

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 Communique](#) 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 | Charleston Road Registry Inc. |
| Applicant ID | 1-1138-34539 |
| Applied for TLD (string) | .GAME |

RESPONSE:

Introduction

We thank the ICANN Board for the opportunity to respond to the Government Advisory Committee (GAC) Advice and for considering the arguments put forth in this response. In all, Charleston Road Registry, Inc. (CRR) received advice on 31 of its applied-for strings. This response specifically addresses concerns with CRR’s .GAME application described in the below Sections of the Communique:

- Section IV, Annex I, Category 1 - Consumer Protection, Sensitive Strings and Regulated Markets: Intellectual Property and Children Categories
- Section IV, Annex I, Category 2.2 – Exclusive Access

We also thank the GAC for the time and effort we know must have gone into the preparation, drafting and issuance of its advice. We recognize the difficult work the GAC undertakes and we also know that the GAC plays an important role within the multi-stakeholder process. We were happy to see the GAC reach consensus on many important issues.

CRR has always been and remains very committed to the security and stability of the domain name system as well as the success of the new generic top-level domain (gTLD) program and it is in that spirit that we submit the following response to the GAC advice.

Purpose of the .GAME TLD

CRR has stated in its response to question 18(a), Mission/Purpose of the proposed gTLD states:

The proposed gTLD will provide the marketplace with direct association to the term, "game." The mission of this gTLD, .game, is to provide a dedicated domain space in which registrants can enact second level domains that position content relating to uses of the term "game," included but not limited to board games, video games, mobile gaming applications, and sports games. Charleston Road Registry believes that registrants will find value in associating with this gTLD, which could have a vast array of purposes for enterprises, small businesses, groups or individuals seeking to associate with the term "game." Charleston Road Registry expects these uses may include but are not limited to applications such as branded second level domains (miltonbradley.games), direct links to a particular offering (wordswithfriends.game, finalfantasy.game), and sports content (bearsfootball.game).

Category 1 GAC Safeguard Advice Does Not Apply to CRR's .GAME Application

The GAC's Category 1 safeguard advice asks that strings that are linked to regulated or professional sectors provide additional consumer protections.

Category 1 safeguard advice suggests additional safeguards should apply to the .GAME string under the Intellectual Property or the Children Categories. It is our belief the safeguard advice the GAC has requested for this string does not apply to CRR's application for .GAME as "game" is not part of a regulated or professional sector involving a level of implied trust from consumers and carrying higher levels of risk associated with consumer harm. Further, we are not targeting children with the .GAME TLD. The term "game" is a generic word that is not directly related to any particular type of intellectual property nor is it solely used to relating to children. Further, CRR has adopted a set of safeguards that go above and beyond safeguards required by the Applicant Guidebook and as such, we feel that all of our TLDs will offer consumers considerable protections against abuse.

Additional Safeguards Provided for All CRR Applications

Finally, as part of our commitment to improving the Internet ecosystem through the new gTLD program, CRR seeks to mitigate the problem of abusive registrations and uses of domain names. We recognize that such abuses create security and stability issues for the registry, registrars, and registrants, as well as for users of the Internet in general. Accordingly, CRR will

work hand-in-hand with our parent company, Google Inc., to provide a secure Internet space for all of our new gTLD registries, where harmful practices such as phishing, malware, spamming, pharming, and child pornography are not tolerated. Our robust abuse policy will ensure that CRR has the authority to suspend, cancel, or transfer domain names that violate such prohibitions.

In addition, we have worked with the community to develop additional intellectual property rights protection mechanisms that build upon ICANN's requirements, stipulated in the Applicant Guidebook, but still allow for ample competition and choice on the Internet. In addition to the carefully negotiated requirements mandated by ICANN, CRR has committed to double the length of the mandatory Sunrise Period from 30 days to 60 days and to extend the Trademark Claims Service indefinitely for all of our open registries. The recent expansion of the Claims Service that allows up to 50 previously abused strings per Trademark Clearinghouse submission to be included, coupled with our indefinite Claims Service significantly reduce rights holders' burdens by reducing monitoring costs and deterring potential cybersquatters. CRR's commitment to engage in pre-registration verification of potential domain name registrants should further serve to reduce fraudulent practices and to facilitate better communication between the parties to a dispute.

We believe that such measures provide strong safeguards against potential abuse across CRR's registries, and we will continue to maintain an open dialogue with the community as we work on drafting and implementing our policies.

CRR's Response to Category 2.2 - Exclusive Access Safeguard Advice for .GAME

CRR notes .GAME is a listed string under the GAC's Category 2.2 Exclusive Access safeguard advice. Our application for .GAME is an open TLD model and not an exclusive access TLD model. Exclusive access model means the TLD is limited to the exclusive use of the applicant whereas our open TLD model means the TLD is open to all ICANN-accredited registrars, and registration of domain names in the TLD will be open to all. Therefore, it is our belief that CRR's application for .GAME is not a member of the GAC's Category 2 - Exclusive Access safeguard advice.

Conclusion

CRR believes its application for .GAME should not be included on the GAC's list of applications subject to Category 1 safeguard advice. Category 1 GAC Advice is meant to address higher risk levels associated with strings linked to regulated or professional sectors. .GAME is intended to pertain to things associated with games, such as board games, video games, mobile gaming applications, and sports games, and is not linked to any regulated or professional sector nor is it related to any particular type of intellectual property or children specifically. Therefore, we respectfully request that CRR's application for .GAME not be included on the list subject to Category 1 safeguard advice from the GAC. In addition, because our application for .GAME is an open access TLD model and not an exclusive access TLD model it is our belief that CRR's

application for .GAME is not a member of the GAC's Category 2 - Exclusive Access safeguard advice.

We would like to thank the Board for its consideration of our response, and we look forward to continuing the dialogue with the Board, the GAC and the ICANN community regarding the new gTLD program.