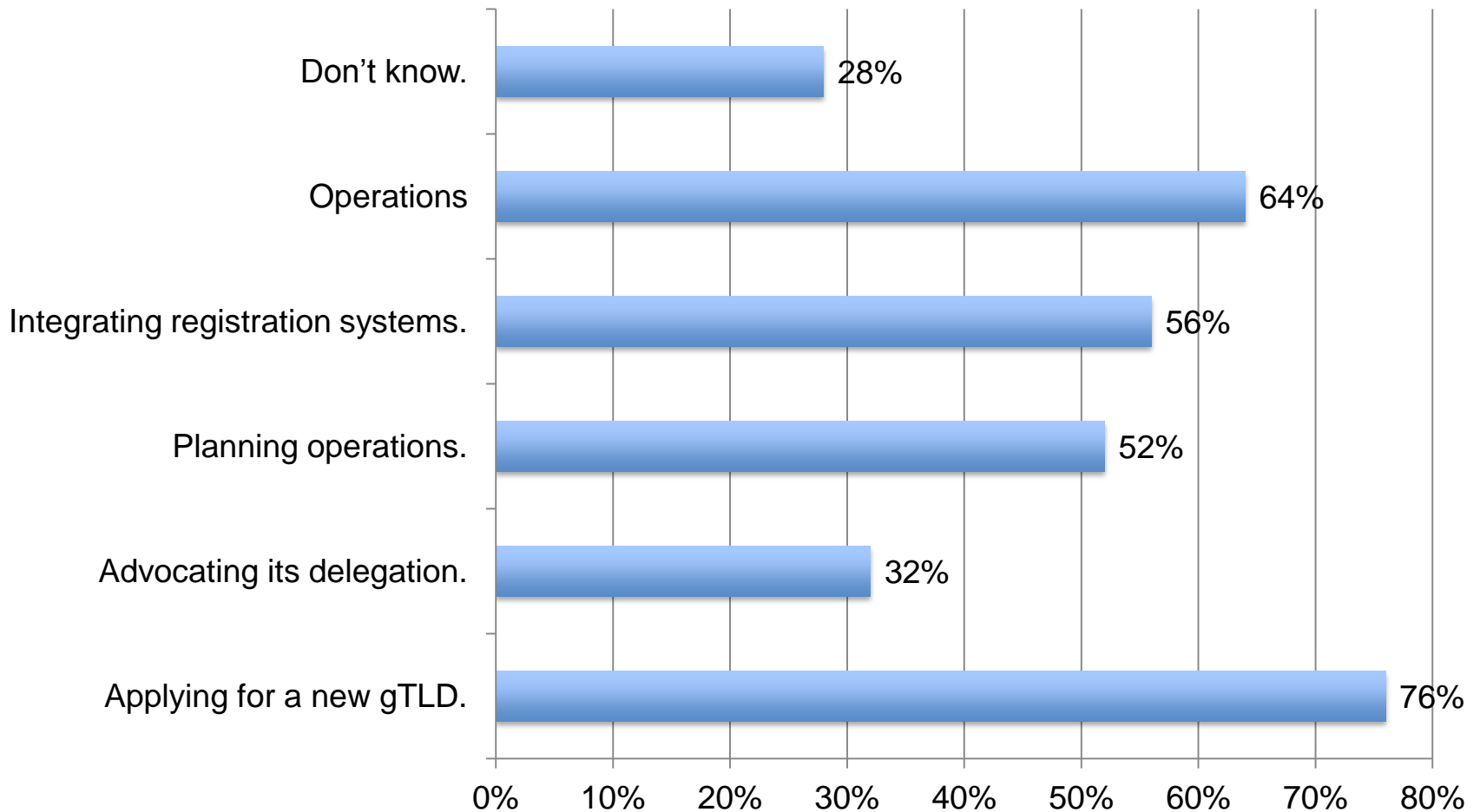
Corporate gTLD Awareness



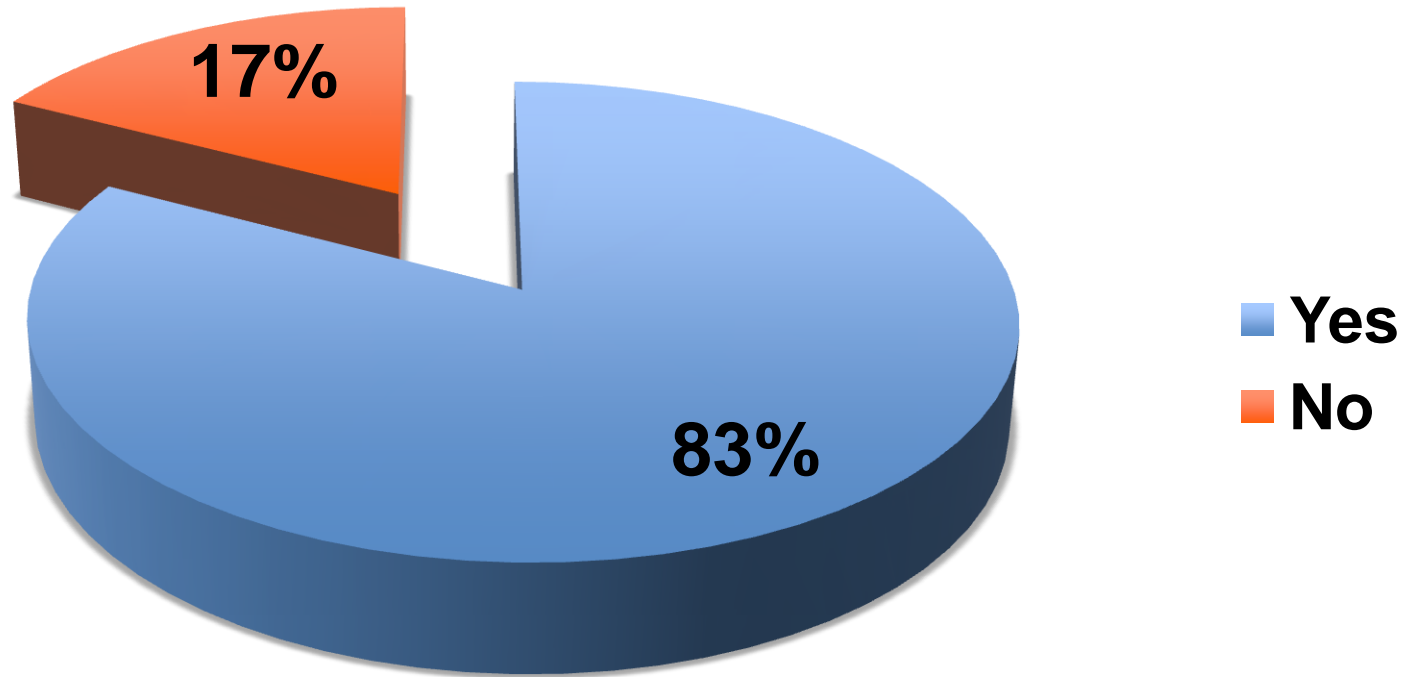
Corporate gTLD Adoption Plans



