



January 5, 2007

Vinton D. Cerf, Chairman  
Members of the Board of Directors  
International Corporation for Assigned Names and Numbers  
4676 Admiralty Way, Suite 330  
Marina del Rey, CA 90292-6601  
USA

Re: Additional Assurances Regarding Policy Commitments Made by ICM Registry

Dear Dr. Cerf and Members of the Board:

We understand that some members of the Board have expressed concern about ICANN's ability to ensure that ICM fulfills the policy commitments made with respect to .XXX. While we believe that these concerns are misplaced, inasmuch as the registry agreement before the Board in May provided ample enforcement mechanisms, ICM is willing to provide additional assurances where practicable.

ICM's primary, but not exclusive, policy commitments are twofold: First, ICM committed to require registrants in the TLD to label sites so that Internet users are better able to make choices regarding the content they see - and don't see. Second, ICM committed to prohibit child pornography, as that term is defined in international law, and to enforce that prohibition.

Site Labeling: ICM has promised to obligate registrants to deploy a tag that identifies the site as adult entertainment. We expect to use the Internet Content Rating Association's (ICRA) new "xxx" label for this purpose. We are also in advanced negotiations with ICRA (which will be re-named and re-launched in February as the Family Online Safety Institute) with respect to its provision of services to monitor compliance with the labeling requirement and anticipate concluding an agreement in the near future.<sup>1</sup>

Monitoring: ICM has committed to monitor registrant compliance with the registry prohibition on child pornography. ICM also intends to outsource this function to an established third party.

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<sup>1</sup> ICRA describes itself as "an international not-for-profit organization of internet leaders working to develop a safer Internet." <http://www.icra.org/en/about/>. Its members include AOL, AT&T, BT, CompTIA, GSM Association, Microsoft, RuleSpace, and Verizon. Please see **Annex 1** for additional information on ICRA.

ICRA is an established, respected organization, with significant expertise in Internet content labeling, online safety, and user empowerment. It is independent of ICM and IFFOR, and not susceptible to capture by ICM and/or IFFOR.

ICM has had discussed these matters with ICRA at length, and has every intention of reaching agreement with the organization. As evidence of this confidence, ICM has committed to enter into an agreement for these services with ICRA as a condition precedent to initiation of the Limited Launch, or - in the event that we are unable to reach agreement on commercially reasonable terms, an alternative provider reasonably acceptable to ICANN. We also commit to enter into an agreement with a provider, reasonably acceptable to ICANN, for monitoring compliance with the prohibition on child pornography, again as a condition precedent to ICM's right to initiate the Limited Launch of .XXX.

We believe the mechanisms described above constitute concrete assurances that ICM will, from the start, fulfill its obligations regarding monitoring compliance with site labeling and anti-child pornography.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Stuart Lawley', with a small dot at the end.

Stuart Lawley  
President and CEO

ANNEX 1

Information about the Internet Content Rating Association