

April 24, 2015

Dr. Steve Crocker, Chairman of the ICANN Board (steve.crocker@icann.org)
Fadi Chehadé, ICANN President & CEO (fadi.chehade@icann.org)
Akram Atallah, President, Global Domains Division (akram.atallah@icann.org)

Re: .MUSIC Community Application

Dear ICANN:

We write on behalf of the American Society of Composers, Authors and Publishers (“ASCAP”) and Broadcast Music, Inc. (“BMI”), the two largest music performing rights organizations in the United States. ASCAP and BMI together represent, license and enforce the rights of over 1,000,000 U.S. songwriters, composers and music publishers.

At the outset, we wish to echo the sentiments of others in the music industry. Music creators invest a great deal of time, resources and effort in their craft. The ability for songwriters and composers to earn a living from their creativity rests on a strong respect for intellectual property rights, not only from those that utilize their music, but also from those involved in the infrastructure of making their work available to the public. We therefore wish to underscore the importance of enhanced safeguards for music-themed gTLDs in ICANN’s new gTLD Program. Such safeguards are critical to serve the global public interest, consumers and to ensure that the Domain Name System is safe, trusted and secure to facilitate legitimate music creation, access, and distribution. Our expectation is that ICANN will ensure that appropriate and responsible enhanced safeguards are in place and utilized to protect the interests of the global music community.

We believe that the best means by which these interests of the music industry can be served is through the “community” application process. Accordingly, ASCAP and BMI support the remaining .MUSIC community applicants being evaluated by the EIU under Community Priority Evaluation (CPE) to the extent that such applicants demonstrate the commitment and ability to implement music-focused enhanced safeguards necessary to protect the rights of music copyright owners. As members of the ICANN community, we expect that any prevailing .MUSIC community application be able to serve the legitimate interests of the global music community and global public interest. And, we expect that the ultimate operator of .MUSIC, as with any other gTLD, ensure appropriate enhanced safeguards and measures to counter copyright infringement and address abuse.

In lending support to the .MUSIC community applicants, ASCAP hereby withdraws its previous opposition of the application of DotMusic Limited in the group letter of 24 September, 2014.¹

Sincerely,

AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS

BROADCAST MUSIC, INC.

cc: Christine Willett, ICANN Vice-President of gTLD Operations
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¹ (<https://www.icann.org/en/system/files/correspondence/carnes-to-icann-24sep14-en.pdf>).