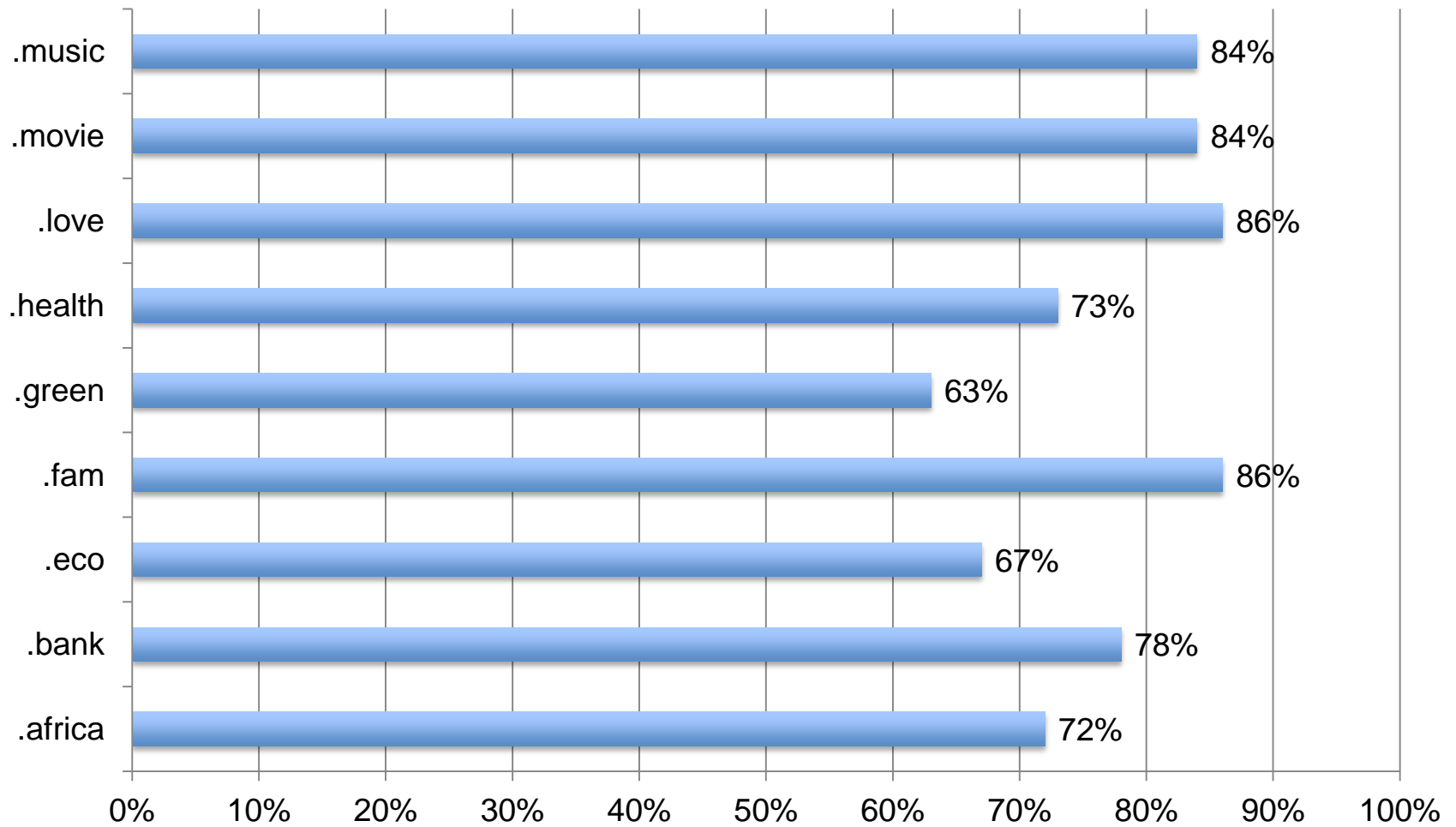
Corporate gTLD Services Requirements (NOT Mutually Exclusive)



Brand Protection Impact of gTLD Program?



