

Dear Ms. Willett and ICANN Staff,

On behalf of our client, Donuts Inc., we respectfully submit the attached comments on the Community Priority Evaluation for <.LLC>, along with supporting annexes. Please contact the undersigned with any questions you may have. Thank you.

Respectfully,

John M. Genga
Counsel for DONUTS INC.

**Dot Registry LLC Application for <.LLC>:
Comment to Community Priority Evaluation**

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INTRODUCTION

The Community Priority Evaluation ("CPE") is a serious undertaking. It allows for top-level identification of communities by the names for which they are known. Yet, a "successful" CPE also disqualifies applicants that otherwise have met the rigorous criteria to obtain a new gTLD:

[A] qualified community application eliminates all directly contending standard applications, regardless of how well qualified the latter may be. This is a fundamental reason for very stringent requirements for qualification of a community-based application.

Applicant Guidebook ("Guidebook" or "AGB") § 4.2.3 at 4-9. Accordingly, ICANN created scoring to "identify qualified community-based applications," while preventing "false positives" – *i.e.*, "awarding undue priority to an application that refers to a 'community' construed merely to get a sought-after generic word as a gTLD string." *Id.*

To obtain community priority, an application must score 14 out of 16 possible points. *Id.* at 4-10. "In cases of generic words submitted as community based strings, test runs by [ICANN] staff show that the threshold is difficult to attain" See <http://www.icann.org/en/topics/new-gtlds/agv1-analysis-public-comments-18feb09-en.pdf>.

An objective analysis demonstrates that the application under review for <.LLC> ("Application"), submitted for the Panel's convenience as **Annex A**, does not meet the criteria to garner the 14 points necessary to satisfy the CPE and disqualify all other applicants. Dot Registry LLC, the "Applicant," appears to have concocted a community around a group as diverse and unconnected as its purported five million "members." Applicant admits that "LLC" does not identify by name the "Community of Registered Limited Liability Companies" that it self-defines, and Applicant itself only recently came into existence and demonstrates no connection to the "community" it claims to represent.

The Application also proposes registration policies that do not advance its stated goals for the alleged community. While the Applicant suggests eligibility and name selection qualifications, it puts forth no content or use restrictions, and limited enforcement mechanisms, to achieve the "protections" it claims to offer the asserted community.

Finally, the Applicant provides *no support* whatsoever for the actual *Application* under review. Rather, it offers letters from several American secretaries of state – often using the same language, suggesting that Applicant drafted it – expressing concern generally about a <.LLC> domain. Indeed, some – including Delaware, touted by Applicant as the most significant and influential – oppose the TLD altogether, while the rest merely state broadly that the domain must have protections, without identifying what they should be or whether Applicant even offers them (which scrutiny shows it does not).

The Applicant undertakes the CPE essentially as a low cost, high reward gamble. It tries inappropriately to use the CPE to circumvent the appropriate contention set resolution process defined by ICANN.

This does not diminish the Application; it simply does not meet community standards. The Applicant thus cannot attain community priority and must instead compete for <.LLC> on the same level as all other applicants for the string.

ANALYSIS

The Guidebook allows the CPE Panel to award up to four points in each of four categories (maximum points in parentheses):

- "Community establishment," which involves "delineation" (2) and "extension" (2), AGB at 4-10 *et seq.*;
- "Nexus," meaning both "nexus" (3) and "uniqueness" (1), *id.* at 4-12 *et seq.*;
- "Registration policies," consisting of "eligibility" (1), "name selection" (1), "content and use" (1) and "enforcement" (1), *id.* at 4-14 *et seq.*; and
- "Community endorsement," which considers "support" (2) and "opposition" (2), *id.* at 4-18 *et seq.*

Applying the standards established by ICANN for these criteria, the Application cannot reach four points on any of them. Giving Applicant the benefit of all doubts on each at most yields about 8 points, well short of the 14 points needed out of 16.

CRITERION 1: The Application does not "establish" a "community" under either the "delineation" or "extension" tests, thus clearly yielding less than the maximum four points.

A "community" as described in the Guidebook "impl[ies] more cohesion than a mere commonality of interest." AGB at 4-11. As such, the Guidebook calls for examining the claimed community in terms of its "delineation" and "extension." The test for "delineation" considers:

- The "level of public recognition of the group as a community," the existence of "formal boundaries around the community" and "what persons or entities ... form" it (hereafter referred to as the "Identification" factors);
- Whether the alleged community pre-dates the commencement of the new gTLD program in 2007 (the "Existence" factor); and

- The level of "organization" of the community through at least one dedicated entity with documented evidence of community activities ("Organization").

AGB at 4-11. "Extension" relates to "the dimensions of the community, regarding its number of members, geographical reach, and foreseeable activity lifetime" *Id.*

The "community" identified in the Application consists of the "over five million" entities registered as limited liability companies with the secretaries of state or equivalent agents of "all 50 US states and its territories." Applic. § 20(a) at 13. While this definition provides some clarity, it does not define a community in terms the Guidebook specifically demands.

The Application reflects no clear "delineation" of any "community."

Satisfying all three of the Identification, Existence and Organization factors will allow an application to score up to a 2. AGB at 4-12. The Application under review does not meet those criteria, and therefore cannot receive 2 "delineation" points.

The Application demonstrates no community "Identification."

Regarding Identification, the Application arguably identifies the entities that make up the purported community – limited liability companies registered in accordance with applicable law. However, it fails to show in any way that the public recognizes the over 5,000,000 U.S. limited liability companies *collectively* as a *single community*. Far from having "formal boundaries," the alleged community, as Applicant admits, has members "in all 50 US states and its territories," with "guidelines ... dictated by state law" that "can vary based on each State's regulations," requiring limited liability companies "to conduct business in conjunction with the policies of the State in which they are formed." Applic. § 20(a) at 13.

As stated, "community" implies "more cohesion than a mere commonality of interest." AGB at 4-11. The dictionary defines "cohesion" as "the act or state of cohering; tendency to unite, to 'stick together.'" The Application does not demonstrate or even claim any "cohesion" among those to whom it would make a <.LLC> domain available.

Indeed, it is difficult to see that the over 5,000,000 registered U.S. limited liability companies – ranging from large enterprises to family-owned companies that may run the corner bakery – have any real common *interests*, let alone *cohesion*, across their "membership." No such commonality prevails among entities as varied as, for example, automobile manufacturing giant Chrysler LLC and small, single-purpose companies such as the Applicant.

The Application acknowledges that "state statutes vary" in the formation requirements for an LLC. Applic. § 20(a) at 14. It further notes that the majority of states' guidelines provide that a "Limited Liability Company may be organized to conduct or promote *any lawful business*" Applic. § 20(a) at 14 (emphasis added). Inasmuch as any person or entity from anywhere can form a company to do anything lawful, one cannot attribute

any commonality to limited liability companies other than their existence as such. As a group, they exhibit no cohesion and share no mutual interests across their diverse population.

The Application does not show LLCs' "Existence" as a community prior to the new gTLD program.

Registered limited liability companies are a relatively recent business form, with the Uniform Limited Liability Company Act adopted by the National Conference of Commissioners on Uniform State Laws as recently as 1996, as the Application points out. The Application does little to show how all of those "members" could comprise a "community" in the short time between adoption of the Uniform Limited Liability Company Act and commencement of the new gTLD program in 2007.

Even less clear, and certainly not shown by the Application, is whether American limited liability companies in fact have existed *as a community*, rather than as individual actors with separate interests who merely share a common label. The Applicant appears to have created a "false positive" by "an application that refers to a 'community' construed merely to get a sought-after generic word as a gTLD string." AGB § 4.2.3 at 4-9.

The Application demonstrates no community "Organization."

The CPE Guidelines (ver 2.0) ask: "Is there at least one entity mainly dedicated to the community?" Nowhere does the Application identify any. None of the letters of "support" for its Application come from any organization that claims to speak or organize activities for any "community" of limited liability companies.

Rather, the Applicant appears to have donned the mantle of community representative for itself. Without describing the Applicant, the Application indicates that it is owned substantially by ECYBER Solutions Group, Inc., a registered Corporation in the State of Kansas. The Kansas Secretary of State website shows ECYBER Solutions Group, Inc. was formed September 30, 2005. See **Annex B**. A profile of the same company at the same address, **Annex C**, links to a website of eCyber Solutions, "a complete Internet and Multimedia design firm specializing in innovative uses of technology to promote the sites we build." **Annex D**. That web design and marketing firm, with no demonstrated organization or activities on behalf of any nationwide (or even local) limited liability company "community," did not form the Applicant LLC until late 2011, see **Annex E**, apparently for no purpose other than making the Application and others like it – <.CORP>, <.INC> and <.LLP> – that it unilaterally associates with "communities" it describes with those labels. This does not satisfy the Guidebook's requirement of "Organization" of a "community" through "at least one entity mainly dedicated to the community, with documented evidence of community activities." AGB at 4-11.

Other than describing an identifiable type of entity denoted by the term "LLC," the Application satisfies none of the "delineation" criteria – Identification, Existence, or

Organization. Since it must meet *all* of them to earn 2 points, Applicant cannot score more than 1, if that.

The Application cannot receive two points for community "extension."

To receive 2 points for "extension," an application must demonstrate a "community of considerable size and longevity." A "community of either considerable size or longevity, but not fulfilling the requirements for a score of 2," can earn 1 point. One that meets neither gets zero. AGB at 4-10. These size and longevity factors relate "to the dimensions of the community, regarding its number of members, geographical reach, and foreseeable activity lifetime" *Id.* at 4-11.

Regarding "longevity," the Application itself concedes that limited liability companies represent "a relatively new business structure for the United States." *Applic.* § 20(a) at 12. It notes that "the first LLC was validated in the state of Wyoming in 1977 and in 1996 the National Conference of Commissioners on Uniform State Laws adopted the Uniform Limited Liability Company Act." *Id.*

Longevity in Guidebook terms "means that the pursuits of a community are of a lasting, non-transient nature." AGB at 4-12. The Application identifies no particular "pursuit" of limited liability companies uniting them as a community, other than business interests generally that apply to other types of entities as well as individuals engaged in commerce. This inability should come as no surprise with scarcely ten years between adoption of the Uniform Limited Liability Company Act and commencement of the new gTLD program. Indeed, the short time during which the limited liability company business form has been recognized offers little opportunity for a "community" to coalesce, much less to deem any "pursuits" as "lasting" or "non-transient."

Nor does the Application ascribe any such "pursuits" to a specific period of time. If a community exists, it has, by the requirements stated in the Guidebook, a specific beginning. The Applicant provides none because no specific registered limited liability company "community" exists.

As to size, Applicant cites "the number of registered LLC's in the United States total[] over five million in 2010 (as reported by the International Association of Commercial Administrators)." *Applic.* § 20(a) at 13. "Size" relates both to number of members and geographical reach. AGB at 4-11. The latter is of course limited to the United States, as "LLC" identifies only U.S. companies and the Application specifically so affirms. Moreover, no registered limited liability company "community" of the size described by the Application exists. Rather, it is fragmented by 50 or more different sets of formal rules and legal standards corresponding to the states and territories of the United States, as the Applicant concedes. *Applic.* § 20(a) at 14.

In short, the Application does not construe a well-defined community of certain size and origination date, and certainly not with the precision required for an award of two points. If the Panel sees any points at all available, it cannot award more than one.

With its reduced (if any) "delineation" points, Dot Registry conceivably could receive a total of no more than two of the four available "community establishment" points.

Even that would be generous. The Guidebook makes clear that a "community" can exist only where "the requisite awareness and recognition of the community is at hand among the members. *Otherwise the application would be seen as not relating to a real community and score 0 on both 'Delineation' and 'Extension.'*" AGB at 4-12 (emphasis added).

CRITERION 2: The Application does not establish a sufficient "nexus" to any "community" known as "LLC," and certainly not "uniquely."

Criterion 2 requires a "nexus" between the asserted community and the applied-for string. AGB at 4-12. The test consists of a "nexus" factor of up to three points, and a "uniqueness" score of zero to one.

The claimed community, if it exists, does not go by the specific name "LLC" in the same sense that, for example, the "Navajo" and "Boy Scout" communities go by those precise names. The term "LLC" has other common meanings, including as Internet slang, such that it cannot attach uniquely to an identifiable community designated by that term. As such, the application can achieve no more than two of the possible four "nexus" points.

The <.LLC> string does not "match" a "community."

The Guidebook scores "nexus" as follows:

- For a score of 3: The string matches the name of the community or is a well-known short-form or abbreviation of the community name;
- For a score of 2: String identifies the community, but does not qualify for a score of 3; and
- For a score of 0: String nexus does not fulfill the requirements for a score of 2.

AGB § 4.2.3. The language of the Application itself precludes awarding it a score of 3. "DOT Registry plans to serve the Community of Registered Limited Liability Companies." Applic. § 20(a) at 12. The term "LLC" simply does not "match" the name that Applicant has given the alleged community, as the Guidebook unambiguously requires. Even if a "Community of Registered Limited Liability Companies" exists, the Applicant chose not to use that descriptive term as the TLD, but rather the more generic <.LLC>.

For a score of 2, the applied-for string should "closely describe the community or the community members, without over-reaching substantially beyond the community." *Id.* at 4-13. The term "LLC" does denote American limited liability companies, although it has other meanings as set forth in the section below. Assuming for Applicant's benefit that such other meanings affect only the "uniqueness" factor below and not "nexus"

more generally, the Panel in all events certainly cannot award any more than 2 of the 3 possible points on this factor.

The term "LLC" does not "uniquely" identify the claimed "community."

An applicant can earn a uniqueness score of 1 if the applied-for string has no other significant meaning beyond identifying the community described in the application; a score of zero does not fulfill this requirement. AGB at 4-13.

To be an unambiguous identifier, the "ideal" string would have no other associations than to the community in question. This arguably can be achieved by using the community institution abbreviation as string

See <http://www.icann.org/en/topics/new-gtlds/agv1-analysis-public-comments-18feb09-en.pdf> at 103. This puts the necessary balancing in the hands of applicants. Does an applicant select a popular, well-recognized term that does not uniquely identify a community, such as <.SCOUTS> or <.SCOUTING>? Or does the applicant select a name inarguably unique to it, such as <.BOYSCOUTSOFAMERICA>? Or, more apt here, <.LLC> or <.Registered-US-LimitedLiabilityCompany> (if one can call that the name of some "community institution")?

The analysis must focus on the meaning (more accurately, meanings) of the term "LLC." See <http://www.icann.org/en/topics/new-gtlds/summary-analysis-agv3-15feb10-en.pdf> at 65 ("Uniqueness' relates to the meaning of the string"). Citing Wikipedia, The Free Online Dictionary offers eight common references for the acronymic term, including "Landlocked country, nation whose borders do not reach navigable waters on any side;" "Lend Lease Corporation, Australian-based property management and investment company;" "Literary and Linguistic Computing, a peer-reviewed academic journal on digital scholarship in the humanities;" and "Logical Link Control, in computer networking, a sublayer of the OSI Data Link Layer in the IEEE 802 family of standards." See **Annex F**. The term is also used in slang on the Internet to mean "laughing like crazy." See **Annex G**. The string certainly has "other associations than to the community in question," making it incapable of earning the sole available "uniqueness" point.

Evidence of common use of the term "LLC" may make it an excellent choice for a top-level domain. However, it does not match the community as named by the Applicant; nor does it identify that purported community uniquely. Of the four total points available for "nexus," the Application can earn no more than two.

CRITERION 3: The Application can receive few points for registration policies, as it states nothing regarding content and use, and lacks any effective enforcement plan.

