ICANN Registry Request Service

Ticket ID: A2Z9F-0A8B6
Registry Name: RegistryPro, LTD
gTLD: .pro
Status: ICANN Review
Status Date: 2009-04-08 11:44:57
Print Date: 2009-04-08 11:50:52

Proposed Service

Name of Proposed Service:

Release and Allocation of One and Two Character Names

Technical description of Proposed Service:

RegistryPro initially reserved all one and two character second level names in the .PRO TLD as specified in Appendix K of our registry operator agreement. RegistryPro also reserved all three character names at the second level for use as profession specific second level domain labels (PSSLDs) in the expansion and development of .PRO.

RegistryPro now seeks approval for the release and allocation of these reserved names in a fair and equitable manner.

In April, 2008, during a special meeting of the ICANN Board of Directors, changes to .PRO's registry operator agreement were approved that included the internationalization of the TLD and the introduction of an End User Terms of Use Agreement (TOU).

http://www.icann.org/en/minutes/prelim-report-30apr08.htm

Along with expansion of the geographic availability and distribution of .PRO names came approval to allow authorized registrars to offer "stand alone" resolving second level names, which did not require the use of two "supporting" third level names.

Our proposal also anticipated a move away from the PSSLD model for registry growth and development. This allowed the .PRO TLD to grow in a way more consistent with other, more successful TLDs, and has rendered the reservation of three character names obsolete.

Therefore, RegistryPro is also requesting the release of all three character names in the .PRO TLD that do not currently conflict with those specified in Appendix K of our registry operator agreement. These include:

* aso
* pso
* iab
* biz
* com

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* edu

* gov

* int

* mil

* net

* org

* nic

* www

RegistryPro anticipates a three phase implementation to be executed in the following order:

1. An Request For Proposals (RFP) round to invite interested registrants to propose specific plans for use and promotion of these names;

2. An auction round that offers domains not allocated during the RFP round; and

3. A first-come, first-served (FCFS) release of any domains not allocated during the RFP or auction rounds.

These three components will include requirements related to eligibility and activation similar to those found in our current agreements, including our End User Terms of Use Agreement (TOU). A copy of the current TOU is available at http://registry.pro/legal/user-terms.shtml. All requirements related to eligibility and proper use must be met as a condition of registering these names.

RegistryPro proposes to amend our registry operator contract language and implement this phased allocation program to permit the introduction of one, two and character .PRO names in the DNS.

Consultation

Please describe with specificity your consultations with the community, experts and or others. What were the quantity, nature and content of the consultations?:

RegistryPro regularly receives emails from the public, our registrar partners, and prospective customers about the availability of one, two, and three character .PRO names.

In December 2008, after many inquiries from registrants, registrars, and the public, RegistryPro submitted a formal request to our Advisory Board for support and approval in the release of all one and two character .PRO names not currently reserved in Appendix K of our registry operator agreement. This proposal was discussed in email by members of our Advisory Board,

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an independent group of professionals who regularly contribute to the development and implementation of the .PRO TLD through quarterly and, when necessary, ad hoc meetings.

After the Q4 Advisory Board meeting, on December 11th, 2008, RegistryPro received approval from our Advisory Board Chair, Steven Wright, for the release of these .PRO names:

"The Advisory Board for RegistryPro considered your draft proposals to ICANN regarding release of [one, two, and three character names in] the .pro TLD. These were circulated on 12/1/08 and we discussed them in our quarterly meeting on 12/10/08. The board believes that such domains will add significant value to the .pro site. No concerns were expressed by any Board members. Hence, we are in full support of your proposals.

Yours sincerely

Steve Wright."

a. If the registry is a sponsored TLD, what were the nature and content of these consultations with the sponsored TLD community?:

N/A

b. Were consultations with gTLD registrars or the registrar constituency appropriate? Which registrars were consulted? What were the nature and content of the consultation?:

RegistryPro did not directly solicit feedback for this proposed Registry Service from gTLD registrars. However, we do receive frequent emails from registrars asking about possible future availability of these names. Below are several examples for inquiries registrars regarding the availability of one, two, and three character .PRO names.