No Intent To Register (NOT Mutually Exclusive)



Review of IP Protections for New gTLDs

Sarah Deutsch

Vice President, Associate General Counsel,
Verizon

New gTLD Cost and Timing Considerations

J. Scott Evans

Senior Legal Director-Global Brand and
Trademark, Yahoo! Inc

New gTLD Cost and Timing Considerations

J. Scott Evans

Senior Legal Director, Global Brand & Trademarks



YAHOO!

Costs

- ICANN
 - Application Fee
 - Recurring Fees
 - Letter of Credit
- Application
 - Consultant
 - Preparation
- Registry Set Up and Management
- Legal Fees



Estimated Timetable

- AGB Approval Late March/Early April 2011
- Four Month Information Period
- Application Period Opens Fall 2011
- Evaluations begin Q4 2011
- Applications begin entering root Q1 2013



Decoding ICANN for the Business Community

Marilyn Cade, BC Chair

February 14, 2011

World Internet Topology

World Internet Topology

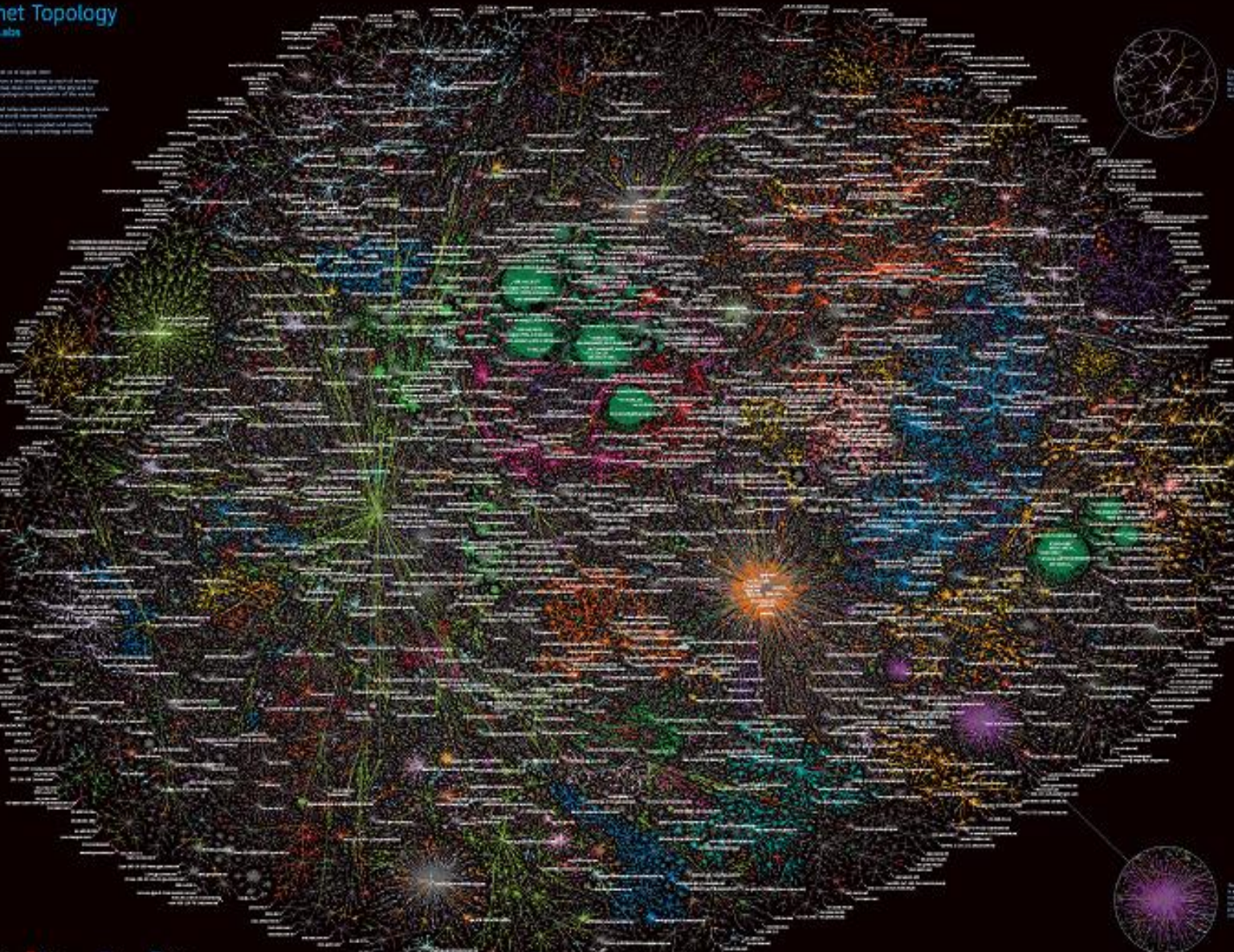
Brought to you by AT&T Labs

Presented by COMSNET

We have captured the backbone of the Internet at a single point in time. This is the largest ongoing collection of computer network data that has ever been collected. It contains the entire structure of the Internet, the way it is connected, and the way it is used. It is a product of the Internet Mapping Project, a joint effort of AT&T Labs and the University of California at San Diego, using advanced and powerful technology that makes this work possible.