"Registration policies" represent the conditions that the registry will set for prospective registrants of second-level domains. A community application may receive one point for each of the four following policies:

- Eligibility restricted to community members;
- Name selection rules consistent with the articulated community-based purpose of the applied-for gTLD;
- Rules for content and use consistent with the articulated community-based purpose of the applied for gTLD; and
- Specific enforcement mechanisms.

AGB at 4-14 to 4-15. The Panel should score the Application "from a holistic perspective, with due regard for the particularities of the community explicitly addressed." *Id.* at 4-16. Particularly as to "restrictions and corresponding enforcement mechanisms," the Guidebook instructs that these measures "should show an alignment with the community-based purpose of the TLD and demonstrate continuing accountability to the community named in the application." *Id.*

The Applicant states that "[t]he goal of the '.LLC' gTLD is to build confidence, trust, reliance, and loyalty for consumers and business owners alike by creating a dedicated gTLD to specifically serve the Community of Registered Limited Liability Companies." Applic. § 20(c) at 16. The Application professes to serve that purpose as follows:

DOT Registry or its designated agents would verify membership to the Community of Registered Limited Liability Companies by collecting data on each Registrant and cross-referencing the information with their applicable registration state. In order to maintain the reputation of the ".LLC" string and accurately delineate the member to consumers, Registrants would only be awarded a domain that accurately represents their registered legal business name. Additionally, DOT Registry will not allow blind registrations or registration by proxy

Applic. § 20(a) at 13-14. This addresses the "eligibility restrictions" and "name selection rules," which would entitle the Applicant to a point for each. But what content and use restrictions and enforcement mechanisms will "protect" the "community" of registrants and their end-users in the 365 days between initial registration and annual verification?

The Applicant notes concerns regarding misconduct, identity theft, and fraud on those who deal with entities that misrepresent themselves. For example:

LLC's are expected to conduct business in conjunction with the policies of the State in which they are formed

* * * * *

All entities bearing the abbreviation LLC in their business name create the assumption that they have been awarded the privileges associated to that title such as: the ability to conduct commerce transactions within US borders or territories, the ability to market products, solicit consumers and provide reputable services in exchange for monetary values, and finally to provide jobs or employment incentives to other citizens.

* * * * *

[I]t is our concern that the implementation of the gTLD string ".LLC" as a generic string, without the restrictions and community delineations described in this application and endorsed by NASS and the various Secretaries of State,¹ could promote confusion among consumers and provide clever criminal enthusiasts the tools necessary to misrepresent themselves as a U.S.-based LLC. There is an expectation amongst consumers that entities using the words Limited Liability Company in their business name have the legal right and ability to conduct business in the United States. This representation by non-members of the Community of Registered Limited Liability Companies is not only fraudulent, but a great disservice to consumers.

See Applic. § 20(a) at 13, 14, § 20(c) at 17. Putting aside that concerns such as the foregoing attach to any commercial enterprise, and that assuming a limited liability company form does not guarantee an entity free from unscrupulous or illegal conduct, the Applicant says nothing about how it would protect against such behavior as registrants *use* their domains, or *enforce* such protections if violated. Moreover, the foregoing goals, while admirable, do nothing to prove the existence of a "community" designated by the term "LLC."

The Application proposes no content or use restrictions to accomplish the TLD's stated purpose.

The Application exhibits a calculated vagueness regarding day-to-day use. For example:

DOT Registry has also specifically pledged to various Secretaries of State to responsibly manage this gTLD in a manner that will both protect and promote business development in the US. Further our policies were developed through

¹ The "endorsements" to which Applicant refers merely state that certain protections should attach to any <.LLC> domain, but largely do not identify any such protections or actually endorse the Applicant as someone who specifically provides them.

direct collaboration with the state offices so as to mitigate any possibility of misrepresenting their regulations.

Applic. § 20(b) at 15. What the Applicant may have "pledged" to anyone does not specifically appear, and certainly creates no binding undertaking to do anything to regulate content and use. The Application does not explain what it means to "responsibly manage" the TLD, and identifies no particular steps the Applicant will take to "protect and promote business development in the US." It states that its "policies" were "developed through direct collaboration with state offices," but does not describe any such "policies" – at least insofar as they relate, if they do, to content and use – or identify the "state offices" with which it claims to have "collaborated," or provide any evidence of such "collaboration." Certainly, the letters offered in claimed support of the Application reflect no such collaboration (or even support, as discussed further below). See Attmts. to Applic. § 20(f), Annexes H-J hereto.²

Even regarding its registration and verification policies, the Applicant overstates what it has done. For example, Applicant states that it has "[c]reated a strong partnership with CSC (an ICANN approved registrar also specializing in corporate formation services) ... to develop a streamlined verification process to validate potential Registrants as members of the community and ensure that continued annual verifications are completed in a time sensitive and efficient manner." Applic. § 20(b) at 15. Yet, the Applicant offers no evidence of any such "partnership" in the form of a contract with or even a letter from CSC. Such discrepancies should cause the Panel to review the Application as a whole with some skepticism.

If the goal of the TLD is, as stated, "to build confidence, trust, reliance, and loyalty for consumers and business owners," *the Application sets out no content and use rules to further that goal*. The TLD itself will not provide any information about its registrants; it will simply verify that they enjoy a valid existence as a limited liability company under the law of its state of formation. The benefits that the Applicant suggests this will provide do not come from the registry itself, but from source materials from the state of organization and other publicly available information. Consider the following:

Since DOT Registry will not allow blind registration or registration by proxy businesses viewing ".LLC" sites would be able to instantly ascertain what businesses operate under the blanket of parent companies, are subsidiaries of other businesses, and of course where an LLC is domiciled. This easily identifiable information not only assists businesses in accurately identifying who they are doing business with, it would also assist in locating sales and use tax information, identifying applicable state records, and tracking an entity's history.

² These letters provide "support" for the fact that Applicant succeeded in getting some Secretaries of State to write some letters – or sign some that Applicant had written – but not for the proposition of "a strong relationship with several Secretaries of State" that Applicant claims to have "built." Applic. § 20(b) at 15.

These factors could help to determine the outcome of sales, mergers, contract negotiations, and business relationships. Ensuring that this kind of transparency and accountability – qualities previously not attainable in a TLD – shall be at the fingertips of potential business partners or investors.

Applic. § 20(c) at 16. This embellished language states merely that the registry will maintain WHOIS information that corresponds to data maintained by the Secretary of State where the registrant is domiciled. From that basic information the user must then investigate the company from whatever sources he or she can access; the registry would not provide it. Nor does the registry impose any content or use requirements for users to get such information directly from registrants in furtherance of the TLD's avowed purpose "to build confidence, trust [and] reliance" in dealings with "members" of the "community."

The Application provides no effective means of enforcing the TLD's stated purpose.

Finally, the Applicant offers as the TLD's only "enforcement" tool a plan to "annually verify each registrants community status" by validating "each registrant's 'Active' Status and registration information ... through the proper state authority" – *i.e.*, confirming that the company remains a registered limited liability company in good standing in the state of its formation. See Applic. § 20(e) at 18. This sole measure, which the Applicant does not even take on itself, does nothing to address improper conduct in the interim, or by LLCs who nevertheless remain in good standing according to Secretary of State records. The Application nowhere reflects that the registry will give, or will obligate its registrars to provide, notice to state regulators of the type of conduct that the Applicant claims it will work to prevent.

Award of a point on enforcement requires specificity: "investigation practices, penalties, [and] takedown procedures [] constituting a coherent set with appropriate appeal mechanisms." AGB at 4-15. The Application includes nothing that approaches this level of enforcement rigor.

In sum, the Application should earn no more than two points in the area of registration policies. It establishes registration criteria that make it unambiguous who qualifies to register a domain name, and clear, strict requirements for choosing a name, meriting a point for each. Its point total must stop at those two, however, since the Application deserves no points either for content and use standards or for enforcement methods.

CRITERION 4: The Application lacks support from the alleged community, and a number of key representatives oppose any delegation of the TLD.

The "support" criterion actually looks at both support and opposition in awarding up to four points to an application. For "support," the applicant must demonstrate that:

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- It is, or has documented support from, the recognized community institution(s)/member organization(s) or has otherwise documented authority to represent the community. It must have documented support from institutions/organizations representing a *majority* of the overall community in order to score 2.
- Documented support from at least one group with relevance may allow a score of 1, but does not suffice for a score of 2.

AGB at 4-17. For consideration as relevant support, documentation *must contain a description of the process and rationale used in arriving at the expression of support*, and does not receive a point based merely on the number of comments or expressions of support received. *Id.* at 4-18.

On the opposition side, an application will earn two points where it lacks any opposition of relevance, and one where it has "relevant" opposition from "one group of non-negligible size." It will be awarded no points in the case of "relevant opposition from two or more groups of non-negligible size." *Id.* at 4-17.³

The Application claims it has support in "attached letters," *Applic.* at 15, but reviewing the letters from various secretaries of state reveals no endorsement of Applicant specifically. The letters certainly do not describe "the process and rationale used" in choosing to express "support." Nor does any of them emanate from a "recognized community institution(s)/member organization(s)" or body which has "otherwise documented authority to represent the community." AGB at 4-17. "Recognized," in Guidebook terms, "means the institution(s)/organization(s) that, through membership or otherwise, are clearly recognized by the community members as representative of the community." *Id.* at 4-17 to 4-18.

The ambiguous letters from the secretaries of state, who do not form part of the community as the Applicant has defined it (**Annexes H, I**), and generic letters from six small LLCs in Kansas City, Missouri, USA (**Annex J**), do not amount to "support" from any "recognized" community "member." Because the Application lacks *any* support that meets Guidebook standards, it should receive a score of zero for support.

However one construes the letters offered by Applicant, they certainly do not come from a "majority" of the "over five million" registered U.S. limited liability companies that Applicant identifies as comprising its community (or from any "community institution" with authority to represent a majority of them). As such, even if the letters otherwise passed Guidebook muster, they would at most entitle Applicant to only one out of a possible two "support" points.

³ "Relevance" refers to the communities addressed. *Id.* at 4-18. Thus, "relevant" support or opposition means that which comes from those in the named community.

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On the "flip" side, the Application *has* encountered *opposition*. That opposition has come from at least one of the same sources that Applicant cites in support of the Application. The Secretary of State of Delaware has submitted comments in opposition to the Application, as have others. See <https://gtldcomment.icann.org/comments-feedback/applicationcomment/viewcomments>. This letter itself evidences opposition from a member of the asserted community. The Delaware and other secretaries of state, as well as Donuts and others whom it expects will support this submission, certainly satisfy the "non-negligible size" criterion. As such, the Application cannot earn the full two points on the "opposition" prong of the support test. It should receive none, but certainly no more than one.

The existence of at least some opposition from groups of "non-negligible size," and the lack of any true support of the nature contemplated by the Guidebook, necessarily must limit the Applicant to no more than two out of the possible four points on this final element of the community test. As this analysis reveals a maximum possible score of two on each of the other three prongs of the test, the Application's total of eight possible points falls well short of the 14 needed to pass CPE.

DATED: March 3, 2014

Respectfully submitted,

THE IP & TECHNOLOGY LEGAL GROUP, P.C.
dba New gTLD Disputes

By: _____/img/_____

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Annexes

The following Annexes are offered with and in support of this submission:

- Annex A:** Dot Registry Application for <.LLC>, App. ID No. 1-880-17627
- Annex B:** Kansas Secretary of State website record for ECYBER Solutions Group, Inc.
- Annex C:** eCyber Solutions Internet profile page
- Annex D:** eCyber Solutions Website "About" page
- Annex E:** Kansas Secretary of State website record for Dot Registry LLC
- Annex F:** Free Online Dictionary definition of "LLC"
- Annex G:** Internet Slang Dictionary definition of "LLC"
- Annex H:** Dot Registry Application 20f (Attachment to 20F.pdf)
- Annex I:** Dot Registry Application 20f (Endorsement Letters 1.pdf)
- Annex J:** Dot Registry Application 20f (LLC_ Community Members.pdf)

Annex A



New gTLD Application Submitted to ICANN by: Dot Registry LLC

String: INC

Originally Posted: 13 June 2012

Application ID: 1-880-35979

Applicant Information

1. Full legal name

Dot Registry LLC

2. Address of the principal place of business

6600 College BLVD
Suite 125
Overland Park Kansas 66211
US

3. Phone number

9136004088

4. Fax number

8169947333

5. If applicable, website or URL

Primary Contact

6(a). Name

Ms. Tess Pattison-Wade

6(b). Title

Executive Director

6(c). Address

6(d). Phone Number

8168986598

6(e). Fax Number

6(f). Email Address

tpw5029@hotmail.com

Secondary Contact

7(a). Name

Shaul Jolles

7(b). Title

CEO

7(c). Address

7(d). Phone Number

8162007080

7(e). Fax Number

7(f). Email Address

sjolles@gmail.com

Proof of Legal Establishment

8(a). Legal form of the Applicant

Limited Liability Company

8(b). State the specific national or other jurisdiction that defines the type of entity identified in 8(a).

Kansas

8(c). Attach evidence of the applicant's establishment.

Attachments are not displayed on this form.

9(a). If applying company is publicly traded, provide the exchange and symbol.**9(b). If the applying entity is a subsidiary, provide the parent company.****9(c). If the applying entity is a joint venture, list all joint venture partners.****Applicant Background****11(a). Name(s) and position(s) of all directors**

Christopher Michael Parrott	Director of Finance
Paul Eugene Spurgeon	COO
Scott Adam Schactman	Director Law & Policy
Shaul Jolles	CEO

11(b). Name(s) and position(s) of all officers and partners**11(c). Name(s) and position(s) of all shareholders holding at least 15% of shares**

Ecyber Solutions Group Inc	not applicable
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11(d). For an applying entity that does not have directors, officers, partners, or shareholders: Name(s) and position(s) of all individuals

having legal or executive responsibility

Applied-for gTLD string

13. Provide the applied-for gTLD string. If an IDN, provide the U-label.

INC

14(a). If an IDN, provide the A-label (beginning with "xn--").

14(b). If an IDN, provide the meaning or restatement of the string in English, that is, a description of the literal meaning of the string in the opinion of the applicant.

14(c). If an IDN, provide the language of the label (in English).

14(c). If an IDN, provide the language of the label (as referenced by ISO-639-1).

14(d). If an IDN, provide the script of the label (in English).

14(d). If an IDN, provide the script of the label (as referenced by ISO 15924).

14(e). If an IDN, list all code points contained in the U-label according to Unicode form.

15(a). If an IDN, Attach IDN Tables for the proposed registry.

Attachments are not displayed on this form.

15(b). Describe the process used for development of the IDN tables submitted, including consultations and sources used.**15(c). List any variant strings to the applied-for gTLD string according to the relevant IDN tables.****16. Describe the applicant's efforts to ensure that there are no known operational or rendering problems concerning the applied-for gTLD string. If such issues are known, describe steps that will be taken to mitigate these issues in software and other applications.**

There are no known operational or rendering issues associated with our applied for string. We are relying on the proven capabilities of Neustar to troubleshoot and quickly eliminate these should they arise.

