

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	Charleston Road Registry Inc.
Applicant ID	1-1683-17546
Applied for TLD (string)	.PLAY

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 .PLAY application described in the below Sections of the Communiqué:

- Section IV, Annex I, Category 1 - Consumer Protection, Sensitive Strings and Regulated Markets: Children Category

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 .PLAY TLD

CRR response to question 18(a), Mission/Purpose of the Proposed gTLD states:

The sole purpose of the proposed gTLD, .play, is to host Google Play store content. The proposed gTLD will introduce a dedicated Internet space in which Google Play distributors can link to the content hosted on their respective Google Play page. Second-level domains in the proposed gTLD, .play, will automatically be delegated to Google DNS servers, which will in turn provide authoritative DNS responses pointing the user's web browsers to Google Play. The mission of the proposed gTLD is to strengthen the brand relationship between Google Play and its content partners and to simplify the Google Play user experience. Google Play intends to provide select content distributors with the ability to manage a .play domain (e.g., artistname.play) and to host easy-to-remember URLs that point to a Google Play artist page or specific offering.

CRR is a wholly owned by Google Inc., a US-based multinational public corporation and global technology leader focused on improving the ways its hundreds of millions of users connect with information. Google Play is a product of Google that allows users to browse and download music, magazines, books, movies, television programs, and applications published through Google. Google Play is Google's online store for a variety of forms of media and other online content. Users can also purchase [Chromebooks](#) and [Google Nexus](#)-branded mobile devices through Google Play. Applications are available either for free or at a cost. They can be downloaded directly to an Android or [Google TV](#) device through the Play Store mobile app, or by [deploying](#) the application to a device from the [Google Play website](#).

Why Category 1 GAC Safeguard Advice Does Not Apply to CRR's .PLAY 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 .PLAY string under the Children Category. Based on the above stated purpose of CRR's application for the .PLAY TLD, it is our position that the safeguard advice provided by the GAC does not apply for three main reasons. First, .PLAY is not part of a regulated or professional sector invoking a level of implied trust from consumers and carrying higher levels of risk associated with consumer harm. Second, the sole purpose of the .PLAY TLD is to host our Google Play store content and while end users may have the ability to manage content on a .PLAY second-level domain name they must do so as a part of the Google Play product, which Google will solely manage. Third, .PLAY is not targeting children nor is its intended use targeting children. In fact, Google Play already offers a feature to parents providing them with the ability to filter and lock apps by maturity level to prevent children from accessing inappropriate material. In this context, "Play" has a well understood meaning unrelated to children or content that would be targeted by children, and neither parents nor

children are likely to be confused or harmed by the type of content offered on the TLD without the need for any particular safeguards.

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.

Conclusion

CRR believes its application for .PLAY 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. CRR's .PLAY application intends to provide select Google Play content distributors with the ability to manage content on a .PLAY domain (e.g., artistname.play), and is not linked to any regulated or professional sector nor is it targeting children. Therefore, we respectfully request that CRR's application for .PLAY not be included on the list subject to Category 1 safeguard advice from the GAC.

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.