AT&T's Network by the Numbers.

- 9.81**
Percentages of data transmitted across AT&T's network on an average business day, as a measure of its ability to handle the volume of traffic that flows through it every day.
- 1**
AT&T's rank among broadband providers in the United States.
- 12.9 Million**
AT&T residential customers in service.
- 540,000**
Lines of service lines that AT&T owns and operates.
- \$6 Billion**
Amount AT&T will spend by 2008 for long-haul optical transport infrastructure.
- 36**
AT&T's owned data centers around the world.
- 301,760**
AT&T employee workstations.
- 97%**
Percentage of the world's e-mail sent by AT&T's networks.
- 99.9998%**
AT&T's network reliability.
- 49,000**
Number of IP addresses AT&T provides to its customers.
- 166**
Number of United States cities where AT&T offers 20+ Mbps high-speed Internet service.
- 3 Million**
AT&T's annual Domestic QoS subscription.
- 160%**
Increase in United States broadband use in 2007 over October 2006 (Jan 2004 and Oct 2006).
- 7**
Times AT&T's network was ranked by the U.S. News & World Report as the most reliable in the world.
- 2**
Average number of new patent applications AT&T filed in 2007.



These data represent a major step in understanding the structure of the Internet. The data is a product of the Internet Mapping Project, a joint effort of AT&T Labs and the University of California at San Diego, using advanced and powerful technology that makes this work possible.

World Internet by the Numbers.

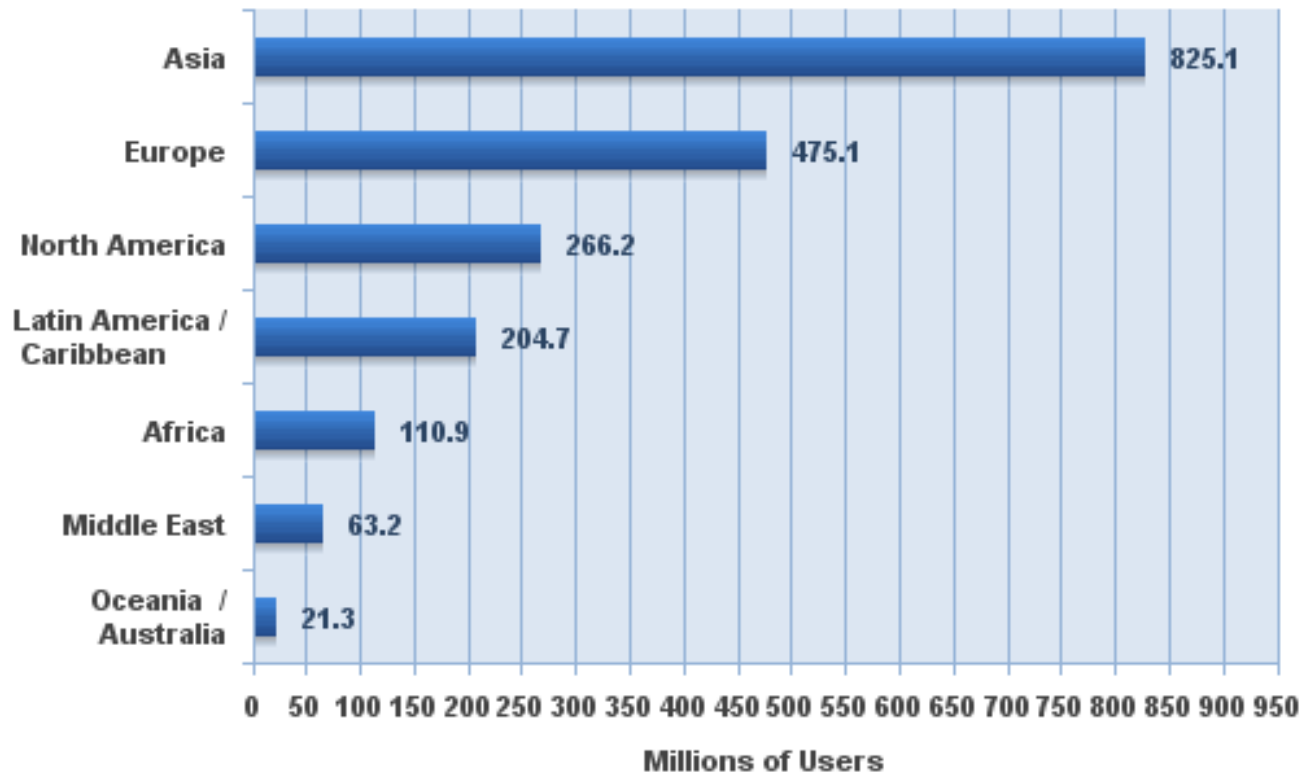
- More than **320,000**
Individual Internet providers listed by the Internet Mapping Project.
- 48 Million**
Users on the Internet in 2006 (Source: IDC).
- 1.133 Billion**
Internet users in 2008 (Source: eMarketer).
- 6.4 Million**
New Internet users globally every month (Source: eMarketer).
- 1.6 Billion**
Users on the Internet in 2008 (Source: IDC).
- 40 Million**
New Web 2.0 users every year (Source: eMarketer).
- 35,000**
Web pages in 2006 that are still the most popular in the world (Source: eMarketer).
- 100 Million**
YouTube videos downloaded every day (Source: YouTube).
- 161**
Countries of the world that have an Internet service provider (Source: ITU).
- 12 Million**
Users of Web 2.0 in 2006 (Source: eMarketer).
- 15 Million**
Users of Web 2.0 in 2007 (Source: eMarketer).
- \$72.5 Billion**
Annual spending on support of network infrastructure in the United States by 2008 (Source: Communications Industry Association).