17. (OPTIONAL) Provide a representation of the label according to the International Phonetic Alphabet (<http://www.langsci.ucl.ac.uk/ipa/>).**Mission/Purpose****18(a). Describe the mission/purpose of your proposed gTLD.**

To build confidence, trust, reliance, and loyalty for consumers and business owners alike by creating a dedicated gTLD to specifically serve the Community of Registered Corporations. Through our registry service, we will foster consumer peace of mind with confidence by ensuring that all domains bearing our gTLD string are members of the Registered Community of Corporations. Our verification process will create an unprecedented level of security for online consumers by authenticating each of our registrant's right to conduct business in the United States. The ".INC" gTLD will

fill a unique void in the current DNS and assist in decreasing the burden on existing domain names by identifying members of the Registered Community of Corporations.

18(b). How do you expect that your proposed gTLD will benefit registrants, Internet users, and others?

With the increased popularity of the Internet as a consumer marketplace and the ease with which individuals are able to access information online, it is essential that safeguards be put in place to validate and identify legitimate businesses. Businesses representing themselves as corporations by including Inc., Incorporated or Corporation in their business names create an expectation amongst consumers that they have the legal right to conduct business as a corporation. Unfortunately, consumers are currently unable to quickly verify the accuracy of this representation. Fraudulent business entities rely on this consumer assumption and the lack of available verification resources to prey on both businesses and consumers. As online commerce replaces brick-and-mortar businesses, there has been a corresponding rise in business identity theft online, which in turn creates a lack of consumer confidence. In the vast majority of states, the Secretary of State is responsible for overseeing the business entities in the state - from the registration of corporations or verification of business filings, to the administration of the Uniform Commercial Code, an act, which provides for the uniform application of business contracts and practices across the United States. The Secretaries' role is critical to the chartering of businesses (including, but not limited to the formation of corporations) that wish to operate in their state. In this regard, the Secretaries of State maintain all records of business activities within the state, and in some states, the Secretary of State has wide-ranging regulatory authority over businesses as well.

The ".INC" gTLD will be exclusively available to members of the Community of Registered Corporations, as verified through the records of each registrant's Secretary of State's Office (or other state official where applicable). By verifying that a registrant is a registered U.S. corporation, DOT Registry will be able to bring unprecedented clarity and security to consumers and business owners, assuring Internet users, registry applicants, and others that web addresses ending in ".INC" are a hallmark of a valid corporation recognized by a governmental authority of the United States. This process will decrease the possibility of identity misrepresentation in a cyber setting and assist lesser-known businesses in legitimizing their services to consumers.

In January 2012, after many public forums and contributions from consumer advocates, the Business Services Committee of the National Association of Secretaries of State (NASS) released the NASS White Paper on Business Identity Theft, indicating that at least 26 states have reported business identity theft cases resulting from fraudulent business representations online. North Carolina Secretary of State Elaine Marshall, who serves as Co-Chair of the NASS Business Services Committee, indicates that the primary function of the White Paper is to "Harness new technology to develop cost-effective solutions, and ultimately make it harder for identity thieves to prey upon state-based businesses."

With the implementation of the ".INC" gTLD, consumers would have the ability to quickly identify the presented business as a valid U.S. corporation. As ".INC" registrations grow, we will see a reduction in the ease with which criminals are able to hide behind fictitious entities because consumers will be conditioned to look for the appropriate gTLD ending before conducting business online. This simple gTLD extension would provide an efficient and cost-effective solution to a growing economic concern in the United States by creating a verifiable online business community network. Through this innovative concept, the DNS system will help to

build a stronger more resilient business platform for members of the Registered Community of Corporations, while fostering increased user confidence, by ensuring accurate business representation.

It is our goal to provide an efficient and secure application process by minimizing the input required by the registrant and creating a streamlined, efficient evaluation process. We will accomplish this by reviewing the applicant's proof of business registration with their State. Registry Applicants will only be awarded a domain through DOT Registry if the Registrant is an active member of the Community of Registered Corporations. "Active" in this context can be defined as any corporation registered with a Secretary of State in the United States and its territories, that is determined to be authorized to conduct business within that State at the time of their registration. Registrant's "Active" status will be verified on an annual basis to ensure the reputation and validity of the ".INC" gTLD.

DOT Registry will also ensure that registrants are represented by a web address that is both simple and intuitive allowing for easy recognition by search engines and internet users. Awarded addresses will identify the registrant's company and may be presented in the shortest, most memorable way.

At DOT Registry, we believe in complete transparency, consistent with the Secretaries of State Policy with regard to "Active" members of the Community of Registered Corporations becoming publicly recorded upon completion of their entity registration process. Further, DOT Registry is informed by the position of the United States Senate Task Force for Financial Integrity and Economic Development, which was created to advocate for improved levels of transparency and accountability with regard to beneficial ownership, control, and accounts of companies. Over the last decade the Task Force has focused specifically on combatting fraudulent business registrations which result in "fake" entities absorbing, hiding, and transferring wealth outside the reach of law enforcement agencies. Because of this DOT Registry will not allow private or proxy registrations.

All approved domain registrants will be made public and available, so as to further validate DOT Registry's mission of fostering consumer peace of mind by creating a gTLD string dedicated solely to valid members of the Community of Registered Corporations. These transparency mechanisms will also serve as a deterrent for fraudulent entities by creating an expectation among consumers as to who they are conducting business with.

The social implications of business identity theft and consumer confusion are a paramount concern to DOT Registry. In our currently unstable economy, stimulating economic growth is vital. One means to such growth is by defusing the rampant, legitimate fear caused by online crimes and abuse, which leads to curtailed consumer behavior. By introducing the ".INC" domain into the DNS, DOT Registry will attempt to reduce the social impact of identity theft on business owners which will in turn reduce consumer fears related to spending and ultimately boost economic growth in regards to consumption and purchase power.

Further, the ".INC" gTLD will strive to foster competition by presenting members of the Community of Registered Corporations with a highly valued customized domain name that not only represents their business, but also their validity in the marketplace. Within the current existing top-level domains it is hard for businesses to find naming options that appropriately represent them. One advantage of the ".INC" gTLD is that it will drive the "right" kind of online registrations by offering a valued alternative to the currently overcrowded and often unrestricted name space. Registrants will be inspired to pursue ".INC" domains not only because they will be guaranteed a name representative to their business, but also because of the increased validity for their business operations brought about by the ".INC" verification process. DOT Registry anticipates that the security offered through a ".INC" extension will increase consumer traffic to websites which in turn will boost advertising revenue online and consumer purchasing.

Successful implementation of the ".INC" domain will require two registration goals:
(1) capture newly formed corporations and assist them in securing a ".INC" domain

relative to their legal business name, and (2) converting existing online members of our community to a ".INC" domain relative to their legal business name. These goals will be accomplished by the following practices:

- 1) Through our Founder's Program, DOT Registry will secure key community tenants in the name space who will act as innovative leaders to assist us in changing the online culture of business representation by promoting the benefits of the ".INC" gTLD and shaping economic growth through increased consumer confidence.
- 2) DOT Registry will work closely with companies such as Legalzoom and CSC (both companies assist in the formation of entities and their registration processes), as well as individual Secretary of State's offices, to capture newly admitted members of the community.
- 3) DOT Registry will educate members of the Community of Registered Corporations on the benefits and importance of using a ".INC" gTLD by building a strong relationship with organizations like the Small Business Administration and the Better Business Bureau, which promote business validation and consumer insight. By working closely with these well-known and highly regarded entities, DOT Registry will be able to reach a larger majority of community members and enhance our message's validity.
- 4) DOT Registry will strive to create consumer and Internet user awareness through a strong Internet marketing presence and by developing a relationship with the National Association of Consumer Advocates, which was formed with the intention of curbing consumer abuse through predatory business practices.

At DOT Registry, we strive to meet the exact needs of our registrants and the Internet users who patronize them. This will be accomplished by the creation of a seamless connection and strong communication channel between our organization and the governmental authority charged with monitoring the creation and good standing of corporations. DOT Registry will work closely with each Secretary of State's office to tailor our validation process to complement each office's current information systems and to maximize the benefits of accurate information reporting. These processes are essential in fully assisting consumers in making educated decisions in regards to what businesses to patronize. The reach of the ".INC" gTLD will not only impact online consumerism, but also offer an additional validation process for consumers to research contractors, businesses, and solicitors before choosing to do business with them in person.

The guidelines listed below were developed through collaborations with both NASS and individual Secretary of State's offices in order to ensure the integrity of the ".INC" domain. All policies comply with ICANN-developed consensus policies. To maintain the integrity of our mission statement and our relationship with each Secretary of State's office we will implement Registration Guidelines. In order to apply for a domain name ending in ".INC", a Registrant must be registered with one of the Secretary of State's offices in the United States, the District of Columbia, or any of the U.S. possessions or territories as a corporation pursuant to that jurisdiction's laws on valid corporate registration. In addition, Applicant will implement the following Registration Guidelines and naming conventions:

- 1) A Registrant will only be awarded the ".INC" domain that matches or includes a substantial part of the Registrant's legal name. For example, Blue Star Partners, Inc. would be able to purchase either BlueStarPartners.INC or BlueStar.INC.
- 2) Registrants will not be allowed to register product line registrations, regardless of the products affiliation to the corporation. All awarded domains must match or include a substantial part of the Registrant's legal name.
- 3) If there are registrants applying for the same domain names, which correspond to their legal business names as registered in different states, then the ".INC" domain will be awarded on a first-come, first-served basis to the first registrant.
- 4) However, if a registrant has a trademark registered with the United States Patent and Trademark Office (USPTO), then such registrant will have priority over any other registrant to be awarded the applied for ".INC" domain.
- 5) If a registrant's ".INC" domain has already been awarded to another registrant with the same or similar legal name, then DOT Registry will offer to award

such registrant a ".INC" domain with a distinctive denominator including but not limited to a tag, company describer, or name abbreviation. For example, if BlueStar.INC was awarded to Blue Star Partners, Inc. of California, then Blue Star Partners, Inc. of Kansas would be offered the opportunity to use BlueStarPartners.INC.

6) DOT Registry will work closely with the Secretary of State's Offices throughout the United States, with NASS and with a number of other agencies and organizations in maintaining the integrity and security of its domain names. DOT Registry will utilize the Secretary of States' online resources to confirm that companies applying for their ".INC" domain are in fact registered businesses.

7) All registrants that are awarded the ".INC" domain will agree to a one-year minimum contract for their domain names that will automatically renew for an additional year on an annual basis if such contract is not terminated prior to the expiration of the renewal date.

8) DOT Registry or its designated agent will annually verify each registrants community status. Verification will occur in a process similar to the original registration process for each registrant, in which the registrars will verify each registrant's "Active" Status with the applicable state authority. Each registrar will evaluate whether its registrants can still be considered "Active" members of the Community of Registered Corporations. In this regard, the following items would be considered violations of DOT Registry's Registration Guidelines, and may result in dissolution of a registrant's awarded ".INC" domain:

(a) If a registrant previously awarded the ".INC" domain ceases to be registered with the State.

(b) If a registrant previously awarded a ".INC" domain is dissolved and/or forfeits the domain for any reason.

(c) If a registrant previously awarded the ".INC" domain is administratively dissolved by the State.

Any registrant is found to be "Inactive," or which falls into scenarios (a) through (c) above, they will be issued a probationary warning by their registrar, allowing for the registrant to restore its active status or resolve its dissolution with its applicable Secretary of State's office. If the registrant is unable to restore itself to "Active" status within the defined 30 day probationary period, their previously assigned ".INC" will be forfeited. DOT Registry reserves the right to change the definition of "Active" in accordance with the policies of the Secretaries of State. Domains will be temporarily suspended during the review process.

9) If DOT Registry discovers that a registrant wrongfully applied for and was awarded a ".INC" domain, then such ".INC" will be immediately forfeited to DOT Registry. Wrongful application includes but is not limited to: a registrant misrepresenting itself as a member of the Community of Registered Corporations, a registrant participating in illegal or fraudulent actions, or where a registrant would be in violation of our abuse policies described in Question 28 (including promoting or facilitating spam, trademark or copyright infringement, phishing, pharming, willful distribution of malware, fast flux hosting, botnet command and control, distribution of pornography, illegal access to other computers or networks, and domain kiting/tasting).

10) In the case of domain forfeiture due to any of the above described options, all payments received by the Registrant for registration services to date or in advance payment will be non-refundable.

11) All registration information will be made publicly available. DOT Registry will not accept blind registration or registration by proxy. DOT Registry's registry services operator will provide thick WHOIS services that are fully compliant with RFC 3912 and with Specifications 4 and 10 of the Registry Agreement. Additionally, DOT Registry will provide a Web-based WHOIS application, which will be located at www.whois.inc. The WHOIS Web application will be an intuitive and easy to use application. A complete description of these services can be found in Question 26 below.

12) Awarded names are non-transferrable to entities outside of the designated community, regardless of affiliation to any member of the community. In the event that a registrant's business entity merges, is acquired, or sold, the new entity will be allowed to maintain the previously awarded ".INC" domain until the domain renewal date, at which point they will be evaluated as described in number seven (7) above. Further, any entity acquiring a ".INC" domain through the processes described in this guideline that does not meet the registration criteria and wishes to maintain the awarded domain will be allowed a grace period after the renewal verification process to correct any non-compliance issues in order to continue operating their acquired domain. If the said entity is unable to comply with DOT Registry's guidelines, the awarded domain will be revoked.

13) If an application is unable to be verified or does not meet the requirements of the sponsored community, the application will be considered invalid.

14) DOT Registry will implement a reserved names policy consisting of both names DOT Registry wishes to reserve for our own purposes as the registry operator and names protected by ICANN. DOT Registry will respect all ICANN reserved names including, but not limited to, two letter country codes and existing TLD's. Additionally, DOT Registry will seek ICANN approval on any additional names we plan to reserve in order to appropriately secure them prior to the opening of general availability.

In addition to DOT Registry's comprehensive eligibility, verification, and policing mechanisms, DOT Registry will implement a series of Rights Protection Mechanisms (RPM), including but not limited to: Support for and interaction with the Trademark Clearinghouse ("Clearinghouse"); use of the Trademark Claims Service; segmented Sunrise Periods allowing for the owners of trademarks listed in the Clearinghouse to register domain names that consist of an identical match of their listed trademarks; subsequent Sunrise Periods to give trademark owners or registrants that own the rights to a particular name the ability to block the use of such name; and stringent take down policies and all required dispute resolution policies.

18(c). What operating rules will you adopt to eliminate or minimize social costs?

".INC" was proposed for the sole purpose of eliminating business and consumer vulnerability in a cyber setting. In order to maintain the integrity of that mission and minimize the negative consequences to consumers and business owners, the following policies will be adhered to:

- (a) No information collected from any registrant will be used for marketing purposes.
- (b) Data collected will not be traded or sold.
- (c) All data collected on any registrant will be available to the registrant free of charge.
- (d) Registrants will be allowed to correct data inaccuracies as needed.
- (e) All data will be kept secure.

DOT Registry will strictly uphold the rules set forth in their registration guidelines in order to accurately service the Community of Registered Corporations and mitigate any negative consequences to consumers or Internet users. Price structures for the ".INC" gTLD are designed to reflect the cost of verification within our community requirements and the ongoing cost of operations. Price escalation will only occur to accommodate rising business costs or fees implemented by the Secretaries of State with regard to verifying the "Active" status of a Registrant. Any price increases would be submitted to ICANN as required in our Registry Agreement and will be compiled in a thoughtful and responsible manner, in

order to best reduce the affects on both the registrants and the overall retail market.