-----Original Message-----
From: Alexander xxxxxx [mailto:hostmaster@xxxxxxx.xxx]
Sent: Tuesday, September 11, 2007 10:33 AM
To: support@registrypro.pro
Subject: General Question about .pro Domains

Our Registrar Name: xxxxxxx, Inc.
IANA-ID: xxx

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Username: xxxxxxx

Hello .pro Team,

is it possible to register .pro Domains that consist of only 3 characters?

Greetings,

Alexander xxxxxx
Team Domain-Support

_____

From: Silvia xxxxxx [mailto:silvia.xxxxxx@xxxxxxxx.xx]
Sent: Thursday, February 05, 2009 4:08 AM
To: registrarsupport@registrypro.pro
Subject: Three characters Domain names.pro

Good morning

Could you please confirm us that you do not accept second level domain names.pro with less than 3 characters ?
I do thank you in advance for your reply

Best regards

Silvia xxxxxx
Registry Relations

_____

From: Nicolas xxxxxxxxx [mailto:nicolas@xxxxx.xxx]
Sent: Tuesday, July 22, 2008 4:15 AM
To: Matt Buckland
Subject: Re: Command failed; Internal Server

HI Matt,

We have found something strange. 3 chars are marked as available at the registry but when we try to register them we receive a "Parameter value syntax error: Second Level Resolving/Redirecting domains need to be more than 3 characters",

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do you have the possibility to lock availability when we search a 3 and less chars ?

Best regards
Nicolas

c. Were consultations with other constituency groups appropriate? Which groups were consulted? What were the nature and content of these consultations?:

N/A

d. Were consultations with end users appropriate? Which groups were consulted? What were the nature and content of these consultations?:

RegistryPro did not directly solicit feedback for this proposed Registry Service from end users. However, we do receive frequent emails from end users asking about possible future availability of these names. Below are several examples for inquiries from end users regarding the availability of these reserved .PRO names.
_____

From: stevexxxx@xxxxx.xxx [mailto:stevexxxx@xxxxx.xxx]
Sent: Wednesday, August 13, 2008 10:51 AM
To: sales@registrypro.pro
Subject: 3 character .Pro names

I attempted to register a 3 character .Pro domain name and was told that it is not allowed. Is this the case? If so, will there come a point in time when it will be permissible?

Thanks for your time.
Steve
_____

From: Paul xxxxxxxxx [mailto:paul@xxxxxxxxxxxxx.xxx]
Sent: Wednesday, November 19, 2008 12:06 AM

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To: support@registrypro.pro
Subject: 3 character domains
Have you now released 3 character domains for .pro?

Please let me know - thanks.
Paul

_____

From: [mailto:invisiontechs@xxxxx.xxx]
Sent: Friday, September 12, 2008 12:12 AM
To: pr@registrypro.pro
Subject: dot PRO
Hello,

I had a question about 3-letter .PRO domains, when will general public be able to register those names?

Please let me know.

Thanks,

_____

e. Who would endorse the introduction of this service? What were the nature and content of these consultations?:

Based on the universally positive and supportive feedback we have received from registrars, registrants, and the public for the release of one, two, and three character names, we anticipate endorsement from all parties.

The gTLD Registry Constituency is in support of the release of one and two character names, provided the implementation is appropriate. .PRO is the only gTLD currently restricted from releasing three character names.

Additionally, several one and two character names are currently in use by well known businesses in other TLDs, including z.com (Nissan North America, Inc), and 53.com (Fifth Third Bank).

f. Who would object the introduction of this service? What were(or would be) the nature and content of these consultations?:

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Based on the universally positive and supportive feedback we have received from registrars, registrants, and the public for the release of one, two, and three character names, we cannot anticipate any objections to the introduction of this service.

Timeline

Please describe the timeline for implementation of the proposed new registry service:

Upon approval, RegistryPro plans to release one and two character names as soon as is commercially reasonable.