These data represent a major step in understanding the structure of the Internet. The data is a product of the Internet Mapping Project, a joint effort of AT&T Labs and the University of California at San Diego, using advanced and powerful technology that makes this work possible.

Internet Users by Region

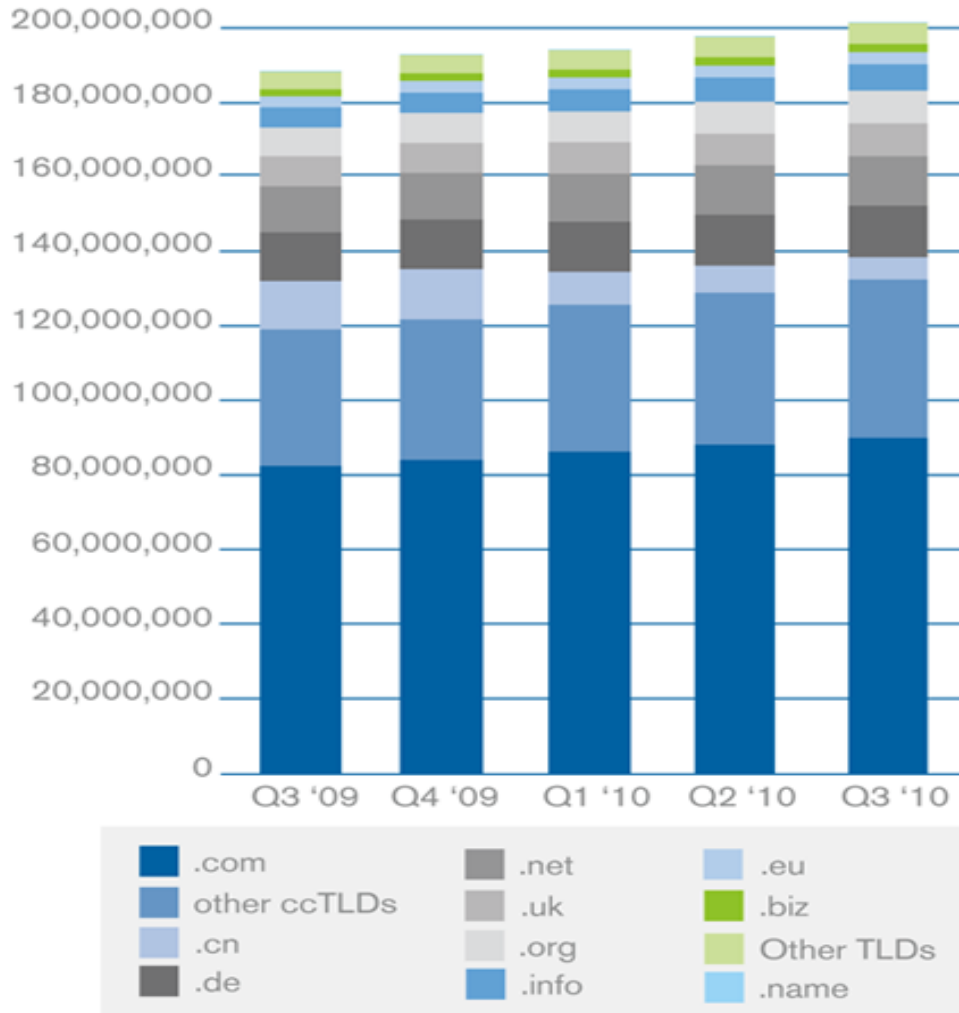
Internet Users in the World by Geographic Regions - 2010



Source: Internet World Stats - www.internetworldstats.com/stats.htm
Estimated Internet users are 1,966,514,816 on June 31, 2010
Copyright © 2010, Miniwatts Marketing Group

Domain Names

Total Domain Name Registrations



Source: Zooknic, October 2010; Verisign, November 2010

- **88.8 million** - .COM domain names at the end of 2010.
- **13.2 million** - .NET domain names at the end of 2010.
- **8.6 million** - .ORG domain names at the end of 2010.
- **79.2 million** - The number of country code top-level domains (e.g. .CN, .UK, .DE, etc.).
- **202 million** - The number of domain names across all top-level domains (October 2010).
- **7%** - The increase in domain names since the year before.