DOT Registry does not plan to offer registrations to registrants directly therefore our pricing commitments will be made within our Registry-Registrar Agreements. It is our intention that these commitments will percolate down to registrants directly and that the contractual commitments contained within our Registry-Registrar Agreements will be reflected in the retail sale process of our gTLD, thus minimizing the negative consequences that might be imposed on registrants via the retail process. DOT Registry plans to offer bulk registration benefits to Registrars during the first 6 months of operation. Registrars wishing to purchase bulk registrations of 1,000 names or more would be offered a 5% discount at the time of purchase. DOT Registry shall provide additional financial incentives to it's Registrars for pre-authentication of Registrant data prior to such data being passed to the registry. DOT Registry will provide for lower renewal and bulk registration fees in its RRAs for registrations which have been pre-authenticated and which DOT Registry can rely on as accurate data to be entered into its WhoIs database.

Additionally, DOT Registry , through our founders program will provide a 25% discount to founders participants as a participation incentive. It is possible that DOT Registry would offer additional pricing benefits from time to time as relative to the market. All future pricing discounts not detailed in this application will be submitted through the appropriate ICANN channels for approval prior to introduction to the market.

Community-based Designation

19. Is the application for a community-based TLD?

Yes

20(a). Provide the name and full description of the community that the applicant is committing to serve.

DOT Registry plans to serve the Community of Registered Corporations. Members of the community are defined as businesses registered as corporations within the United States or its territories. This would include Corporations, Incorporated Businesses, Benefit Corporations, Mutual Benefit Corporations and Non-Profit Corporations. Corporations or "INC's" as they are commonly abbreviated, represent one of the most complex business entity structures in the U.S. Corporations commonly participate in acts of commerce, public services, and product creation.

Corporations are the oldest form of organized business in the United States, with the first organized corporation dating back to the 18th century. In 1819 The US Supreme Court formalized their policy on corporation formation by enhancing the rights granted to US Corporations. This policy change for the United States spurred increased corporate registrations and acted as an early economic boom for the states. Well known early corporations included the British East India Company, Carnegie Steel Company, and Standard Oil. The creation of corporations is synonymous with the development of free enterprise in the United States and much of our countries

infrastructure and services were created by early and innovative corporations. Corporation creation has been viewed as especially unique throughout US history because corporations are considered the only business model that are recognized by law to have the rights and responsibilities similar to natural persons. Corporations can exercise human rights against real individuals and the state. Additionally, they themselves can be responsible for human rights violations. This unique human element makes corporations acutely responsible for their actions as an entity. This feature becomes especially applicable when we begin to view corporations as a community. "Community" is defined by Merriam Webster's dictionary as a group sharing common characteristics or interests and perceived or perceiving itself as distinct in some respect from the larger society within which it exists. DOT Registry believes that corporations fall well within this definition due to their specific registration requirements, which set them apart from individuals and other business entities, while granting them operating privileges and distinct rights and responsibilities. A corporation is defined as a business created under the laws of a State as a separate legal entity, that has privileges and liabilities that are distinct from those of its members. While corporate law varies in different jurisdictions, there are four characteristics of the business corporation that remain consistent: legal personality, limited liability, transferable shares, and centralized management under a board structure. Corporate statutes typically empower corporations to own property, sign binding contracts, and pay taxes in a capacity separate from that of its shareholders.

Business formation favors the corporate entity structure because it provides its shareholders with limited personal liability and a unique taxing structure. Corporations provide the backbone of the American business culture. Fortune 500's top ten US corporations for 2011 include: Wal-Mart Stores, Exxon Mobil, Chevron, ConocoPhillips, Fannie Mae, General Electric, Berkshire Hathaway, General Motors, Bank of America and Ford Motors. From this listing one can ascertain that corporations span every genre of business and play an intricate role in the daily lives of consumers. From gas stations to hospitals, grocery stores to financial lending institutions corporations drive the stock market, industry production, and consumer spending.

With almost 470,000 new corporations registered in the United States in 2010 (as reported by the International Association of Commercial Administrators) resulting in over 8,000,000 total corporations in the US, it is hard for the average consumer to not conduct business with a corporation.

Corporations can be formed through any jurisdiction of the United States. Therefore members of this community exist in all 50 US states and its territories. Corporation formation guidelines are dictated by state law and can vary based on each State's regulations. Persons form a corporation by filing required documents with the appropriate state authority, usually the Secretary of State. Most states require the filing of Articles of Incorporation. These are considered public documents and are similar to articles of organization, which establish a limited liability company as a legal entity. At minimum, the Articles of Incorporation give a brief description of proposed business activities, shareholders, stock issued and the registered business address.

Corporations are expected to conduct business in conjunction with the policies of the State in which they are formed, and the Secretary of State periodically evaluates a corporation's level of good standing based on their commercial interactions with both the state and consumers. DOT Registry or its designated agents would verify membership to the Community of Corporations by collecting data on each Registrant and cross-referencing the information with their applicable registration state. In order to maintain the reputation of the ".INC" string and accurately delineate the member to consumers, Registrants would only be awarded a domain that accurately represents their registered legal business name. Additionally, DOT Registry will not allow blind registrations or registration by proxy, therefore DOT Registry's WHOIS service will tie directly back to each member's state registration information and will be

publicly available in order to provide complete transparency for consumers. Over 64% of US public corporations are registered in the state of Delaware. Because of this preeminence, Dot Registry has drawn on Delaware Law as an example of formation requirements and operating privileges.

According to Delaware Law corporations may be formed by:

(a) Any person, partnership, association or corporation, singly or jointly with others, and without regard to such person's or entity's residence, domicile or state of incorporation, may incorporate or organize a corporation under this chapter by filing with the Division of Corporations in the Department of State a certificate of incorporation which shall be executed, acknowledged and filed in accordance with this title.

(b) A corporation may be incorporated or organized under this chapter to conduct or promote any lawful business or purposes, except as may otherwise be provided by the Constitution or other law of this State.

Entities are required to comply with formation practices in order to receive the right to conduct business in the US. Once formed a corporation must be properly maintained. Corporations are expected to comply with state regulations, submit annual filings, and pay specific taxes and fees. Should a corporation fail to comply with state statutes it could result in involuntary dissolution by the state in addition to imposed penalties, taxes and fees.

All entities bearing the words Corporation or Incorporated in their business name create the assumption that they have been awarded the privileges associated to that title such as: the ability to conduct commerce transactions within US borders or territories, the ability to market products, solicit consumers and provide reputable services in exchange for monetary values, and finally to provide jobs or employment incentives to other citizens.

Membership in the Community of Corporations is established through your business entity registration. In order to maintain your membership to this community you must remain an "Active" member of the community. "Active" in this context can be defined as any corporation registered with a Secretary of State in the United States and its territories, that is determined to be authorized to conduct business within that State.

20(b). Explain the applicant's relationship to the community identified in 20(a).

DOT Registry, LLC is owned solely by ECYBER Solutions Group, Inc., a registered Corporation in the State of Kansas. DOT Registry has a direct relationship to the proposed community because of our ownership makeup. In addition, DOT Registry is a corporate affiliate of the National Association of Secretaries of State (NASS), an organization which acts as a medium for the exchange of information between states and fosters cooperation in the development of public policy, and is working to develop individual relationships with each Secretary of State's office in order to ensure our continued commitment to honor and respect the authorities of each state. DOT Registry is acutely aware of our responsibility to uphold our mission statement of: building confidence, trust, reliance, and loyalty for consumers and business owners alike by creating a dedicated gTLD to specifically serve the Community of Corporations. DOT Registry has also specifically pledged to various Secretaries of State to responsibly manage this gTLD in a manner that will both protect and promote business development in the US. Further our policies were developed through direct collaboration with the state offices so as to mitigate any possibility of misrepresenting their regulations.

In order to ensure that we accomplish this goal and preserve the credibility of our operations DOT Registry has taken the following advance actions to ensure compliance

and community protection:

- 1) Developed registration policies that are currently reflective of common state law dictating the creation and retention of corporations in the United States.
- 2) Created a strong partnership with CSC (an ICANN approved registrar also specializing in corporate formation services). Through this partnership DOT Registry was able to develop a streamlined verification process to validate potential Registrants as members of the community and ensure that continued annual verifications are completed in a time sensitive and efficient manner. This process will ensure that consumers are not misled by domains registered with the ".INC" gTLD. Additionally, this process will create peace of mind amongst community members by ensuring that their integrity is not diminished by falsely identified corporations being represented by a ".INC" extension.
- 3) Built a strong relationship with several Secretaries of State in order to receive and give consistent input on policy implementation and state regulation updates. DOT Registry has also notified NASS that we have designed our registration policies and procedures to address NASS' concerns about verification requirements in the TLD.
- 4) Established an in-house legal and policy director to review, enhance, and ensure compliance and consistency with all registration guidelines and community representations.

As indicated in many of the attached letters, DOT Registry will be held specifically accountable for protecting the integrity of its restrictions and of the members of this community. DOT Registry will consult directly with NASS and policy advisors in the state offices consistently in order to continue to accurately represent the Community of Corporations and live up to the vast standards associated to the ".INC" gTLD.

In furtherance of this goal, DOT Registry has attached letters from critical advocates for and representatives of the proposed community, including:

- 1) Various Secretary of States Offices: Specifically The Secretary of State of Delaware which represents over 55% of public corporations in the United States and a majority of members in this community and The Secretary of State of South Dakota, which is working towards combatting business identity theft and fictitious business registration.
- 2) Members of the community including but not limited to CSC our registrar partner and Legal Zoom, the nation's leading provider for online business registration.

DOT Registry can be viewed as an exemplary community representative not only through its pledged commitment to excellence, but also through its continued commitment to build relationships with the state offices charged with registering and overseeing members of this community. DOT Registry pledges through its registry policies to uphold a common standard of evaluation for all applicants and to add increased integrity to the Community of Registered Corporations. These pledges are further enforced by the endorsement letters from the above organizations, which call the authentication/verification measures proposed by DOT Registry critical to the success of the proposed community.

Similarly, DOT Registry will adhere to all standards of business operations as described in the Kansas state business statutes and will be equally accountable to consumers to deliver continuously accurate findings and valid registrations.

20(c). Provide a description of the community-based purpose of the applied-for gTLD.

The goal of the ".INC" gTLD is to build confidence, trust, reliance, and loyalty for consumers and business owners alike by creating a dedicated gTLD to specifically

serve the Community of Corporations. Through our registry service, we will foster consumer peace of mind with confidence by ensuring that all domains bearing our gTLD string are members of the Community of Corporations. Our verification process will create an unprecedented level of security for online consumers by authenticating each of our registrant's right to conduct business in the United States. The ".INC" gTLD will fill a unique void in the current DNS and assist in decreasing the burden on existing domain names by identifying members of the Registered Community of Corporations. The creation of the ".INC" gTLD will bring innovation and unprecedented coordination of this valuable service of verification, a purpose endorsed by many individual Secretary of States and NASS. Additionally, ".INC" will further promote the importance of accurate business registrations in the US, while assisting in combatting business identity theft by increasing registration visibility through our WHOIS services and strict abuse policies.

The intended registrants of the ".INC" gTLD would consist of members of the Community of Corporations. This would be verified by collecting data on each Registrant and cross-referencing the information with their applicable registration state. In order to ensure that this process is accomplished in a secure and time effective manner DOT Registry will develop partnerships with each Secretary of State's office in order to create the applicable applications to securely verify registrant data.

End-users for this TLD would include everyday consumers, members of the community, businesses without the community, and consumers looking for more accurate information with regards to those with whom they may conduct business. DOT Registry plans to initiate a robust marketing campaign geared towards the proposed end-users in order to ensure that consumers are aware of what ".INC" stands for and its significance throughout the Community of Corporations. In addition to the vast consumer benefits from the creation of the ".INC" gTLD, DOT Registry believes that ".INC" domains would be considerably beneficial to business end users. Since DOT Registry will not allow blind registration or registration by proxy businesses viewing ".INC" sites would be able to instantly ascertain what businesses operate under the blanket of parent companies, are subsidiaries of other businesses, and of course where a corporation is domiciled. This easily identifiable information not only assists businesses in accurately identifying who they are doing business with, it would also assist in locating sales and use tax information, identifying applicable state records, and tracking an entity's history. These factors could help to determine the outcome of sales, mergers, contract negotiations, and business relationships. Ensuring that this kind of transparency and accountability - qualities previously not attainable in a TLD - shall be at the fingertips of potential business partners or investors.

Our registry policies will be adapted to match any changing state statutes in relation to the definition and creation of corporations in the U.S., ensuring the longevity and reputation of our registry services and our commitment to consumers to only represent valid U.S. corporations. Much like the perpetuity of the members of the Community of Corporations, the ".INC" gTLD will enjoy a similar immortality, for as long as incorporated entities continue to exist in the United States the ".INC" relevance will not diminish. As awareness of the gTLD's mission becomes more widely recognized by end-users expectations to understand who you choose to do business with will increase, making the need for the ".INC" gTLD more prominent.

In addition, it is our concern that the implementation of the gTLD string ".INC" as a generic string, without the restrictions and community delineations described in this application and endorsed by NASS and the various Secretaries of State, could promote confusion among consumers and provide clever criminal enthusiasts the tools necessary to misrepresent themselves as a U.S.-based corporation. There is an expectation amongst consumers that entities using the words corporation, incorporated, or INC in their business name have the legal right and ability to conduct business in the United States. This representation by non-members of the Community of Registered Corporations is not only fraudulent, but a great disservice to consumers

20(d). Explain the relationship between the applied-for gTLD string and the community identified in 20(a).

".INC" was chosen as our gTLD string because it is the commonly used abbreviation for the entity type that makes up the membership of our community. In the English language the word incorporation is primarily shortened to Inc. when used to delineate business entity types. For example, McMillion Incorporated would additionally be referred to as McMillion Inc. Since all of our community members are incorporated businesses we believed that ".INC" would be the simplest, most straightforward way to accurately represent our community.

Inc. is a recognized abbreviation in all 50 states and US Territories denoting the corporate status of an entity. Our research indicates that Inc. as corporate identifier is used in three other jurisdictions (Canada, Australia, and the Philippines) though their formation regulations are different from the United States and their entity designations would not fall within the boundaries of our community definition.

20(e). Provide a description of the applicant's intended registration policies in support of the community-based purpose of the applied-for gTLD.

In order to accurately protect the integrity of our domain name and serve the proposed community the following safeguards will be adapted:

- 1) All Registrants will be required to submit a minimum of: Their registered business address, State of Incorporation, name and contact information of responsible party, and legally registered business name. DOT Registry or its agents will use this information to cross-reference the applicable state's registration records in order to verify the accuracy of the Registrant's application. Should DOT Registry be unable to verify the legitimacy of the Registrants application additional information might be requested in order to award a domain name.
- 2) A Registrant will only be awarded the ".INC" domain that matches or includes a substantial part of the Registrant's legal name. For example, Blue Star Partners, Inc. would be able to purchase either BlueStarPartners.INC or BlueStar.INC.
- 3) Registrants will not be allowed to register product line registrations, regardless of the product's affiliation to the corporation. All awarded domains must match or include a substantial part of the Registrant's legal name.
- 4) If there are registrants applying for the same domain names, which correspond to their legal business names as registered in different states, then the ".INC" domain will be awarded on a first-come, first-served basis to the first registrant.
- 5) However, if a registrant has a trademark registered with the United States Patent and Trademark Office (USPTO), then such registrant will have priority over any other registrant to be awarded the applied for ".INC" domain.
- 6) If a registrant's ".INC" domain has already been awarded to another registrant with the same or similar legal name, then DOT Registry will offer to award such registrant a ".INC" domain with a distinctive denominator including but not limited to a geographic tag, company describer, or name abbreviation. For example, if BlueStar.INC was awarded to Blue Star, Inc. of California, then Blue Star, Inc. of Kansas would be offered the opportunity to use BlueStar-KS.INC. Companies will be able to choose a geographic tag that either matches their State of Incorporation or

their principal place of business, which is listed with their applicable Secretary of State's office or legally reciprocal jurisdiction.

