

# 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	Cruise Lines International Association Inc.
Application ID	1-1852-14467
Applied for TLD (string)	CRUISE

## Response:

Cruise Lines International Association (CLIA) submits the following response to the ICANN Governmental Advisory Committee’s (GAC) Advice provided in its Beijing Communiqué.

CLIA’s application for .CRUISE serves a public interest.

CLIA notes that because there are two applications for .CRUISE, and the GAC’s Advice did not provide specific Application ID Numbers, it may not be immediately clear which .CRUISE application is specifically being targeted by the GAC’s recent Advice that “strings representing generic terms [and which propose] exclusive registry access should serve a public interest goal.”

CLIA believes that when viewed in the relevant context, it is in fact the application of Viking River Cruises Ltd. (Application ID: 1-1691-43949 for .CRUISE) which is the target of the GAC’s Advice.

CLIA broadly supports the GAC’s public interest principle. CLIA believes however, that in seeking to serve the public interest, certain strings such as .CRUISE, should employ restricted access policies.

In many ways, traditional de facto “open” (and practically-speaking, unregulated) gTLD registration policies have served the public well by providing platforms for many types of innovation. On the other hand the prevalence of such open policies has often meant that there are no discernible standards or registration best practices in today’s Domain Name System.

CLIA’s application for .CRUISE seeks to introduce a new type of gTLD model to serve the public interest, by applying responsible registration standards in furtherance of public trust and safety.

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CLIA is the “natural community representative” for the global cruise industry.

CLIA believes it should be relatively clear that for certain strings – even those not formally filed as a “community” for purposes of the ICANN application process – there are applicants who are clearly the “natural community representative”. CLIA is that representative for the cruise industry.

This notion of a “natural community representative” is supported by section IV.1.e.i. of the GAC’s Advice that “in those cases where a community, which is clearly impacted by a set of new gTLD applications in contention, has expressed a collective and clear opinion on those applications, such opinion should be duly taken into account, together with all other relevant information.”

From this foundation, because the applications for .CRUISE and .CRUISES were – somewhat surprisingly – not placed in a contention set by ICANN or its evaluators, CLIA filed a Community Objection before the International Chamber of Commerce (ICC) against Spring Way LLC’s (trading as “Donuts”) application for .CRUISES (Application ID: 1-1415-46513). (CLIA would be happy to provide a copy of its Objection to Donuts’ application for .CRUISES to the GAC on their request.)

CLIA’s new gTLD application demonstrates that it is clearly committed to “provide a trusted source of comprehensive public information to benefit those interested in cruising and all members of the cruise industry” and to “promote policies and practices that foster a safe, secure, healthy cruise ship environment for the millions of passengers and crew who sail with CLIA member cruise lines every year.” Unlike CLIA however, under the guise of so-called “inclusive” registration policies, Donuts’ application for .CRUISES proposes no such public interest undertakings. To the contrary, Donuts’ very fitness as a new gTLD applicant has been called into serious question.

CLIA’s undertakings to the Australian Government and ICANN affirm that CLIA’s application for .CRUISE is in the public interest.

CLIA recalls here that in response to its receipt of a GAC Early Warning, it met with representatives of the Australian Government in Canberra this past January. As represented to the Australian Government, and as noted in CLIA’s provisional “Public Interest Commitment” (PIC), CLIA is the unique global association for the global cruise industry; CLIA represents over 98% of the global cruise industry, and is the designated Non-Governmental Organization (NGO) for the global cruise industry at the United Nations’ specialized agency the International Maritime Organization (IMO).

CLIA is committed to ensuring that .CRUISE registry operations are compliant with applicable laws and regulations.

CLIA proposes to operate the .CRUISE registry in furtherance of public trust and safety.

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To the extent permitted by applicable laws and regulations, CLIA proposes at least initially restricting the allocation of domain names in the .CRUISE registry to cruise operators, travel agents, vendors and services providers from within the membership of CLIA who meet mandated standards of safety and security, on the basis of transparent, objective, non discriminatory and qualitative registration criteria.

To ensure the reasonable application of CLIA-developed standards in the .CRUISE registry, registration eligibility will be validated upon application for a domain name registration, and may be re-validated annually; the registration and operational policies for .CRUISE will be determined after careful discussion with relevant stakeholders and legal advisers.

CLIA reaffirms its offer to provide a formal presentation to interested GAC representatives on .CRUISE domain name registration policies at the next available ICANN Meeting, at their reasonable request.

CLIA will undertake best efforts to facilitate meetings between representatives of the relevant CLIA member and the respective GAC representatives, at their reasonable request, to discuss CLIA's safety standards.

CLIA will undertake to provide interested GAC representatives with an Annual Report illustrating its consumer-protection oriented and transparent and non-discriminatory policies, at their reasonable request.

CLIA will undertake to apply its formal and self-regulatory Anti-trust Guidelines to its registry operations, and to provide a report to interested GAC representatives at their reasonable request, with recommendations for improvements should CLIA determine that the operation of the .CRUISE registry were to breach these guidelines.

The foregoing commitments are contingent on CLIA's reasonable satisfaction with the final terms of ICANN's Public Interest Commitment ("PIC") and PIC Dispute Resolution Mechanism ("PICDRP"). In such case, CLIA will consider whether any subsequent change request would be required.

CLIA appreciates the PIC and PICDRP concept as one possible vehicle for seeking to ensure that new gTLD registries are operated in the public interest and in accordance with representations made in applications. However, we note that the PIC and PICDRP are not yet in final form. As such, CLIA looks forward to a more considered discussion and continued community dialogue on the PIC and PICDRP including as to standing, process and procedure, criteria, and remedies.