Source: <http://royal.pingdom.com/2011/01/12/internet-2010-in-numbers/>

245 out of 260+ Country Codes of the World

Size relative to growth rate

Most Popular ccTLDs

Domain	Country	Registrations
.de	Germany	11,520,000
.cn	China	6,035,000
.uk	United Kingdom	6,010,000
.nl	Netherlands	2,545,000
.it	Italy	1,426,000
.us	United States	1,300,000
.fr	France	1,139,000
.ru	Russia	1,000,000
.jp	Japan	905,000

The most frequently registered ccTLDs today are not reflective of the country's size and population statistics — at least not yet. Consider the fastest-growing ccTLD and its pace to overtake Germany by 2015. Overall, the 10 most popular ccTLDs account for nearly 70% of all ccTLD registrations.

Please note that not all ccTLDs are equally easy and cheap to register, which is one reason some countries have had slower growth than others.

Source: Country Registrars by Layer1 (2012)

Country Codes of the World

At the end of every URL, and email address is a top-level domain (TLD). Each geographic region is allocated an ccTLD.

Although most ccTLDs are for two-letter codes, there are more than 250 TLDs in use around the world, most of which are country code top-level domains (ccTLDs).

ccTLDs are two-digit codes assigned to countries and territories.

Of the 180 or more TLDs that have been registered, more than 110 indicate an ccTLD.

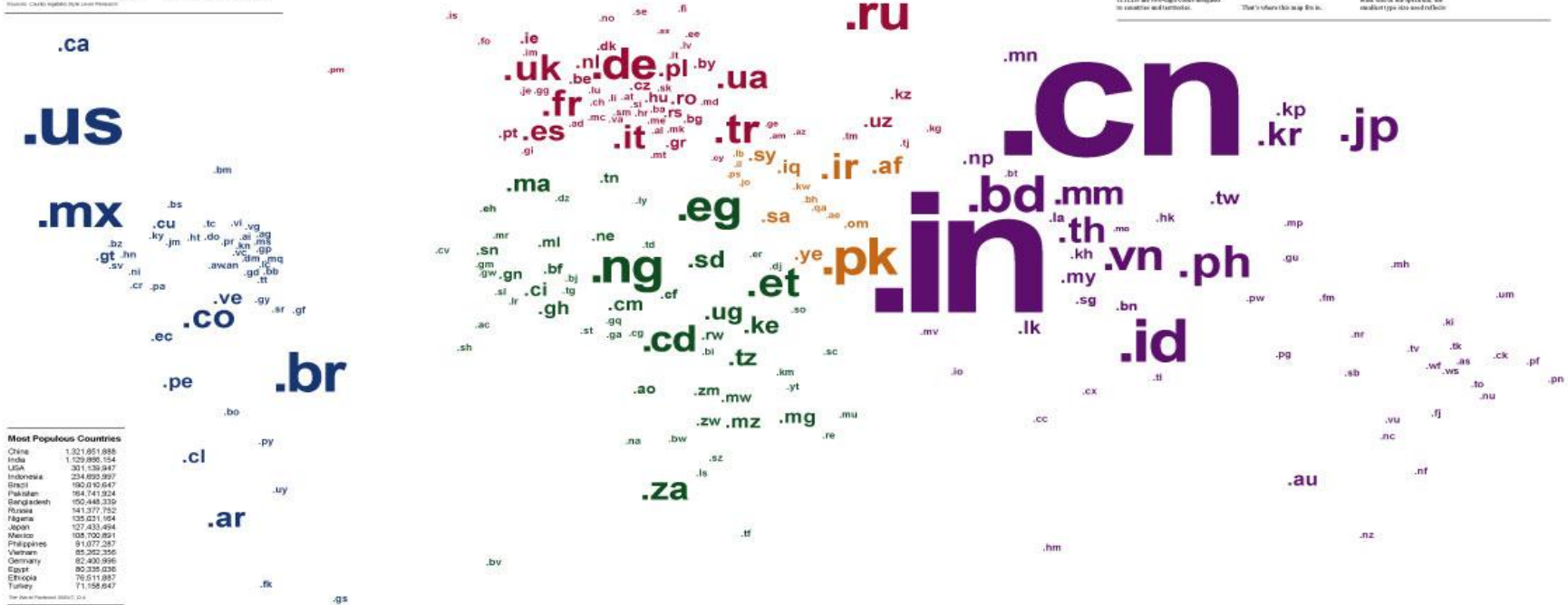
Some ccTLDs are easy to decipher, such as .us for the United States. But in many codes, an end or initials, such as .tk for the Tokelau or the South Africa.

This map includes 245 ccTLDs. Each geographic region is color-coded for easy reference.

Each ccTLD is sized relative to the population of the country or territory, with the exception of China and India, which were actually estimated by other sources for layout. As the world evolves, the question for standard type size and fontface.