7) DOT Registry will work closely with the Secretary of State's Offices throughout the United States, with NASS and with a number of other agencies and organizations in maintaining the integrity and security of its domain names. DOT Registry will utilize the Secretary of States' online resources to confirm that companies applying for their ".INC" domain are in fact registered businesses.

8) DOT Registry or its designated agent will annually verify each registrants community status. Verification will occur in a process similar to the original registration process for each registrant, in which the registrars will verify each registrant's "Active" Status with the applicable state authority. Each registrar will evaluate whether its registrants can still be considered "Active" members of the Community of Registered Corporations. In this regard, the following items would be considered violations of DOT Registry's Registration Guidelines, and may result in dissolution of a registrant's awarded ".INC" domain:

(a) If a registrant previously awarded the ".INC" domain ceases to be registered with the State.

(b) If a registrant previously awarded a ".INC" domain is dissolved and/or forfeits the domain for any reason.

(c) If a registrant previously awarded the ".INC" domain is administratively dissolved by the State.

Any registrant found to be "Inactive," or which falls into scenarios (a) through (c) above, will be issued a probationary warning by their registrar, allowing for the registrant to restore its active status or resolve its dissolution with its applicable Secretary of State's office. If the registrant is unable to restore itself to "Active" status within the defined 30 day probationary period their previously assigned ".INC" will be forfeited. DOT Registry reserves the right to change the definition of "Active" in accordance with the policies of the Secretaries of State.

9) If DOT Registry discovers that a registrant wrongfully applied for and was awarded a ".INC" domain, then such ".INC" will be immediately forfeited to DOT Registry. Wrongful application includes but is not limited to: a registrant misrepresenting itself as a member of the Community of Registered Corporations, a registrant participating in illegal or fraudulent actions, or where a registrant would be in violation of our abuse policies described in Question 28 (including promoting or facilitating spam, trademark or copyright infringement, phishing, pharming, willful distribution of malware, fast flux hosting, botnet command and control, distribution of pornography, illegal access to other computers or networks, and domain kiting/tasting).

10) All registration information will be made publicly available. DOT Registry will not accept blind registration or registration by proxy. DOT Registry's registry services operator will provide thick WHOIS services that are fully compliant with RFC 3912 and with Specifications 4 and 10 of the Registry Agreement. Additionally, DOT Registry will provide a Web-based WHOIS application, which will be located at www.whois.inc. The WHOIS Web application will be an intuitive and easy to use application which will allow the general public to easily access registration information for each ".INC" site. A complete description of these services can be found in Question 26 below.

11) Awarded names are non-transferrable to entities outside of the designated community, regardless of affiliation to any member of the community. In the event that a registrant's business entity merges, is acquired, or sold, the new entity will be allowed to maintain the previously awarded ".INC" domain until the domain renewal date, at which point they will be evaluated as described in number seven (7) above. Further, any entity acquiring a ".INC" domain through the processes described in this guideline that does not meet the registration criteria and wishes to maintain the awarded domain will be allowed a 30 day grace period after the renewal verification process to correct any non-compliance issues in order to continue operating their

acquired domain. If the said entity is unable to comply with DOT Registry's guidelines, the awarded domain will be revoked.

12) If an application is unable to be verified or does not meet the requirements of the sponsored community, the application will be considered invalid. In addition to Applicant's comprehensive eligibility, verification, and policing mechanisms, DOT Registry will implement a series of Rights Protection Mechanisms (RPM), including but not limited to: Support for and interaction with the Trademark Clearinghouse ("Clearinghouse"); use of the Trademark Claims Service; segmented Sunrise Periods allowing for the owners of trademarks listed in the Clearinghouse to register domain names that consist of an identical match of their listed trademarks; subsequent Sunrise Periods to give trademark owners or registrants that own the rights to a particular name the ability to block the use of such name; stringent take down policies in order to properly operate the registry; and Applicant shall comply with any RRDRP decision, further reinforcing the fact that Applicant is committed to acting in best interest of the community. DOT Registry will employ an in house Rights Protection Mechanism Team consisting of our Director of Legal and Policy and two additional support personnel. The RPM team will work to mitigate any RPM complaints, while protecting the general rights and integrity of the ".INC" gTLD. The RPM team will strictly enforce the rights protection mechanisms described in this application. Membership verification will be performed via DOT Registry's designated agents that which have software systems in place to efficiently interface with each state's data records. By utilizing the resources of industry leaders in this field, DOT Registry will ensure accurate and timely verification in addition to our ability to meet the needs of such a vast community. "Active" status will be specifically verified by cross referencing an applicant's registration data with state records. If this process is unable to be automated at any given time DOT Registry's agents will manually verify the information by contacting the applicable state agencies. While manual verification will obviously employ a larger pool of resources, DOT Registry believes that its industry partners are sufficiently able to accomplish this task based on their employee pool and past business accomplishments. Registrants will be expected to provide a minimum of their legal registered name, state of incorporation, registered business address, and administrative contact. All additional information required such as proof of incorporation or "active" status verification will be the sole responsibility of DOT Registry or its designated agents and will be acquired through the processes described herein.

DOT Registry will not restrict the content of ".INC" sites other than through the enforcement of our Abuse Mitigation practices or Rights Protection Mechanisms as described in question 28 and 29 of this application. All ".INC" sites will be expected to adhere to the content restrictions described in DOT Registry's abuse policies. Any sites infringing on the legal rights of other individuals or companies, trademarks, or participating in the practice and promotion of illegal activities will be subject to Applicant's take down procedures. ".INC" domains are designed for the sole use of community members with the intention of promoting their specific business activities.

20(f). Attach any written endorsements from institutions/groups representative of the community identified in 20(a).

Attachments are not displayed on this form.

Geographic Names

21(a). Is the application for a geographic name?

No

Protection of Geographic Names

22. Describe proposed measures for protection of geographic names at the second and other levels in the applied-for gTLD.

Applicant has thoroughly reviewed ISO 3166-1 and ISO 3166-2, relevant UN documents on the standardization of geographic names, GAC correspondence relating to the reservation of geographic names in the .INFO TLD, and understands its obligations under Specification 5 of the draft Registry Agreement. Applicant shall implement measures similar to those used to protect geographic names in the .INFO TLD by reserving and registering to itself all the geographic place names found in ISO-3166 and official country names as specified by the UN. Applicant has already discussed this proposed measure of protecting geographic names with its registry services provider, Neustar, and has arranged for such reservation to occur as soon after delegation as is technically possible.

As with the .INFO TLD, only if a potential second-level domain registrant makes a proper showing of governmental support for country or territorial names will Applicant then relay this request to ICANN. At this point, Applicant would wait for the approval of the GAC and of ICANN before proceeding to delegate the domain at issue.

Registry Services

23. Provide name and full description of all the Registry Services to be provided.

23.1 Introduction

DOT Registry has elected to partner with NeuStar, Inc (Neustar) to provide back-end services for the ".INC" registry. In making this decision, DOT Registry recognized that Neustar already possesses a production-proven registry system that can be quickly deployed and smoothly operated over its robust, flexible, and scalable world-class infrastructure. The existing registry services will be leveraged for the ".INC" registry. The following section describes the registry services to be provided.

23.2 Standard Technical and Business Components

Neustar will provide the highest level of service while delivering a secure, stable and comprehensive registry platform. DOT Registry will use Neustar's Registry Services platform to deploy the ".INC" registry, by providing the following Registry Services (none of these services are offered in a manner that is unique to ".INC"):

- Registry-Registrar Shared Registration Service (SRS)
- Extensible Provisioning Protocol (EPP)
- Domain Name System (DNS)
- WHOIS
- DNSSEC
- Data Escrow
- Dissemination of Zone Files using Dynamic Updates
- Access to Bulk Zone Files
- Dynamic WHOIS Updates
- IPv6 Support
- Rights Protection Mechanisms
- Internationalized Domain Names (IDN). [Optional should be deleted if not being offered].

The following is a description of each of the services.

23.2.1 SRS

Neustar's secure and stable SRS is a production-proven, standards-based, highly reliable, and high-performance domain name registration and management system. The SRS includes an EPP interface for receiving data from registrars for the purpose of provisioning and managing domain names and name servers. The response to Question 24 provides specific SRS information.

23.2.2 EPP

The ".INC" registry will use the Extensible Provisioning Protocol (EPP) for the provisioning of domain names. The EPP implementation will be fully compliant with all RFCs. Registrars are provided with access via an EPP API and an EPP based Web GUI. With more than 10 gTLD, ccTLD, and private TLDs implementations, Neustar has extensive experience building EPP-based registries. Additional discussion on the EPP approach is presented in the response to Question 25.

23.2.3 DNS

DOT Registry will leverage Neustar's world-class DNS network of geographically distributed nameserver sites to provide the highest level of DNS service. The service utilizes Anycast routing technology, and supports both IPv4 and IPv6. The DNS network is highly proven, and currently provides service to over 20 TLDs and thousands of enterprise companies. Additional information on the DNS solution is presented in the response to Questions 35.

23.2.4 WHOIS

Neustar's existing standard WHOIS solution will be used for the ".INC". The service provides supports for near real-time dynamic updates. The design and construction is agnostic with regard to data display policy is flexible enough to accommodate any data model. In addition, a searchable WHOIS service that complies with all ICANN requirements will be provided. The following WHOIS options will be provided:

Standard WHOIS (Port 43)

Standard WHOIS (Web)

Searchable WHOIS (Web)

23.2.5 DNSSEC

An RFC compliant DNSSEC implementation will be provided using existing DNSSEC capabilities. Neustar is an experienced provider of DNSSEC services, and currently manages signed zones for three large top level domains: .biz, .us, and .co. Registrars are provided with the ability to submit and manage DS records using EPP, or through a web GUI. Additional information on DNSSEC, including the management of security extensions is found in the response to Question 43.

23.2.6 Data Escrow

Data escrow will be performed in compliance with all ICANN requirements in conjunction with an approved data escrow provider. The data escrow service will:

- Protect against data loss
- Follow industry best practices
- Ensure easy, accurate, and timely retrieval and restore capability in the event of a hardware failure
- Minimizes the impact of software or business failure.

Additional information on the Data Escrow service is provided in the response to Question 38.

23.2.7 Dissemination of Zone Files using Dynamic Updates

Dissemination of zone files will be provided through a dynamic, near real-time process. Updates will be performed within the specified performance levels. The proven technology ensures that updates pushed to all nodes within a few minutes of the changes being received by the SRS. Additional information on the DNS updates may be found in the response to Question 35.

23.2.8 Access to Bulk Zone Files

DOT Registry will provide third party access to the bulk zone file in accordance with specification 4, Section 2 of the Registry Agreement. Credentialing and dissemination of the zone files will be facilitated through the Central Zone Data Access Provider.

23.2.9 Dynamic WHOIS Updates

Updates to records in the WHOIS database will be provided via dynamic, near real-time updates. Guaranteed delivery message oriented middleware is used to ensure each individual WHOIS server is refreshed with dynamic updates. This component ensures that all WHOIS servers are kept current as changes occur in the SRS, while also

decoupling WHOIS from the SRS. Additional information on WHOIS updates is presented in response to Question 26.

23.2.10 IPv6 Support

The ".INC" registry will provide IPv6 support in the following registry services: SRS, WHOIS, and DNS/DNSSEC. In addition, the registry supports the provisioning of IPv6 AAAA records. A detailed description on IPv6 is presented in the response to Question 36.

23.2.11 Required Rights Protection Mechanisms

DOT Registry, will provide all ICANN required Rights Mechanisms, including:

- Trademark Claims Service
- Trademark Post-Delegation Dispute Resolution Procedure (PDDRP)
- Registration Restriction Dispute Resolution Procedure (RRDRP)
- UDRP
- URS
- Sunrise service.

More information is presented in the response to Question 29.

23.2.12 Internationalized Domain Names (IDN)

IDN registrations are provided in full compliance with the IDNA protocol. Neustar possesses extensive experience offering IDN registrations in numerous TLDs, and its IDN implementation uses advanced technology to accommodate the unique bundling needs of certain languages. Character mappings are easily constructed to block out characters that may be deemed as confusing to users. A detailed description of the IDN implementation is presented in response to Question 44.

23.3 Unique Services

DOT Registry will not be offering services that are unique to ".INC".

23.4 Security or Stability Concerns

All services offered are standard registry services that have no known security or stability concerns. Neustar has demonstrated a strong track record of security and stability within the industry.

Demonstration of Technical & Operational Capability

24. Shared Registration System (SRS) Performance

24.1 Introduction

DOT Registry has partnered with NeuStar, Inc ("Neustar"), an experienced TLD registry operator, for the operation of the ".INC" Registry. The applicant is confident that the plan in place for the operation of a robust and reliable Shared Registration System (SRS) as currently provided by Neustar will satisfy the criterion established by ICANN.

Neustar built its SRS from the ground up as an EPP based platform and has been operating it reliably and at scale since 2001. The software currently provides registry services to five TLDs (.BIZ, .US, TEL, .CO and .TRAVEL) and is used to provide gateway services to the .CN and .TW registries. Neustar's state of the art registry has a proven track record of being secure, stable, and robust. It manages more than 6 million domains, and has over 300 registrars connected today.

The following describes a detailed plan for a robust and reliable SRS that meets all ICANN requirements including compliance with Specifications 6 and 10.

24.2 The Plan for Operation of a Robust and Reliable SRS

24.2.1 High-level SRS System Description

The SRS to be used for ".INC" will leverage a production-proven, standards-based, highly reliable and high-performance domain name registration and management system that fully meets or exceeds the requirements as identified in the new gTLD Application Guidebook.

The SRS is the central component of any registry implementation and its quality, reliability and capabilities are essential to the overall stability of the TLD. Neustar has a documented history of deploying SRS implementations with proven and verifiable performance, reliability and availability. The SRS adheres to all industry standards and protocols. By leveraging an existing SRS platform, DOT Registry is mitigating the significant risks and costs associated with the development of a new system. Highlights of the SRS include:

- State-of-the-art, production proven multi-layer design
- Ability to rapidly and easily scale from low to high volume as a TLD grows
- Fully redundant architecture at two sites
- Support for IDN registrations in compliance with all standards
- Use by over 300 Registrars
- EPP connectivity over IPv6
- Performance being measured using 100% of all production transactions (not sampling).

24.2.2 SRS Systems, Software, Hardware, and Interoperability

The systems and software that the registry operates on are a critical element to providing a high quality of service. If the systems are of poor quality, if they are difficult to maintain and operate, or if the registry personnel are unfamiliar with them, the registry will be prone to outages. Neustar has a decade of experience operating registry infrastructure to extremely high service level requirements. The infrastructure is designed using best of breed systems and software. Much of the application software that performs registry-specific operations was developed by the current engineering team and as a result the team is intimately familiar with its operations.

The architecture is highly scalable and provides the same high level of availability and performance as volumes increase. It combines load balancing technology with scalable server technology to provide a cost effective and efficient method for scaling.

The Registry is able to limit the ability of any one registrar from adversely

impacting other registrars by consuming too many resources due to excessive EPP transactions. The system uses network layer 2 level packet shaping to limit the number of simultaneous connections registrars can open to the protocol layer.

All interaction with the Registry is recorded in log files. Log files are generated at each layer of the system. These log files record at a minimum:

- The IP address of the client
- Timestamp
- Transaction Details
- Processing Time.

