nameshop

Dear Christine Willett,

Thank you for taking note of the Nameshop commitments regarding the intended operation of .Internet.

In your letter dated 21 July 2017 you mention:

> *"the ICANN organization is not able to take action on Nameshop's application based on the information provided in this letter, previous letters, or previous conversations."*

We are unable to understand what 'corporate' rigidity could possibly limit a global organization such as ICANN, with all of its evolved multi-stakeholder model Community processes, from acting swiftly on the Nameshop application. We ask you to listen to the growing number of multi-stakeholder model Community members supporting Nameshop and act in a decisive way that only ICANN can.

> *"The matter of your application for .IDN has been addressed by the ICANN organization in Writing and during in-person meetings on multiple occasions over the past four years."*

Nameshop asked ICANN either to process .IDN or to allow the string to be changed to .Internet; ICANN took a position as early as in 2013 to disallow .IDN and process the change request for .Internet instead. While the string .Internet has been revealed and known to the "insider" members of the ICANN Community as applied for, this information is hidden from the view of the larger public due to the insistence of the ICANN's Global Domains Division to refer to the Nameshop Communications as Communications on .IDN. Furthermore, the string in question is misleadingly shown as .IDN on the ICANN website.

Please be kind enough to correct the public record and caption your responses as communications on .Internet and to also make the necessary changes on the ICANN website so as to correct the error. These omissions may be unintentional, but they nevertheless manifest as obstructions.We have successfully obtained the support of many community leaders but it is difficult for other potential supporters to understand the issue when it is not stated plainly in the application record.

The matters concerning the Nameshop application with the Change Request for .Internet have been addressed by ICANN in good faith during the meetings at Marrakech and Copenhagen.

However, the content of ICANN's prior and subsequent responses have NOT been satisfactory, i.e., Nameshop's points have NOT been addressed or answered.

> *"With regard to your request for an in-person meeting, I was not present at ICANN 59 in Johannesburg, South Africa, so I was unable to participate in such a meeting."*

We understand that such travel changes do occur at times. However, I travelled to Johannesburg for the opportunity to meet with ICANN and discuss this matter in good faith. In your unavoidable absence, Nameshop would have been content to meet with a delegate on your behalf from the GDD at Johannesburg.

> *"I would be happy to schedule a conference call to discuss these matters further."*

We wish to request a face-to-face meeting with you, Mr Atallah, and Mr Marby (and possibly with the presence of one or two Members of the ICANN Board) in Los Angeles, perhaps during September.

> *"you noted that some community members might wish to express support for the Nameshop application..."*

Thank you for your receptiveness to this request. The need to write to the Members of the Community arose due to the inordinate delay in the process and the due to the helplessness in pursuing the matter through various ICANN processes such as evaluation and reconsideration. Perspectives or statements from leaders of the Community, demonstrate agreement that .Internet would be operated in the global public interest. ICANN should carefully consider these comments before answering this request again. The many who are responding went through a considerable thought and consideration process before agreeing to support the .Internet application. Their statements should not be taken lightly or dismissed without careful consideration.

> *"the New gTLD Program processes defined in the Applicant Guidebook do not provide further avenues for Nameshop's application to progress… Further, once procedures have been established for the next gTLD application period and the period has begun, you may submit an application for a new gTLD, subject to those established procedures."*

Nameshop has initiated an effort for Community leaders to voice support for the Nameshop application change request that ICANN denied. This is not different from many other ICANN / New gTLD processes that take into account public comment to provide a basis for decisions. There were public comment opportunities at many stages of the ICANN process, including application change requests. It seems the public should be able to comment on requests initially denied as well as those that are accepted - especially when the change request is made in the global public interest.

The ambiguity and the limitations of the Applicant Guidebook has been one of the major causes of our contention for the past 5 years. The errors or limitations of the Applicant Guidebook, among other evaluation and reconsideration gaps, ought not to be the cause for ICANN to force the Nameshop application for .Internet to the next round. Doing so would simply be unfair considering the history of this application to date. If there are process constraints arising out of the limitations of the Applicant Guide Book or any other process guidelines that restrict the Global Domains Division from acting on the Nameshop application, it would be fair and a way forward to refer this for Community advice or to escalate this matter to the for Executive or the ICANN Board for due attention and for suitable directives.

In addition to the policy and global public interest reasons cited above, Nameshop has objected to any suggestion of being pushed to the next round of new gTLD process on the grounds that:

1. The string .Internet has been applied for, revealed, uncontended, and merits process and delegation during this round rather than be taken to the next round;

2. A subsequent round, as pointed out during a meeting in 2014, would be at an indefinite date and further time delays on an application that has already suffered 5 years of process delays would be most unfair; and

3. Deferring the application to the next round causes extended expenditure and further prolongs the efforts of the applicant who has already voiced a need for some type of support. In addition, there would be unknown changes between this application round and the next across multiple factors, the effects of which are difficult to foresee. It would be fair if ICANN could examine the process limitations and expeditiously process the applications during this round.

Please be kind enough to schedule a meeting in Los Angeles and let me know what additional information Nameshop can provide to lead to a positive outcome at that meeting. .

Thank You,

Sivasubramanian M
July 31, 2017
India