

# GAC Advice Response Form for Applicants



The Governmental Advisory Committee (GAC) has issued advice to the ICANN Board of Directors regarding New gTLD applications. Please see Section II of the [GAC Buenos Aires Communiqué](#) for the full list of advice on individual strings, categories of strings, and strings that may warrant further GAC consideration.

Respondents should use this form to ensure their responses are appropriately tracked and routed to the ICANN Board for their consideration. Complete this form and submit it as an attachment to the ICANN Customer Service Center via your [CSC Portal](#) with the Subject, “[Application ID] Response to Buenos Aires GAC Advice” (for example “1-111-11111 Response to Buenos Aires GAC Advice”). All GAC Advice Responses to the GAC Buenos Aires Communiqué must be received no later than 23:59:59 UTC on 06-January-2014.

## Respondent:

Applicant Name	TLDDOT GmbH
Application ID	1-1273-63351
Applied for TLD (string)	GMBH

## Response:

TLDDOT GmbH, as the only Community Applicant for the .GMBH TLD, is pleased to submit this response to the GAC Buenos Aires Communiqué. TLDDOT supports the efforts of ICANN and the Governmental Advisory Committee (GAC) to deploy the new TLDs in an appropriate, secure and responsible manner.

In its Buenos Aires Communiqué, the GAC “highlights the importance of its Beijing advice on 'Restricted Access' registries, particularly with regard to the need to avoid undue preference and/or undue disadvantage.” As a Community Applicant, TLDDOT is committed to avoid undue preference and/or advantage. TLDDOT will allow registrations of a .GMBH domain name for companies which are at the time of the registration registered with the legal form of a GmbH (including mbh, gGmbH, GesmbH and Ges.m.b.H.) in an official company register in Austria, Germany, Liechtenstein, Switzerland.

TLDDOT acknowledges Specification 11 of the Registry Agreement which commits the Registry Operator to “operate the TLD in a transparent manner consistent with general principles of openness and non-discrimination by establishing, publishing and adhering to clear registration policies.”

TLDDOT would also like to reiterate that, as a Community Applicant, it has committed itself in its application to verify and validate registrations under .GMBH as postulated in the Safeguards 1 Advice. As documented in our support statements, TLDDOT has

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already established active working relationships with the relevant national supervisory authorities in this regard.

TLDDOT also urges ICANN to ensure that any Public Interest Commitments or changes to applications and TLD operations based on Safeguards filed by applicants in Contention Sets are being bindingly implemented and monitored after being approved as Change Request.

Despite the Safeguards TLDDOT directs attention to its article published in April 2013 at [http://www.circleid.com/posts/20130421\\_what\\_may\\_happen\\_to\\_gac\\_advice\\_3\\_fearless\\_predictions/](http://www.circleid.com/posts/20130421_what_may_happen_to_gac_advice_3_fearless_predictions/) which highlights the dangerous deficiencies of the current process:

***“GAC Advice has to be executed before contention resolution for applicants in contention sets starts. Otherwise an applicant might succeed in the Contention Set who will be thrown out because of GAC Advice later in the process. This timing would not make sense.***

*The GAC Advice process should take into account the process and timing of the whole Application Process. The process following the execution of GAC Advice has to be finished before the Contention Resolution Process is being initiated. Otherwise an applicant who is willing to provide the safeguards being asked for in the GAC Advice may have been eliminated in the process (e.g. by an auction), while the winner of the Contention Resolution is an applicant who is not willing to abide by the GAC Advice. A TLD could then not be awarded at all although a suitable candidate was in place, making the GAC Advice meaningless.”*