

# GAC Advice Response Form for Applicants

## 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 IV, Annex I, and Annex II of the [GAC Beijing 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 GAC Advice” (for example “1-111-11111 Response to GAC Advice”). All GAC Advice Responses must be received no later than 23:59:59 UTC on 10-May-2013.

### Respondent:

Applicant Name	DOTPAY SA
Application ID	1-1750-33973
Applied for TLD (string)	PAY

### Response:

DOTPAY SA welcomes the opportunity to respond to the Governmental Advisory Committee’s comments on new top level domains. DOTPAY SA appreciates the GAC’s intentions to protect end users and to minimise consumer confusion.

In no country has the use of the generic term “pay” been regulated in the way that terms such as bank, finance or insurance are being assessed in the evaluation of new TLDs.

It is clear that, throughout the process of the evaluation of new TLDs, generic terms have taken on new meanings but, in essence, the divide between reserved and generic terms is that reserved names are limited in use while generics are used in everyday life.

1) DOTPAY SA’s application for .pay will not become a closed TLD and, in addition, DOTPAY SA’s application serves the public interest by having open services on the Internet. DOTPAY SA is currently in contention for .pay top-level domain with Amazon who is assuming exclusive use of the .pay.

2) being generic term by default PAY should not raise so-called ‘financial’ concerns

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otherwise similar concerns would have to be applied top-level-domains as BUY, SALE, SHOP, BOOK, PIZZA and many others as all these generic terms, along with and similar to PAY, assume money value exchanges over the communications network.

The key features of DOTPAY SA's application address, precisely, the concerns that the GAC has generally identified. For example, the security of Internet payment systems and the minimisation of registrant confusion.

In particular, as part of DOTPAY SA's efforts dedicated to minimising the probability of confusion, there is second level label selection (SLLS) policy implementation. Through SLLS, DOTPAY SA, will provide incentive registration of personal mobile telephone numbers (PMTN) as the second level of .pay DNS name for individuals. Telephone numbers are unique by default and, to avoid confusion, Registrars will be advised to verify each Registrant via SMS providing a verification code for online registration of the PMTN.pay name.

SLLS also implies registration of real names for individuals along with trademarks and 'doing business as' (DBA) names for institutions as second level labels for .pay names.

While the trademark confusion issue is being addressed by ICANN via the Trademark Clearing House establishment the registration of personal names (real names) for individuals and DBA names for businesses as second level labels will be provided on First Come-First Served terms. Each real name registration will be accompanied by a free registration of PMTN for purposes of verification and avoidance of a confusion. For SMS verification DOTPAY SA is considering using [www.nexmo.com](http://www.nexmo.com) services.

DOTPAY SA's treatment of .pay relies on a highly innovative expression of the possibilities for new top level domains. That innovation is based on patented technologies that drive the DOTPAY SA system.

We believe that the perceptions of risk about transferring money using the Internet are, in practice, unfounded given the ubiquity of online banking. The evaluators may have made some assumptions that a .pay TLD "would be vulnerable to online fraud and abuse" which has no basis in fact given the actual services which will be provided by the .pay TLD.

The impact of very specific patented technology developments which address precisely the consumer concerns about banking services which are already in play in the existing banking market are the unique selling proposition of the .pay TLD.

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In the case of .pay, the patented technologies which support the operation of the TLD are far superior to those used by legacy banking providers. These patented technologies will be built upon existing industrial security mechanisms compliant with Payment Card Industry Data Security Standards (PCI DSS) which along with mandatory implementation of DNSSEC and voluntary SLLS policy implementation by DOTPAY SA only improves the level of transaction security. The patented approach defines registry and payment services wherein only registry services will be provided by DOTPAY SA. The payment services will still be provided by financial service providers which are currently heavily regulated worldwide.

DOTPAY SA registry services assumes the replacement of account identification details (IDs) with DNS names while payment services are assumed to be provided by payment service-compliant entities, not DOTPAY SA. DOTPAY SA **registry** services is completely decoupled from **payment** services in the same way as the .COM registry services are decoupled from services provided by banks using .com names such as citibank.com.

The concerns about security, fraud and abuse are addressed by DOTPAY SA in its application by placing a restriction on IP addresses mapped to .pay names in order to control communication end-points ensuring their compliance with applicable security standards.

The .pay application “offers the registrant a range of multi-vendor and multi-payment services” assuming products and discovery services which, along with payment facilities, provide customers with an electronic cycle of purchasing goods and services.

Unlike other applicants for “financial services” TLDs, .pay targets small & medium businesses and individuals to facilitate a more efficient e-commerce environment for low and medium-priced purchases and has to provide a more affordable pricing model.

In addition, DOTPAY SA has partnered with Knipp Medien und Kommunikation GmbH) to collaborate with law enforcement authorities and security agencies in order to take quick action in case a .pay name is reported to be involved in malicious activity. The “Rapid Takedown Policy” submitted in the application materials includes best industry standard responses to ICANN’s Applicant Guidebook requirements including

\* clear and consistent procedures to quickly stop the malicious activity (after the activity was confirmed and impact of the measures has been assessed),

\* specific rules regarding the notification of involved parties

- \* mechanisms to appeal against any measures taken and
- \* definitions for documenting and reporting malicious activity.

Removing a domain name from the .pay zone usually has serious consequences but DOTPAY SA (and Knipp Medien und Kommunikation GmbH as its technical provider) will, in accordance with the policy, exercise extreme caution with regard to any takedown decision. At the same time, the DOTPAY SA is aware that malicious activity potentially affects a large number of Internet users, which sometimes warrants drastic measures. The Rapid Takedown Policy aims at finding appropriate measures, taking the interests of all involved parties into consideration.

The Rapid Takedown Policy will be announced to both .pay registrars and .pay registrants and be part of the Registry-Registrar Agreement (RRA) and the .pay registration terms.