The time line for implementation of this proposal depends on several factors.

Phase One - RFP

RegistryPro anticipates using an RFP period for the initial phase of allocation. Several factors will contribute to the Phase One schedule, such as end-user response, number of RFPs related to the same name, and the registry's ability to dedicate organizational resources for this phase of the process.

Phase Two - Auction

RegistryPro will use the RFP process, industry insight from auction specialists, and, when appropriate, feedback from other gTLD registries, to gauge appropriate time lines for this phase of allocation. We intend to respond to public demand for these names, while affording ourselves an opportunity to market and promote the .PRO TLD effectively.

Phase Three - FCFS

The final step in the allocation process will be FCFS. Names that are not registered during the RFP and auction phases will be made available to all eligible registrants on a first come first served basis.

We anticipate the FCFS phase will begin 60 days after the finalization of the list of names to be auctioned.

Business Description

Describe how the Proposed Service will be offered:

The Proposed Service will be offered through authorized registrar partners.

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* Phase One - Request for Proposals

In preparation for Phase One, the registry will issue press releases, updates to its RSS feed, send emails and make phone calls to registrars, post updates on its website and use other methods to notify registrants, registrars, and the Internet community about this phase of allocation.

RegistryPro will issue a Request for Proposals (RFP) inviting prospective .PRO registrants to submit proposals explaining how they would use and promote a specific one, two, or three character .PRO name

Proposals will be accompanied by an application fee and a signed copy of .PRO's End User Terms of Use Agreement (TOU).

Once accepted, the successful applicant's name will be registered by the registry and transferred to the registrar of the registrant's choice, provided that registrar is ICANN accredited in good standing, is accredited in the .PRO TLD. and, at the time of transfer, holds a production registrar account with .PRO.

Among other considerations, a successful applicant will agree to:

1. Use the name as their primary web address or for a specific marketing campaign
2. Demonstrate a financial commitment to promoting their name
3. Meet or exceed commitments made by any competing applicants
4. Meet and agree to be bound by the terms and conditions in .PRO's TOU related to Professional and Proper use.

A copy of .PRO's TOU is available at http://registry.pro/legal/user-terms.shtml

* Phase Two - Auction

Upon the completion of the RFP component, RegistryPro will conduct Phase Two of the allocation process. The registry will issue press releases, updates to its RSS feed, send emails and make phone calls to registrars, post updates on its website and use other methods to notify registrants, registrars, and the Internet community about this phase of allocation.

RegistryPro plans to use an independent auction service to complete the auction phase of allocation. Auction methods and fees vary between services depending on several factors. RegistryPro will make every effort to ensure that industry standards for access, transfer of winning names, payment of fees, and other critical auction components are used.

* Phase Three - First Come, First Served (FCFS)

Upon the completion of the Auction component, RegistryPro will conduct Phase Three of this allocation process. The registry

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will issue press releases, updates to its RSS feed, send emails and make phone calls to registrars, updates on its website and other methods to notify registrants, registrars, and the Internet community about this phase of allocation.

The final component of this allocation process is FCFS. On a pre-selected date, the registry will make all names available to registrars that were not registered during the first two phases of this allocation process.

Describe quality assurance plan or testing of Proposed Service:

RegistryPro technical staff will complete all testing necessary to execute the auction phase of our Proposed Service.

Please list any relevant RFCs or White Papers on the proposed service and explain how those papers are relevant.:

N/A

Contractual Provisions

List the relevant contractual provisions impacted by the Proposed Service:

http://www.icann.org/en/tlds/agreements/pro/registry-agmt-appk-21may04.htm

B. Additional Second-Level Reservations. In addition, the following names shall be reserved at the second-level:

  * * All single-character labels.*
  * * All two-character labels shall be initially reserved. The reservation of a two-character label string shall be released to the extent that the Registry Operator reaches agreement with the government and country-code manager, or the ISO 3166 maintenance agency, whichever appropriate.The Registry Operator may also propose release of these reservations based on its implementation of measures to avoid confusion with the corresponding country codes.*
  * * All three-character labels shall be initially reserved by the Registry Operator. The reservation of a three-character label string shall be released to the Registry Operator in conjunction with the introduction of corresponding PS-SLDs and pursuant to the procedures outlined in Appendix L, Section 4.*
  * * aero*
  * * arpa*
  * * biz*
  * * com*