In addition to logging of each and every transaction with the SRS Neustar maintains audit records, in the database, of all transformational transactions. These audit records allow the Registry, in support of the applicant, to produce a complete history of changes for any domain name.

24.2.3 SRS Design

The SRS incorporates a multi-layer architecture that is designed to mitigate risks and easily scale as volumes increase. The three layers of the SRS are:

- Protocol Layer
- Business Policy Layer
- Database.

Each of the layers is described below.

24.2.4 Protocol Layer

The first layer is the protocol layer, which includes the EPP interface to registrars. It consists of a high availability farm of load-balanced EPP servers. The servers are designed to be fast processors of transactions. The servers perform basic validations and then feed information to the business policy engines as described

below. The protocol layer is horizontally scalable as dictated by volume.

The EPP servers authenticate against a series of security controls before granting service, as follows:

- The registrar's host exchanges keys to initiate a TLS handshake session with the EPP server.
- The registrar's host must provide credentials to determine proper access levels.
- The registrar's IP address must be preregistered in the network firewalls and traffic-shapers.

24.2.5 Business Policy Layer

The Business Policy Layer is the brain of the registry system. Within this layer, the policy engine servers perform rules-based processing as defined through configurable attributes. This process takes individual transactions, applies various validation and policy rules, persists data and dispatches notification through the central database in order to publish to various external systems. External systems fed by the Business Policy Layer include backend processes such as dynamic update of DNS, WHOIS and Billing.

Similar to the EPP protocol farm, the SRS consists of a farm of application servers within this layer. This design ensures that there is sufficient capacity to process every transaction in a manner that meets or exceeds all service level requirements. Some registries couple the business logic layer directly in the protocol layer or within the database. This architecture limits the ability to scale the registry. Using a decoupled architecture enables the load to be distributed among farms of inexpensive servers that can be scaled up or down as demand changes.

The SRS today processes over 30 million EPP transactions daily.

24.2.6 Database

The database is the third core component of the SRS. The primary function of the SRS database is to provide highly reliable, persistent storage for all registry information required for domain registration services. The database is highly secure, with access limited to transactions from authenticated registrars, trusted application-server processes, and highly restricted access by the registry database administrators. A full description of the database can be found in response to

Question 33.

Figure 24-1 attached depicts the overall SRS architecture including network components.

24.2.7 Number of Servers

As depicted in the SRS architecture diagram above Neustar operates a high availability architecture where at each level of the stack there are no single points of failures. Each of the network level devices run with dual pairs as do the databases. For the ".INC" registry, the SRS will operate with 8 protocol servers and 6 policy engine servers. These expand horizontally as volume increases due to additional TLDs, increased load, and through organic growth. In addition to the SRS servers described above, there are multiple backend servers for services such as DNS and WHOIS. These are discussed in detail within those respective response sections.

24.2.8 Description of Interconnectivity with Other Registry Systems

The core SRS service interfaces with other external systems via Neustar's external systems layer. The services that the SRS interfaces with include:

- WHOIS
- DNS
- Billing
- Data Warehouse (Reporting and Data Escrow).

Other external interfaces may be deployed to meet the unique needs of a TLD. At this time there are no additional interfaces planned for ".INC".

The SRS includes an external notifier concept in its business policy engine as a message dispatcher. This design allows time-consuming backend processing to be decoupled from critical online registrar transactions. Using an external notifier solution, the registry can utilize control levers that allow it to tune or to disable processes to ensure optimal performance at all times. For example, during the early minutes of a TLD launch, when unusually high volumes of transactions are expected, the registry can elect to suspend processing of one or more back end systems in order to ensure that greater processing power is available to handle the increased load requirements. This proven architecture has been used with numerous TLD launches, some

of which have involved the processing of over tens of millions of transactions in the opening hours. The following are the standard three external notifiers used the SRS:

24.2.9 WHOIS External Notifier

The WHOIS external notifier dispatches a work item for any EPP transaction that may potentially have an impact on WHOIS. It is important to note that, while the WHOIS external notifier feeds the WHOIS system, it intentionally does not have visibility into the actual contents of the WHOIS system. The WHOIS external notifier serves just as a tool to send a signal to the WHOIS system that a change is ready to occur. The WHOIS system possesses the intelligence and data visibility to know exactly what needs to change in WHOIS. See response to Question 26 for greater detail.

24.2.10 DNS External Notifier

The DNS external notifier dispatches a work item for any EPP transaction that may potentially have an impact on DNS. Like the WHOIS external notifier, the DNS external notifier does not have visibility into the actual contents of the DNS zones. The work items that are generated by the notifier indicate to the dynamic DNS update subsystem that a change occurred that may impact DNS. That DNS system has the ability to decide what actual changes must be propagated out to the DNS constellation. See response to Question 35 for greater detail.

24.2.11 Billing External Notifier

The billing external notifier is responsible for sending all billable transactions to the downstream financial systems for billing and collection. This external notifier contains the necessary logic to determine what types of transactions are billable. The financial systems use this information to apply appropriate debits and credits based on registrar.

24.2.12 Data Warehouse

The data warehouse is responsible for managing reporting services, including registrar reports, business intelligence dashboards, and the processing of data escrow files. The Reporting Database is used to create both internal and external reports, primarily to support registrar billing and contractual reporting requirement. The data warehouse databases are updated on a daily basis with full copies of the production SRS data.

24.2.13 Frequency of Synchronization between Servers

The external notifiers discussed above perform updates in near real-time, well within the prescribed service level requirements. As transactions from registrars update the core SRS, update notifications are pushed to the external systems such as DNS and WHOIS. These updates are typically live in the external system within 2-3 minutes.

24.2.14 Synchronization Scheme (e.g., hot standby, cold standby)

Neustar operates two hot databases within the data center that is operating in primary mode. These two databases are kept in sync via synchronous replication. Additionally, there are two databases in the secondary data center. These databases are updated real time through asynchronous replication. This model allows for high performance while also ensuring protection of data. See response to Question 33 for greater detail.

24.2.15 Compliance with Specification 6 Section 1.2

The SRS implementation for ".INC" is fully compliant with Specification 6, including section 1.2. EPP Standards are described and embodied in a number of IETF RFCs, ICANN contracts and practices, and registry-registrar agreements. Extensible Provisioning Protocol or EPP is defined by a core set of RFCs that standardize the interface that make up the registry-registrar model. The SRS interface supports EPP 1.0 as defined in the following RFCs shown in Table 24-1 attached.

Additional information on the EPP implementation and compliance with RFCs can be found in the response to Question 25.

24.2.16 Compliance with Specification 10

Specification 10 of the New TLD Agreement defines the performance specifications of the TLD, including service level requirements related to DNS, RDDS (WHOIS), and EPP. The requirements include both availability and transaction response time measurements. As an experienced registry operator, Neustar has a long and verifiable track record of providing registry services that consistently exceed the performance specifications stipulated in ICANN agreements. This same high level of service will be provided for the ".INC" Registry. The following section describes Neustar's experience and its capabilities to meet the requirements in the new agreement.

To properly measure the technical performance and progress of TLDs, Neustar collects data on key essential operating metrics. These measurements are key indicators of the performance and health of the registry. Neustar's current .biz SLA commitments are among the most stringent in the industry today, and exceed the requirements for new TLDs. Table 24-2 compares the current SRS performance levels compared to the requirements for new TLDs, and clearly demonstrates the ability of the SRS to exceed those requirements.

Their ability to commit and meet such high performance standards is a direct result of their philosophy towards operational excellence. See response to Question 31 for a full description of their philosophy for building and managing for performance.

24.3 Resourcing Plans

The development, customization, and on-going support of the SRS are the responsibility of a combination of technical and operational teams, including:

- Development/Engineering
- Database Administration
- Systems Administration
- Network Engineering.

Additionally, if customization or modifications are required, the Product Management and Quality Assurance teams will be involved in the design and testing. Finally, the Network Operations and Information Security play an important role in ensuring the systems involved are operating securely and reliably.

The necessary resources will be pulled from the pool of operational resources described in detail in the response to Question 31. Neustar's SRS implementation is very mature, and has been in production for over 10 years. As such, very little new development related to the SRS will be required for the implementation of the ".INC" registry. The following resources are available from those teams:

- Development/Engineering 19 employees
- Database Administration- 10 employees
- Systems Administration 24 employees

-Network Engineering 5 employees

The resources are more than adequate to support the SRS needs of all the TLDs operated by Neustar, including the ".INC" registry.

25. Extensible Provisioning Protocol (EPP)

25.1 Introduction

DOT Registry's back-end registry operator, Neustar, has over 10 years of experience operating EPP based registries. They deployed one of the first EPP registries in 2001 with the launch of .biz. In 2004, they were the first gTLD to implement EPP 1.0. Over the last ten years Neustar has implemented numerous extensions to meet various unique TLD requirements. Neustar will leverage its extensive experience to ensure DOT Registry is provided with an unparalleled EPP based registry. The following discussion explains the EPP interface which will be used for the ".INC" registry. This interface exists within the protocol farm layer as described in Question 24 and is depicted in Figure 25-1 attached.

25.2 EPP Interface

Registrars are provided with two different interfaces for interacting with the registry. Both are EPP based, and both contain all the functionality necessary to provision and manage domain names. The primary mechanism is an EPP interface to connect directly with the registry. This is the interface registrars will use for most of their interactions with the registry.

However, an alternative web GUI (Registry Administration Tool) that can also be used to perform EPP transactions will be provided. The primary use of the Registry Administration Tool is for performing administrative or customer support tasks.

The main features of the EPP implementation are:

-Standards Compliance: The EPP XML interface is compliant to the EPP RFCs. As future EPP RFCs are published or existing RFCs are updated, Neustar makes changes to the implementation keeping in mind of any backward compatibility issues.

-Scalability: The system is deployed keeping in mind that it may be required to grow and shrink the footprint of the Registry system for a particular TLD.

-Fault-tolerance: The EPP servers are deployed in two geographically separate data centers to provide for quick failover capability in case of a major outage in a particular data center. The EPP servers adhere to strict availability requirements defined in the SLAs.

-Configurability: The EPP extensions are built in a way that they can be easily configured to turn on or off for a particular TLD.

-Extensibility: The software is built ground up using object oriented design. This allows for easy extensibility of the software without risking the possibility of the change rippling through the whole application.

-Auditable: The system stores detailed information about EPP transactions from provisioning to DNS and WHOIS publishing. In case of a dispute regarding a name registration, the Registry can provide comprehensive audit information on EPP transactions.

-Security: The system provides IP address based access control, client credential-based authorization test, digital certificate exchange, and connection limiting to the protocol layer.

25.3 Compliance with RFCs and Specifications

The registry-registrar model is described and embodied in a number of IETF RFCs, ICANN contracts and practices, and registry-registrar agreements. As shown in Table 25-1 attached, EPP is defined by the core set of RFCs that standardize the interface that registrars use to provision domains with the SRS. As a core component of the SRS architecture, the implementation is fully compliant with all EPP RFCs.

Neustar ensures compliance with all RFCs through a variety of processes and procedures. Members from the engineering and standards teams actively monitor and participate in the development of RFCs that impact the registry services, including those related to EPP. When new RFCs are introduced or existing ones are updated, the team performs a full compliance review of each system impacted by the change. Furthermore, all code releases include a full regression test that includes specific test cases to verify RFC compliance.

Neustar has a long history of providing exceptional service that exceeds all performance specifications. The SRS and EPP interface have been designed to exceed the EPP specifications defined in Specification 10 of the Registry Agreement and profiled in Table 25-2 attached. Evidence of Neustar's ability to perform at these levels can be found in the .biz monthly progress reports found on the ICANN website.

25.3.1 EPP Toolkits

Toolkits, under open source licensing, are freely provided to registrars for interfacing with the SRS. Both Java and C++ toolkits will be provided, along with the accompanying documentation. The Registrar Tool Kit (RTK) is a software development kit (SDK) that supports the development of a registrar software system for registering domain names in the registry using EPP. The SDK consists of software and documentation as described below.

The software consists of working Java and C++ EPP common APIs and samples that implement the EPP core functions and EPP extensions used to communicate between the registry and registrar. The RTK illustrates how XML requests (registration events) can be assembled and forwarded to the registry for processing. The software provides the registrar with the basis for a reference implementation that conforms to the EPP registry-registrar protocol. The software component of the SDK also includes XML schema definition files for all Registry EPP objects and EPP object extensions. The RTK also includes a dummy server to aid in the testing of EPP clients.

The accompanying documentation describes the EPP software package hierarchy, the object data model, and the defined objects and methods (including calling parameter lists and expected response behavior). New versions of the RTK are made available from time to time to provide support for additional features as they become available and support for other platforms and languages.

25.4 Proprietary EPP Extensions

[Default Response]

The ".INC" registry will not include proprietary EPP extensions. Neustar has implemented various EPP extensions for both internal and external use in other TLD registries. These extensions use the standard EPP extension framework described in RFC 5730. Table 25-3 attached provides a list of extensions developed for other TLDs. Should the ".INC" registry require an EPP extension at some point in the future, the extension will be implemented in compliance with all RFC specifications including RFC 3735.

The full EPP schema to be used in the ".INC" registry is attached in the document titled EPP Schema Files.

25.5 Resourcing Plans

The development and support of EPP is largely the responsibility of the Development/Engineering and Quality Assurance teams. As an experience registry operator with a fully developed EPP solution, on-going support is largely limited to periodic updates to the standard and the implementation of TLD specific extensions.

The necessary resources will be pulled from the pool of available resources described in detail in the response to Question 31. The following resources are available from those teams:

-Development/Engineering 19 employees

-Quality Assurance - 7 employees.

These resources are more than adequate to support any EPP modification needs of the ".INC" registry.

26. Whois

DOT Registry, LLC recognizes the importance of an accurate, reliable, and up-to-date WHOIS database to governments, law enforcement, intellectual property holders, and the public as a whole, and is firmly committed to complying with all of the applicable WHOIS specifications for data objects, bulk access, and lookups as defined in Specifications 4 and 10 to the Registry Agreement and relevant RFCs.

DOT Registry, LLC's back-end registry services provider, Neustar, has extensive experience providing ICANN and RFC-compliant WHOIS services for each of the TLDs that it operates both as a Registry Operator for gTLDs, ccTLDs, and back-end registry services provider. As one of the first "thick" registry operators in the gTLD space, the WHOIS service provided by DOT Registry, LLC's registry services operator has been designed from the ground up to display as much information as required by ICANN and respond to a very stringent availability and performance requirement.

Some of the key features of DOT Registry, LLC's WHOIS services will include:

- Fully compliant with all relevant RFCs including 3912;
- Production proven, highly flexible, and scalable (DOT Registry, LLC's back-end registry services provider has a track record of 100% availability over the past 10 years);
- Exceeds current and proposed performance specifications;
- Supports dynamic updates with the capability of doing bulk updates;
- Geographically distributed sites to provide greater stability and performance; and
- Search capabilities (e.g., IDN, registrant data) that mitigate potential forms of abuse as discussed below.

DOT Registry, LLC's registry services operator will provide thick WHOIS services that are fully compliant with RFC 3912 and with Specifications 4 and 10 of the Registry Agreement.

DOT Registry, LLC's WHOIS service will support port 43 queries, and will be optimized for speed using an in-memory database and a master-slave architecture between SRS and WHOIS slaves. RFC 3912 is a simple text based protocol over TCP that describes the interaction between the server and client on port 43. DOT Registry, LLC's registry services operator currently processes millions of WHOIS queries per day.

