

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	Beijing Gamease Age Digital Technology Co. Ltd.
Application ID	1-1660-73645
Applied for TLD (string)	.GAME

Response:

Beijing Gamease Age Digital Technology Co. LTD (hereinafter CYOU) welcomes the opportunity to respond to the communiqué from ICANN's Government Advisory Committee dated 18-April-2013. While CYOU fully supports the principles regarding enhanced safeguards to protect consumers, CYOU respectfully submits that the GAC does not appear to fully appreciate the nuances of its application as set forth in detail below.

As a preliminary matter many of the safeguards the GAC is proposing because of its determination that .GAME falls within its self-created Classification #1 (Consumer Protection, Sensitive String, and Regulated Markets) are already provided for in its business model because of the proposed initial restricted use of the TLD by CYOU. However, in the very next section, the GAC further states that because .GAME falls within its second self-created Classification #2 (Restricted Access) it needs to serve a public interest. CYOU respectfully submits that if its business model protects consumers based on the criteria set forth in Classification #1 then it should be self-evident that it is serving a public interest.

CYOU does not deny that it is proposing to operate .GAME initially for the first three years in a very restricted fashion. However, CYOU is proposing this approach NOT to limit innovation and choice but to provide it the opportunity to best learn from other gTLD launches. By learning the best practices from other registry operators, CYOU is best positioned to serve as the trustee of the .GAME name space.

CYOU understands how the exclusive use of a generic term by a single entity could potentially give rise to public policy issues. However, CYOU respectfully points out that the exclusive use of the TLDs .GOV and .MIL by one government alone does not in and of itself conflict with the public interest. CYOU is headquartered in Beijing, China. To date most generic top level domains are owned and operated by Western centric entities, the only exception being .ASIA. CYOU believes that as a responsible corporate citizen it is well positioned to represent the

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growing interest of businesses in the Asia Pacific region by serving as trustee of the .GAME name space.

CYOU also respectfully disagrees with the assessment with the GAC that .GAME is a string which inherently falls within the scope of requiring heightened intellectual property protection. CYOU is a publicly traded company with an extensive intellectual property portfolio, so it fully supports the need to protect/promote intellectual property rights. However, CYOU would appreciate the GAC providing further clarification of this designation. As noted above, because of CYOU's proposed use of .GAME in a restricted fashion all consumer safeguards can be met. However, when CYOU begin to expand use of the .GAME after the initial launch it would better like to understand the GAC's thinking to ensure that appropriate consumer safeguards can be put in place.

Finally, CYOU would like to note that as a publicly traded company it takes very highly its obligations to operate in accordance with all application laws and regulations. Therefore, should CYOU's propose operation of the .GAME ever give rise to any particular legal issues (including competition issues), CYOU will work with the competitor to proactive resolve any issues.