More countries with 10 or more ccTLDs, visit www.name.org

For more information about ccTLDs, visit www.name.org



Most Populous Countries

China	1,321,851,888
India	1,229,896,154
USA	301,138,847
Indonesia	234,693,897
Brazil	190,010,647
Pakistan	184,141,624
Bangladesh	150,448,239
Russia	141,277,752
Nigeria	135,251,054
Japan	127,433,494
Mexico	108,700,851
Philippines	81,077,287
Vietnam	80,262,266
Germany	82,490,996
Egypt	80,235,828
Ethiopia	78,011,887
Turkey	71,558,647

See www.populationpyramid.com

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America | ag Antigua and Barbuda | ai Anguilla | aj Aruba | an Netherlands Antilles | ar Argentina | aw Aruba | bb Barbados | bn Brunei Darussalam | bo Bolivia | br Brazil | bt Bhutan | bv Bouvet Island | by Belarus | bz Belize | ca Canada | cc Cocos (Keeling) Islands | ce Central African Republic | ec Ecuador | fi Finland | fo Faroe Islands (Maldives) | gf French Guiana | gg Guadeloupe | gh South Georgia and the South Sandwich Islands | gi Gibraltar | gl Greenland | gm Gambia | gn Guinea | gp Guadeloupe | gr Greece | gu Guam | gw Guinea-Bissau | gy Guyana | hk Hong Kong | hm Heard and McDonald Islands | hn Haiti | hr Croatia | hu Hungary | ic Iceland | ie Ireland | il Israel | im Isle of Man | in India | io Indian Ocean Territory | it Italy | je Jersey | kg Kyrgyzstan | kz Kazakhstan | lb Lebanon | li Liechtenstein | lk Sri Lanka | lv Latvia | lu Luxembourg | ly Libya | ma Morocco | md Moldova | me Montenegro | mg Madagascar | mh Marshall Islands | mk Macedonia | ml Maldives | mm Myanmar | mn Mongolia | mo Monaco | mp Northern Mariana Islands | mq Martinique | mr Mauritius | ms Malaysia | mt Malta | mv Maldives | mw Malawi | mx Mexico | nc New Caledonia | ne Nepal | nf Norfolk Island | ng Nigeria | ni Niue | nl Netherlands | no Norway | np Nepal | nr Nauru | nt Tokelau | nu Niue | nz New Zealand | om Oman | pa Panama | pe Peru | pf French Polynesia | pg Papua New Guinea | ph Philippines | pm Pitcairn Islands | pn Palau | pt Portugal | pr Puerto Rico | ps Palestinian Territory | pt Portugal | py Paraguay | qa Qatar | re Reunion | ro Romania | ru Russian Federation | rw Rwanda | sa Saudi Arabia | sb Santa Helena, Ascension and Tristan da Cunha | sc Seychelles | sd Sudan | se Sweden | sg Singapore | sh Saint Helena, Ascension and Tristan da Cunha | si Slovenia | sj Svalbard and Jan Mayen Islands | sk Slovakia | sl Slovenia | sm San Marino | sn Senegal | so Somalia | sr Suriname | st Sao Tome and Principe | sv Sweden | sw Switzerland | sx Sint Eustazius and Sint Martin | sy Syria | td Togo | tg Togo | th Thailand | tk Tokelau | tl Timor-Leste | tm Timor-Leste | tn Tunisia | to Tonga | tr Turkey | tv Tokelau | tw Taiwan | um United States Minor Outlying Islands | vn Vietnam | vu Vanuatu | wf Wallis and Futuna Islands | ws Samoa |

Map created and designed by Byte Level Research. All rights reserved. © 2012. All rights reserved. www.bytelevel.com

The Power of the Internet: Connecting the World

152 Million
Blogs

25 Billion
Tweets/Day

2 Billion
Internet users

2 Billion videos
Watched on YouTube

255 Million
Websites

107 Trillion
emails sent in 2010

600 Million
Facebook Users

<http://royal.pingdom.com/2011/01/12/internet-2010-in-numbers/>

www.physorg.com/news/2011-01-internet-users-worldwide-billion.html

Key International Bodies and Organizations Involved in Telecom, Internet, and E-Commerce Policy



United Nations
Educational, Scientific and
Cultural Organization



WORLD
INTELLECTUAL
PROPERTY
ORGANIZATION



WORLD TRADE
ORGANIZATION



Asia-Pacific
Economic Cooperation



IGF
Internet
Governance
Forum

Who Sets the Rules for the Global Internet?