In addition to the WHOIS Service on port 43, DOT Registry, LLC will provide a Web-based WHOIS application, which will be located at www.whois.inc. This WHOIS Web application will be an intuitive and easy to use application for the general public to use. The WHOIS Web application provides all of the features available in the port 43 WHOIS. This includes full and partial search on:

- Domain names
- Nameservers
- Registrant, Technical and Administrative Contacts
- Registrars

The WHOIS web application will also provide features not available on the port 43 service. These include:

- Extensive support for international domain names (IDN)
- Ability to perform WHOIS lookups on the actual Unicode IDN
- Display of the actual Unicode IDN in addition to the ACE-encoded name
- A Unicode to Punycode and Punycode to Unicode translator
- An extensive FAQ
- A list of upcoming domain deletions

DOT Registry, LLC will also provide a searchable web-based WHOIS service in accordance with Specification 4 Section 1.8 The application will enable users to search the WHOIS directory to find exact or partial matches using any one or more of the following fields:

- Domain name
- Contacts and registrant's name
- Contact and registrant's postal address, including all the sub-fields described in EPP (e.g., street, city, state or province, etc.)
- Registrar ID
- Name server name and IP address
- Internet Protocol addresses
- The system will also allow search using non-Latin character sets which are compliant with IDNA specification

The WHOIS user will be able to choose one or more search criteria, combine them by Boolean operators (AND, OR, NOT) and provide partial or exact match regular expressions for each of the criterion name-value pairs. The domain names matching the search criteria and their WHOIS information will quickly be returned to the user. In order to reduce abuse for this feature, only authorized users will have access to

the Whois search features after providing a username and password. DOT Registry, LLC will provide third party access to the bulk zone file in accordance with Specification 4, Section 2 of the Registry Agreement. Credentialing and dissemination of the zone files will be facilitated through the Central Zone Data Access Provider, which will make access to the zone files in bulk via FTP to any person or organization that signs and abides by a Zone File Access (ZFA) Agreement with the registry. Contracted gTLD registries will provide this access daily and at no charge.

DOT Registry, LLC will also provide ICANN and any emergency operators with up-to-date Registration Data on a weekly basis (the day to be designated by ICANN). Data will include data committed as of 00:00:00 UTC on the day previous to the one designated for retrieval by ICANN. The file(s) will be made available for download by SFTP, unless ICANN requests other means in the future.

DOT Registry, LLC's Legal Team consisting of 3 dedicated employees, will regularly monitor the registry service provider to ensure that they are providing the services as described above. This will entail random monthly testing of the WHOIS port 43 and Web-based services to ensure that they meet the ICANN Specifications and RFCs as outlined above, if not, to follow up with the registry services provider to ensure that they do. As the relevant WHOIS will only contain DOT Registry, LLC's information, DOT Registry, LLC's WHOIS services will necessarily be in compliance with any applicable privacy laws or policies.

27. Registration Life Cycle

27.1 Registration Life Cycle

27.1.1 Introduction

".INC" will follow the lifecycle and business rules found in the majority of gTLDs today. Our back-end operator, Neustar, has over ten years of experience managing numerous TLDs that utilize standard and unique business rules and lifecycles. This section describes the business rules, registration states, and the overall domain lifecycle that will be use for ".INC".

27.1.2 Domain Lifecycle - Description

The registry will use the EPP 1.0 standard for provisioning domain names, contacts and hosts. Each domain record is comprised of three registry object types: domain, contacts, and hosts.

Domains, contacts and hosts may be assigned various EPP defined statuses indicating either a particular state or restriction placed on the object. Some statuses may be applied by the Registrar; other statuses may only be applied by the Registry. Statuses are an integral part of the domain lifecycle and serve the dual purpose of

indicating the particular state of the domain and indicating any restrictions placed on the domain. The EPP standard defines 17 statuses, however only 14 of these statuses will be used in the ".INC" registry per the defined ".INC" business rules.

The following is a brief description of each of the statuses. Server statuses may only be applied by the Registry, and client statuses may be applied by the Registrar.

-OK Default status applied by the Registry.

-Inactive Default status applied by the Registry if the domain has less than 2 nameservers.

-PendingCreate Status applied by the Registry upon processing a successful Create command, and indicates further action is pending. This status will not be used in the ".INC" registry.

-PendingTransfer Status applied by the Registry upon processing a successful Transfer request command, and indicates further action is pending.

-PendingDelete Status applied by the Registry upon processing a successful Delete command that does not result in the immediate deletion of the domain, and indicates further action is pending.

-PendingRenew Status applied by the Registry upon processing a successful Renew command that does not result in the immediate renewal of the domain, and indicates further action is pending. This status will not be used in the ".INC" registry.

-PendingUpdate Status applied by the Registry if an additional action is expected to complete the update, and indicates further action is pending. This status will not be used in the ".INC" registry.

-Hold Removes the domain from the DNS zone.

-UpdateProhibited Prevents the object from being modified by an Update command.

-TransferProhibited Prevents the object from being transferred to another Registrar by the Transfer command.

-RenewProhibited Prevents a domain from being renewed by a Renew command.

-DeleteProhibited Prevents the object from being deleted by a Delete command.

The lifecycle of a domain begins with the registration of the domain. All registrations must follow the EPP standard, as well as the specific business rules described in the response to Question 18 above. Upon registration a domain will either be in an active or inactive state. Domains in an active state are delegated and have their delegation information published to the zone. Inactive domains either have no delegation information or their delegation information is not published in the zone. Following the initial registration of a domain, one of five actions may occur during its lifecycle:

- Domain may be updated
- Domain may be deleted, either within or after the add-grace period
- Domain may be renewed at anytime during the term
- Domain may be auto-renewed by the Registry
- Domain may be transferred to another registrar.

Each of these actions may result in a change in domain state. This is described in more detail in the following section. Every domain must eventually be renewed, auto-renewed, transferred, or deleted. A registrar may apply EPP statuses described above to prevent specific actions such as updates, renewals, transfers, or deletions.

27.2 Registration States

27.2.1 Domain Lifecycle Registration States

As described above the ".INC" registry will implement a standard domain lifecycle found in most gTLD registries today. There are five possible domain states:

- Active
- Inactive
- Locked
- Pending Transfer
- Pending Delete.

All domains are always in either an Active or Inactive state, and throughout the course of the lifecycle may also be in a Locked, Pending Transfer, and Pending Delete state. Specific conditions such as applied EPP policies and registry business rules will determine whether a domain can be transitioned between states. Additionally, within each state, domains may be subject to various timed events such as grace periods, and notification periods.

27.2.2 Active State

The active state is the normal state of a domain and indicates that delegation data has been provided and the delegation information is published in the zone. A domain in an Active state may also be in the Locked or Pending Transfer states.

27.2.3 Inactive State

The Inactive state indicates that a domain has not been delegated or that the delegation data has not been published to the zone. A domain in an Inactive state may also be in the Locked or Pending Transfer states. By default all domain in the Pending Delete state are also in the Inactive state.

27.2.4 Locked State

The Locked state indicates that certain specified EPP transactions may not be performed to the domain. A domain is considered to be in a Locked state if at least one restriction has been placed on the domain; however up to eight restrictions may be applied simultaneously. Domains in the Locked state will also be in the Active or Inactive, and under certain conditions may also be in the Pending Transfer or Pending Delete states.

27.2.5 Pending Transfer State

The Pending Transfer state indicates a condition in which there has been a request to transfer the domain from one registrar to another. The domain is placed in the Pending Transfer state for a period of time to allow the current (losing) registrar to approve (ack) or reject (nack) the transfer request. Registrars may only nack requests for reasons specified in the Inter-Registrar Transfer Policy.

27.2.6 Pending Delete State

The Pending Delete State occurs when a Delete command has been sent to the Registry after the first 5 days (120 hours) of registration. The Pending Delete period is 35-days during which the first 30-days the name enters the Redemption Grace Period (RGP) and the last 5-days guarantee that the domain will be purged from the Registry Database and available to public pool for registration on a first come, first serve basis.

27.3 Typical Registration Lifecycle Activities

27.3.1 Domain Creation Process

The creation (registration) of domain names is the fundamental registry operation. All other operations are designed to support or compliment a domain creation. The following steps occur when a domain is created.

1. Contact objects are created in the SRS database. The same contact object may be used for each contact type, or they may all be different. If the contacts already exist in the database this step may be skipped.
2. Nameservers are created in the SRS database. Nameservers are not required to complete the registration process; however any domain with less than 2 name servers will not be resolvable.
3. The domain is created using the each of the objects created in the previous steps. In addition, the term and any client statuses may be assigned at the time of creation.

The actual number of EPP transactions needed to complete the registration of a domain name can be as few as one and as many as 40. The latter assumes seven distinct contacts and 13 nameservers, with Check and Create commands submitted for each object.

27.3.2 Update Process

Registry objects may be updated (modified) using the EPP Modify operation. The Update transaction updates the attributes of the object.

For example, the Update operation on a domain name will only allow the following attributes to be updated:

-Domain statuses

-Registrant ID

- Administrative Contact ID
- Billing Contact ID
- Technical Contact ID
- Nameservers
- AuthInfo
- Additional Registrar provided fields.

The Update operation will not modify the details of the contacts. Rather it may be used to associate a different contact object (using the Contact ID) to the domain name. To update the details of the contact object the Update transaction must be applied to the contact itself. For example, if an existing registrant wished to update the postal address, the Registrar would use the Update command to modify the contact object, and not the domain object.

27.3.4 Renew Process

The term of a domain may be extended using the EPP Renew operation. ICANN policy general establishes the maximum term of a domain name to be 10 years, and Neustar recommends not deviating from this policy. A domain may be renewed/extended at any point time, even immediately following the initial registration. The only stipulation is that the overall term of the domain name may not exceed 10 years. If a Renew operation is performed with a term value will extend the domain beyond the 10 year limit, the Registry will reject the transaction entirely.

27.3.5 Transfer Process

The EPP Transfer command is used for several domain transfer related operations:

- Initiate a domain transfer
- Cancel a domain transfer
- Approve a domain transfer
- Reject a domain transfer.

To transfer a domain from one Registrar to another the following process is followed:

1. The gaining (new) Registrar submits a Transfer command, which includes the AuthInfo code of the domain name.
2. If the AuthInfo code is valid and the domain is not in a status that does not allow transfers the domain is placed into pendingTransfer status
3. A poll message notifying the losing Registrar of the pending transfer is sent to the Registrar's message queue
4. The domain remains in pendingTransfer status for up to 120 hours, or until the losing (current) Registrar Acks (approves) or Nack (rejects) the transfer request
5. If the losing Registrar has not Acked or Nacked the transfer request within the 120 hour timeframe, the Registry auto-approves the transfer
6. The requesting Registrar may cancel the original request up until the transfer has been completed.

A transfer adds an additional year to the term of the domain. In the event that a transfer will cause the domain to exceed the 10 year maximum term, the Registry will add a partial term up to the 10 year limit. Unlike with the Renew operation, the Registry will not reject a transfer operation.

27.3.6 Deletion Process

A domain may be deleted from the SRS using the EPP Delete operation. The Delete operation will result in either the domain being immediately removed from the database or the domain being placed in pendingDelete status. The outcome is dependent on when the domain is deleted. If the domain is deleted within the first five days (120 hours) of registration, the domain is immediately removed from the database. A deletion at any other time will result in the domain being placed in pendingDelete status and entering the Redemption Grace Period (RGP). Additionally, domains that are deleted within five days (120) hours of any billable (add, renew, transfer) transaction may be deleted for credit.

27.4 Applicable Time Elements

The following section explains the time elements that are involved.

27.4.1 Grace Periods

There are six grace periods:

- Add-Delete Grace Period (AGP)
- Renew-Delete Grace Period
- Transfer-Delete Grace Period
- Auto-Renew-Delete Grace Period
- Auto-Renew Grace Period
- Redemption Grace Period (RGP).

The first four grace periods listed above are designed to provide the Registrar with the ability to cancel a revenue transaction (add, renew, or transfer) within a certain period of time and receive a credit for the original transaction.

The following describes each of these grace periods in detail.

27.4.2 Add-Delete Grace Period

The APG is associated with the date the Domain was registered. Domains may be deleted for credit during the initial 120 hours of a registration, and the Registrar will receive a billing credit for the original registration. If the domain is deleted during the Add Grace Period, the domain is dropped from the database immediately and a credit is applied to the Registrar's billing account.

27.4.3 Renew-Delete Grace Period

The Renew-Delete Grace Period is associated with the date the Domain was renewed. Domains may be deleted for credit during the 120 hours after a renewal. The grace period is intended to allow Registrars to correct domains that were mistakenly renewed. It should be noted that domains that are deleted during the renew grace period will be placed into pendingDelete and will enter the RGP (see below).

27.4.4 Transfer-Delete Grace Period

The Transfer-Delete Grace Period is associated with the date the Domain was transferred to another Registrar. Domains may be deleted for credit during the 120 hours after a transfer. It should be noted that domains that are deleted during the renew grace period will be placed into pendingDelete and will enter the RGP. A deletion of domain after a transfer is not the method used to correct a transfer mistake. Domains that have been erroneously transferred or hijacked by another party can be transferred back to the original registrar through various means including contacting the Registry.

27.4.5 Auto-Renew-Delete Grace Period

The Auto-Renew-Delete Grace Period is associated with the date the Domain was auto-renewed. Domains may be deleted for credit during the 120 hours after an auto-renewal. The grace period is intended to allow Registrars to correct domains that were mistakenly auto-renewed. It should be noted that domains that are deleted during the auto-renew delete grace period will be placed into pendingDelete and will enter the RGP.

27.4.6 Auto-Renew Grace Period

The Auto-Renew Grace Period is a special grace period intended to provide registrants with an extra amount of time, beyond the expiration date, to renew their domain name. The grace period lasts for 45 days from the expiration date of the domain name. Registrars are not required to provide registrants with the full 45 days of the period.

27.4.7 Redemption Grace Period

The RGP is a special grace period that enables Registrars to restore domains that have been inadvertently deleted but are still in pendingDelete status within the Redemption Grace Period. All domains enter the RGP except those deleted during the AGP.

The RGP period is 30 days, during which time the domain may be restored using the EPP RenewDomain command as described below. Following the 30day RGP period the domain will remain in pendingDelete status for an additional five days, during which time

the domain may NOT be restored. The domain is released from the SRS, at the end of the 5 day non-restore period. A restore fee applies and is detailed in the Billing Section. A renewal fee will be automatically applied for any domain past expiration.

Neustar has created a unique restoration process that uses the EPP Renew transaction to restore the domain and fulfill all the reporting obligations required under ICANN policy. The following describes the restoration process.

27.5 State Diagram

Figure 27-1 attached provides a description of the registration lifecycle.

The different states of the lifecycle are active, inactive, locked, pending transfer, and pending delete. Please refer to section 27.2 for detailed descriptions of each of these states. The lines between the states represent triggers that transition a domain from one state to another.

The details of each trigger are described below:

-Create: Registry receives a create domain EPP command.

-WithNS: The domain has met the minimum number of nameservers required by registry policy in order to be published in the DNS zone.

-WithoutNS: The domain has not met the minimum number of nameservers required by registry policy. The domain will not be in the DNS zone.

-Remove Nameservers: Domain's nameserver(s) is removed as part of an update domain EPP command. The total nameserver is below the minimum number of nameservers required by registry policy in order to be published in the DNS zone.

-Add Nameservers: Nameserver(s) has been added to domain as part of an update domain EPP command. The total number of nameservers has met the minimum number of nameservers required by registry policy in order to be published in the DNS zone.