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* coop

* edu

* gov

* info

* int

* mil

* museum

* name

* net

* org

* pro

http://www.icann.org/en/tlds/agreements/pro/registry-agmt-appc-30sep04.htm

What effect, if any, will the Proposed Service have on the reporting of data to ICANN:

None.

What effect, if any, will the Proposed Service have on the Whois?:

None.

Contract Amendments

Please describe or provide the necessary contractual amendments for the proposed service:

See attached.

Appendix A (PRO Amendment 5.pdf)

Benefits of Service

Describe the benefits of the Proposed Service:

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Benefits of the Proposed Service will be realized by the registry, our registrar partners, .PRO registrants, and the Internet public.

The registry will benefit from an increase in visibility in the marketplace.

Our registrar partners will benefit by being able to offer and promote a previously unavailable and highly desirable reserve of names.

Registrants will benefit by gaining access to short, easily recognizable names with which to establish themselves in the marketplace.

The Internet public will benefit from an anticipated increase in focus and dedication to providing high quality on-line content by registrants who invest the time and resources to acquire and develop these unique names.

Competition

Do you believe your proposed new Registry Service would have any positive or negative effects on competition? If so, please explain.:

RegistryPro believes the approval and implementation of this proposed new Registry Service will enhance and encourage competition in the market by demonstrating to current and future gTLD operators the value of releasing easily identifiable names. It will also provide current and future gTLD operators with empirical data to help assess their own one, two, and three character name release initiatives.

How would you define the markets in which your proposed Registry Service would compete?:

RegistryPro's proposed Registry Service would compete with other TLDs internationally, but remain focused solely on those professionals and professional entities that meet and enter into our End User Terms of Use Agreement.

What companies/entities provide services or products that are similar in substance or effect to your proposed Registry Service?:

Currently, one or two character names at the second level are available and being used in TLDs such as .COM, .ORG, AERO.

In addition, every other gTLD offers three character names at the second level, except .PRO.

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In view of your status as a registry operator, would the introduction of your proposed Registry Service potentially impair the ability of other companies/entities that provide similar products or services to compete?:

No. ICANN's Board of Directors, during the 33rd ICANN Public Meeting in Cairo, Egypt, approved .COOP and .MOBI to release one and two character names.

http://www.icann.org/en/minutes/resolutions-07nov08.htm#_Toc87682552

Additionally, ICANN has authorized gTLD operators like .CAT and .JOBS to release one and two character names, so competition has already begun.

Do you propose to work with a vendor or contractor to provide the proposed Registry Service? If so, what is the name of the vendor/contractor, and describe the nature of the services the vendor/contractor would provide.:

The RFP and FCFS components of our proposed Registry Service will be handled in consultation with our Advisory Board and directly with authorized .PRO registrar partners.

RegistryPro plans to work with a vendor or contractor to implement the auction component of our proposed Registry Service.

Have you communicated with any of the entities whose products or services might be affected by the introduction of your proposed Registry Service? If so, please describe the communications.:

N/A

Do you have any documents that address the possible effects on competition of your proposed Registry Service? If so, please submit them with your application. (ICANN will keep the documents confidential).:

No.

Security and Stability

Does the proposed service alter the storage and input of Registry Data?:

No, the proposed Service does not alter the storage and input of Registry Data. The restrictions will be removed on our

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servers and registrars not using our account management system will need to remove any restrictions on their systems.

Please explain how the proposed service will affect the throughput, response time, consistency or coherence of reponses to Internet servers or end systems:

RegistryPro anticipates no affect on the throughput, response time, consistency or coherence of responses to Internet servers or end systems.