Internet Corporation for Assigned Names and Numbers

CEO & President, ICANN



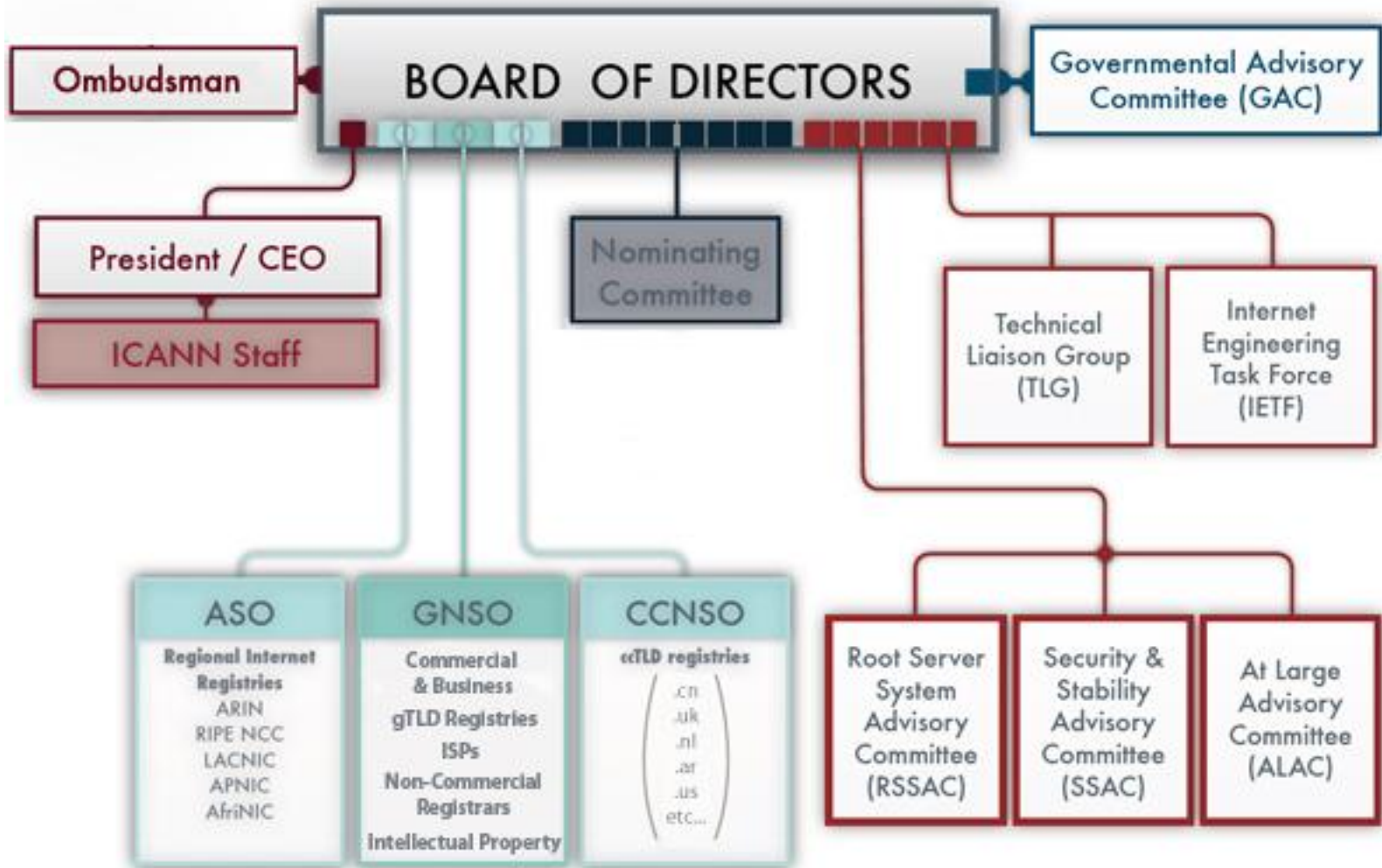
Rod Beckstrom

Chair, ICANN Board



Peter Dengate Thrush







ICANN Mission

- ❖ The mission of The Internet Corporation for Assigned Names and Numbers (“ICANN”) is to coordinate, at the overall level, the global Internet's systems of unique identifiers, and in particular to ensure the stable and secure operation of the Internet's unique identifier systems. In particular, ICANN:
 - ✓ Coordinates the allocation and assignment of the three sets of unique identifiers for the Internet, which are
 - a. Domain names (forming a system referred to as “DNS”)
 - b. Internet protocol (“IP”) addresses and autonomous system (“AS”) numbers
 - c. Protocol port and parameter numbers.
 - ✓ Coordinates the operation and evolution of the DNS root name server system.
 - ✓ Coordinates policy development reasonably and appropriately related to these technical functions.

ICANN Initiatives

- New generic top level domain names (gTLD)
- Internationalized domain names: country codes and generics
- Roll out of IPv6/responsible allocation of remaining IPv4 addresses
- DNSSEC-root and throughout the DNS infrastructure
- Contractual compliance
- DNS - deal with risks and threats
- WHOIS
- Improving and strengthening accountability and transparency in governance



Decoding ICANN for the Business Community

Commercial Stakeholder Group (CSG)

**IPC - Intellectual Property
Constituency**

J.Scott Evans, IPC Chair
www.ipconstituency.org

The ICANN GNSO “Business Constituency”



Marilyn Cade, BC Chair
www.bizconst.org

ISPCP – Representing ISPs and Connectivity Providers
Tony Holmes, ISPCP Chair

ICANN Meeting - San Francisco, March [11/12] 13-18, 2011



- Venue: Westin St. Francis
- ICANN Meetings – begin with working sessions over week end
- Meeting officially begins on Monday with Plenary/Welcoming session
- Key Sessions: Tuesday – Constituency Day of meetings, closes with Governmental Advisory Committee/Board Interaction
- Workshops and sessions Monday p.m./Wednesday, Thursday – Board-GAC session on new gTLDs followed by Public Forum of Board/Community
- Tuesday night – Music Night; Wednesday night - GALA
- Friday – Board meets in public environment

Future Meetings of ICANN

2012

- ❖ October 14-19 North America
- ❖ June 24-29 Europe
- ❖ March 11-16 Latin America

2011

- ❖ October 23-28 Africa
- ❖ June 19-24 Asia [Jordan/TBC]
- ❖ March 13-18 North America

ICANN Resources

- www.icann.org
- www.gnso.icann.org
- ICANN Policy Updates – via ICANN site
- ICANN staff – see ICANN site for full list
- ICANN Newsletters
- Constituencies websites and activities

