

GAC Advice Response Form for Applicants



The Government 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	The Canadian Real Estate Association
Applicant ID	1-1888-47714
Applied for TLD (string)	.MLS

Response:

The Canadian Real Estate Association (CREA) is a trade association whose membership consists of more than 100,000 real estate brokers, agents, and salespeople, working through 100 member real estate boards and provincial associations across Canada.

CREA is the owner of the MLS® trademarks in Canada and licenses the use of those trademarks to its members. The MLS® trademarks are registered in Canada as “certification marks”, which means that they identify a standard or level of service provided by the members of the group licensed to use the marks. In this case, the MLS® marks, and the proposed .MLS TLD, identify professional services rendered by members of CREA to effect the purchase and sale of real estate as part of a cooperative selling system.

Member Boards operate cooperative selling systems, which include an inventory of listings of participating REALTORS® and ensures a high level of accuracy of information, professionalism, and cooperation amongst REALTORS® to affect the purchase and sale of real estate. These cooperative selling systems are called MLS® Systems and they date back to 1955 in Canada.

In principle, we agree with the GAC Advice and believe the ICANN Board should make a concerted effort to incorporate this advice for new gTLDs. We do not interpret the GAC Advice as raising new matters of policy but instead reflect an effort by the GAC to craft its advice within the framework approved by the GNSO. Further, we believe the process by which the GAC has brought forth its advice to the ICANN Board is consistent with its role as defined in the ICANN by-laws. Lastly, we believe the substance of the GAC Advice to be consistent with its role as defined in the Applicant Guidebook under Section 3.1. We do not find the GAC Advice surprising but instead entirely consistent, and therefore predictable, with the role expected of government representatives within ICANN’s self-regulatory, multi-stakeholder process.