Have technical concerns been raised about the proposed service, and if so, how do you intend to address those concerns?:

RegistryPro is not aware of any technical concerns about the proposed service.

Other Issues

Are there any Intellectual Property considerations raised by the Proposed Service:

RegistryPro believes the resolution of any Intellectual Property concerns that may be raised this Proposed Service have already been addressed in several forms, including UDRP.

Links to the rules and the policy for this dispute resolution method are available on .PRO's corporate website at http://registry.pro/legal/dispute-resolution.shtml.

Does the proposed service contain intellectual property exclusive to your gTLD registry?:

No.

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List Disclaimers provided to potential customers regarding the Proposed Service:

None.

Any other relevant information to include with this request:

Currently, one, two, and three and character domains in the .PRO TLD are available at the third level using profession specific second level domains (PSSLDs).

Examples of currently registered one, two and three character names within PSSLDs include e.law.pro, fh.law.pro, and kgh.law.pro. The release of these reserved names at the second level is a natural and anticipated development in the TLD.

The implementation of the Registry Service would give a registrant like "Chris Professional" the opportunity to register c.pro, or cp.pro. So long as neither create confusion with any ISO country code and no copyright or trademark concerns are raised (or where trademark concerns are addressed in binding fashion), these name should be allocated as fairly as possible and "Chris Professional" should have an opportunity to apply for and use them. As is the case with all .PRO names, registrants will be required to submit proof of eligibility before the activation of any one, two or three character names.

With the expansion of the .PRO TLD in 2008, both in terms of geography and professional eligibility, it's important that .PRO not be restricted from answering the international demand for these names.

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Appendix {A(PRO Amendment 5.pdf)
(Seen on Next Page)

Amendment 5 to the .PRO Registry Agreement

ICANN and RegistryPro agree that the following modification is made to the May 2002 .pro Registry Agreement:

Appendix K

[Old Text]
B. Additional Second-Level Reservations. In addition, the following names shall be reserved at the second-level:

All single-character labels.

All two-character labels shall be initially reserved. The reservation of a two-character label string shall be released to the extent that the Registry Operator reaches agreement with the government and country-code manager, or the ISO 3166 maintenance agency, whichever appropriate. The Registry Operator may also propose release of these reservations based on its implementation of measures to avoid confusion with the corresponding country codes.

All three-character labels shall be initially reserved by the Registry Operator. The reservation of a three-character label string shall be released to the Registry Operator in conjunction with the introduction of corresponding PS-SLDs and pursuant to the procedures outlined in Appendix L, Section 4.

· aero
· arpa
· biz
· com
· coop
· edu
· gov
· info
· int
· mil
· museum
· name
· net
· org

· pro

[New Text]

B. Additional Second-Level Reservations. In addition, the following names shall be reserved at the second level:
· aero
· arpa
· biz
· com
· coop
· edu
· gov
· info
· int
· mil
· museum
· name
· net
· org
· pro

* All single and two-character labels that were previously reserved by the Registry in the Registry Agreement may be allocated through ICANN accredited registrars, based upon implementation of a phased allocation program as further set forth in Appendix C, Section 12.

Appendix C, Section 12

[New Text]
.PRO One, Two, and Three Character Phased Allocation Program ("Phased Allocation Program"). The domain names included within the scope of the Phased Allocation Program shall be limited to one, two, and three character .PRO domain names. RegistryPro reserves the right to not allocate all one, two and three character .PRO domain names.

Pursuant to the Phased Allocation Program, RegistryPro may elect to allocate the domain names via the following processes: 1) request for proposals based on evaluation criteria, 2) auction, or 3) first come, first served registration.

The domain names allocated via the Phased Allocation Program are an exception to the Maximum Service Fee described in Appendix G of the .PRO Registry Agreement.

The parties have duly executed this Amendment as of the last date written below.

THE INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS

By:_____

By:_____

Name: Kurt J. Pritz

Title: Senior Vice President, Services

Date:

REGISTRYPRO

By:_____

By:_____

Name: Catherine Sigmar

Title: General Manager, RegistryPro

Date