-Delete: Registry receives a delete domain EPP command.

-DeleteAfterGrace: Domain deletion does not fall within the add grace period.

-DeleteWithinAddGrace: Domain deletion falls within add grace period.

-Restore: Domain is restored. Domain goes back to its original state prior to the delete command.

-Transfer: Transfer request EPP command is received.

-Transfer Approve/Cancel/Reject: Transfer requested is approved or cancel or rejected.

-TransferProhibited: The domain is in clientTransferProhibited and/or serverTransferProhibited status. This will cause the transfer request to fail. The domain goes back to its original state.

-DeleteProhibited: The domain is in clientDeleteProhibited and/or serverDeleteProhibited status. This will cause the delete command to fail. The domain goes back to its original state.

Note: the locked state is not represented as a distinct state on the diagram as a domain may be in a locked state in combination with any of the other states: inactive, active, pending transfer, or pending delete.

27.5.1 EPP RFC Consistency

As described above, the domain lifecycle is determined by ICANN policy and the EPP RFCs. Neustar has been operating ICANN TLDs for the past 10 years consistent and compliant with all the ICANN policies and related EPP RFCs.

27.6 Resources

The registration lifecycle and associated business rules are largely determined by policy and business requirements; as such the Product Management and Policy teams will play a critical role in working Applicant to determine the precise rules that meet the requirements of the TLD. Implementation of the lifecycle rules will be the responsibility of Development/Engineering team, with testing performed by the Quality Assurance team. Neustar's SRS implementation is very flexible and configurable, and in many case development is not required to support business rule changes.

The ".INC" registry will be using standard lifecycle rules, and as such no customization is anticipated. However should modifications be required in the future, the necessary resources will be pulled from the pool of available resources described in detail in the response to Question 31. The following resources are available from those teams:

-Development/Engineering 19 employees

-Registry Product Management 4 employees

These resources are more than adequate to support the development needs of all the TLDs operated by Neustar, including the ".INC" registry.

28. Abuse Prevention and Mitigation

General Statement of Policy

Abuse within the registry will not be tolerated. DOT Registry will implement very strict policies and procedures to minimize abusive registrations and other activities that have a negative impact on Internet users. DOT Registry's homepages will provide clear contact information for its Abuse Team, and in accordance with ICANN policy DOT Registry shall host NIC.INC, providing access to .INC's WhoIs services, the Abuse Policy, and contact information for the Abuse Team.

Anti-Abuse Policy

DOT Registry will implement in its internal policies and its Registry-Registrar Agreements (RRAs) that all registered domain names in the TLD will be subject to a Domain Name Anti-Abuse Policy ("Abuse Policy").

The Abuse Policy will provide DOT Registry with broad power to suspend, cancel, or transfer domain names that violate the Abuse Policy. DOT Registry will publish the Abuse Policy on its home website at NIC.INC and clearly provide DOT Registry's Point of Contact ("Abuse Contact") and its contact information. This information shall consist of, at a minimum, a valid e-mail address dedicated solely to the handling of abuse complaints, and a telephone number and mailing address for the primary contact. DOT Registry will ensure that this information will be kept accurate and up to date and will be provided to ICANN if and when changes are made.

In addition, with respect to inquiries from ICANN-Accredited registrars, the Abuse Contact shall handle requests related to abusive domain name practices.

Inquiries addressed to the Abuse Contact will be routed to DOT Registry's Legal Team who will review and if applicable remedy any Complaint regarding an alleged violation of the Abuse Policy as described in more detail below. DOT Registry will catalog all abuse communications in its CRM software using a ticketing system that maintains records of all abuse complaints indefinitely. Moreover, DOT Registry shall only provide access to these records to third parties under limited circumstances, such as in response to a subpoena or other such court order or demonstrated official need by law enforcement.

The Abuse Policy will state, at a minimum, that DOT Registry reserves the right to deny, cancel, or transfer any registration or transaction, or place any domain name(s) on registry lock, hold, or similar status, that it deems necessary to ; (1) to protect the integrity and stability of the registry; (2) to comply with applicable laws, government rules or requirements, or court orders; (3) to avoid any liability, civil or criminal, on the part of DOT Registry, as well as its affiliates, subsidiaries, officers, directors, and employees; (4) to correct mistakes made by the DOT Registry, registry services provider, or any registrar in connection with a domain name registration; (5) during resolution of any dispute regarding the domain; and (6) if a Registrant's pre-authorization or payment fails; or (7) to prevent the

bad faith use of a domain name that is identical to a registered trademark and being used to confuse users.

The Abuse Policy will define the abusive use of domain names to include, but not be limited to, the following activities:

- Illegal or fraudulent actions: use of the DOT Registry's or Registrar's services to violate the laws or regulations of any country, state, or infringe upon the laws of any other jurisdiction, or in a manner that adversely affects the legal rights of any other person;
- Spam: use of electronic messaging systems from email addresses from domains in the TLD to send unsolicited bulk messages. The term applies to e-mail spam and similar abuses such as instant messaging spam, mobile messaging spam, and the spamming of Web sites and Internet forums;
- Trademark and Copyright Infringement: DOT Registry will take great care to ensure that trademark and copyright infringement does not occur within the .INC TLD. DOT Registry will employ notice and takedown procedures based on the provisions of the Digital Millennium Copyright Act (DMCA) ;
- Phishing: use of counterfeit Web pages within the TLD that are designed to trick recipients into divulging sensitive data such as usernames, passwords, or financial data;
- Pharming: redirecting of unknowing users to fraudulent Web sites or services, typically through DNS hijacking or poisoning;
- Willful distribution of malware: dissemination of software designed to infiltrate or damage a computer system without the owner's informed consent. Examples include, without limitation, computer viruses, worms, keyloggers, and trojan horses.
- Fast flux hosting: use of fast-flux techniques to disguise the location of Web sites or other Internet services, or to avoid detection and mitigation efforts, or to host illegal activities. Fast-flux techniques use DNS to frequently change the location on the Internet to which the domain name of an Internet host or name server resolves. Fast flux hosting may be used only with prior permission of DOT Registry;
- Botnet command and control: services run on a domain name that are used to control a collection of compromised computers or "zombies," or to direct denial-of-service attacks (DDoS attacks);
- Distribution of pornography;
- Illegal Access to Other Computers or Networks: illegally accessing computers, accounts, or networks belonging to another party, or attempting to penetrate security measures of another individual's system (often known as "hacking"). Also, any activity that might be used as a precursor to an attempted system penetration (e.g., port scan, stealth scan, or other information gathering activity);
- Domain Kiting/Tasting: registration of domain names to test their commercial viability before returning them during a Grace Period;
- High Volume Registrations/Surveying: registration of multiple domain names in order to warehouse them for sale or pay-per-click websites in a way that can impede DOT Registry from offering them to legitimate users or timely services to other subscribers;
- Geographic Name: registering a domain name that is identical to a Geographic Name, as defined by Specification 5 of the Registry Agreement;
- Inadequate Security: registering and using a domain name to host a website that collects third-party information but does not employ adequate security measures to protect third-party information in accordance with that geographic area's data and financial privacy laws;
- Front Running: registrars mining their own web and WhoIs traffic to obtain insider information with regard to high-value second-level domains, which the registrar will then register to itself or an affiliated third party for sale or to generate advertising revenue;

- WhoIs Accuracy: Intentionally inserting false or misleading Registrant information into the TLD's WhoIs database in connection with the bad faith registration and use of the domain in question;
- WhoIs Misuse: abusing access to the WhoIs database by using Registrant information for data mining purposes or other malicious purposes;
- Fake Renewal Notices; misusing WhoIs Registrant information to send bogus renewal notices to Registrants on file with the aim of causing the Registrant to spend unnecessary money or steal or redirect the domain at issue.

Domain Anti-Abuse Procedure

DOT Registry will provide a domain name anti-abuse procedure modeled after the DMCA's notice-and-takedown procedure.

At all times, DOT Registry will publish on its home website at NIC.INC the Abuse Policy and the contact information for the Abuse Contact. Inquiries addressed to the Point of Contact will be addressed to and received by DOT Registry's Legal Team who will review and if applicable remedy any Complaint regarding an alleged violation of the Abuse Policy. DOT Registry will catalog all abuse communications and provide them to third parties only under limited circumstances, such as in response to a subpoena or other such court order or demonstrated official need by law enforcement.

Any correspondence ("Complaint") from a complaining party ("Complainant") to the Abuse Contact will be ticketed in DOT Registry's CRM software and relayed to DOT Registry's Abuse Team. A member of DOT Registry's Abuse Team will then send an email to the Complainant within forty-eight (48) hours of receiving the Complaint confirming receipt of the email and that DOT Registry will notify the Complainant of the results of the Complaint within ten (10) days of receiving the Complaint.

DOT Registry's Abuse Team will review the Complaint and give it a "quick look" to see if the Complaint reasonably falls within an abusive use as defined by the Abuse Policy. If not, the Contact will write an email to the Complainant within thirty-six (36) hours of sending the confirmation email that the subject of the complaint clearly does not fall within one of the delineated abusive uses as defined by the Abuse Policy and that DOT Registry considers the matter closed.

If the quick look does not resolve the matter, DOT Registry's Abuse Team will give the Complaint a full review. Any Registrant that has been determined to be in violation of DOT Registry policies shall be notified of the violation of such policy and their options to cure the violation.

Such notification shall state:

- 1) the nature of the violation;
- 2) the proposed remedy to the violation;
- 3) the time frame to cure the violation; and
- 4) the Registry's options to take subsequent action if the Registrant does not cure the violation.

If an abusive use is determined DOT Registry's Abuse Team will alert its Registry services team to immediately cancel the resolution of the domain name. DOT Registry's Abuse Team will immediately notify the Registrant of the suspension of the domain name, the nature of the complaint, and provide the Registrant with the option to respond within ten (10) days or the domain will be canceled.

If the Registrant responds within ten (10) business days, its response will be reviewed by the DOT Registry's Abuse Team for further review. If DOT Registry's Abuse Team is satisfied by the Registrant's response that the use is not abusive, DOT Registry's Abuse Team will submit a request by the registry services provider to reactivate the domain name. DOT Registry's Abuse Team will then notify the Complainant that its complaint was ultimately denied and provide the reasons for the

denial. If the Registrant does not respond within ten (10) business days, DOT Registry will notify the registry services team to cancel the abusive domain name.

This Anti-Abuse Procedure will not prejudice either party's election to pursue another dispute mechanism, such as URS or UDRP.

With the resources of DOT Registry's registry services personnel, DOT Registry can meet its obligations under Section 2.8 of the Registry Agreement where required to take reasonable steps to investigate and respond to reports from law enforcement and governmental and quasi-governmental agencies of illegal conduct in connection with the use of its TLD. The Registry will respond to legitimate law enforcement inquiries within one (1) business day from receiving the request. Such response shall include, at a minimum, an acknowledgement of receipt of the request, questions, or comments concerning the request, and an outline of the next steps to be taken by Application for rapid resolution of the request.

In the event such request involves any of the activities which can be validated by DOT Registry and involves the type of activity set forth in the Abuse Policy, the sponsoring registrar is then given forty-eight (48) hours to investigate the activity further and either take down the domain name by placing the domain name on hold or by deleting the domain name in its entirety or providing a compelling argument to the registry to keep the name in the zone. If the registrar has not taken the requested action after the 48-hour period (i.e., is unresponsive to the request or refuses to take action), DOT Registry will place the domain on "serverHold".

Maintenance of Registration Criteria

If a Registrant previously awarded the ".INC" domain ceases to be registered with a Secretary of State or legally applicable jurisdiction, such Registrant will be required to forfeit the assigned ".INC" domain at their designated renewal date. If DOT Registry discovers that a Registrant wrongfully applied for and was awarded a ".INC" domain, then such ".INC" will be immediately forfeited to DOT Registry. If a Registrant previously awarded a ".INC" domain is dissolved and/or forfeited for any reason, then such ".INC" domain will be forfeited to DOT Registry at their designated renewal time; unless such Registrant takes all reasonable steps to become reinstated and such Registrant is reinstated within six months of being dissolved and/or forfeited.

If a Registrant previously awarded the ".INC" domain is administratively dissolved by the Secretary of State or legally applicable jurisdiction, then such ".INC" will be forfeited to DOT Registry at their designated renewal time, unless such Registrant is reinstated within six months of being administratively dissolved.

A Registrant's "Active" Status will be verified annually. Any Registrant not considered "Active" by the definition listed above in question 18 will be given a probationary warning, allowing time for the Registrant to restore itself to "Active" Status. If the Registrant is unable to restore itself to "Active" status within the defined probationary period, their previously assigned ".INC" will be forfeited. In addition, DOT Registry's definition of "Active" may change in accordance with the policies of the Secretaries of State.

Orphan Glue Removal

As the Security and Stability Advisory Committee of ICANN (SSAC) rightly acknowledges, although orphaned glue records may be used for abusive or malicious purposes, the "dominant use of orphaned glue supports the correct and ordinary operation of the DNS." See <http://www.icann.org/en/committees/security/sac048.pdf>.

While orphan glue often supports correct and ordinary operation of the DNS, we understand that such glue records can be used maliciously to point to name servers

that host domains used in illegal phishing, bot-nets, malware, and other abusive behaviors. Problems occur when the parent domain of the glue record is deleted but its children glue records still remain in the DNS. Therefore, when DOT Registry has written evidence of actual abuse of orphaned glue, DOT Registry will take action to remove those records from the zone to mitigate such malicious conduct.

DOT Registry's registry service operator will run a daily audit of entries in its DNS systems and compare those with its provisioning system. This serves as an umbrella protection to make sure that items in the DNS zone are valid. Any DNS record that shows up in the DNS zone but not in the provisioning system will be flagged for investigation and removed if necessary. This daily DNS audit serves to not only prevent orphaned hosts but also other records that should not be in the zone.

In addition, if either DOT Registry or its registry services operator becomes aware of actual abuse on orphaned glue after receiving written notification by a third party through its Abuse Contact or through its customer support, such glue records will be removed from the zone.

WhoIs Accuracy

DOT Registry will provide WhoIs accessibility in a reliable, consistent, and predictable fashion in order to promote Whois accuracy. The Registry will adhere to port 43 WhoIs Service Level Agreements (SLAs), which require that port 43 WHOIS service be highly accessible and fast.

DOT Registry will offer thick WhoIs services, in which all authoritative WhoIs data—including contact data—is maintained at the registry. DOT Registry will maintain timely, unrestricted, and public access to accurate and complete WhoIs information, including all data objects as specified in Specification 4. Moreover, prior to the release of any domain names, DOT Registry's registrar will provide DOT Registry with an authorization code to verify eligible Registrants provide accurate Registrant contact information.

In order to further promote WhoIs accuracy, DOT Registry will offer a mechanism whereby third parties can submit complaints directly to the DOT Registry (as opposed to ICANN or the sponsoring Registrar) about inaccurate or incomplete WhoIs data. Such information shall be forwarded to the registrar, who shall be required to address those complaints with their Registrants. Thirty days after forwarding the complaint to the registrar, DOT Registry will examine the current WhoIs data for names that were alleged to be inaccurate to determine if the information was corrected, the domain name was deleted, or there was some other disposition. If the registrar has failed to take any action, or it is clear that the Registrant was either unwilling or unable to correct the inaccuracies, DOT Registry reserves the right to cancel or suspend the applicable domain name(s) should DOT Registry determine that the domains are being used in a manner contrary to DOT Registry's abuse policy.

DOT Registry shall also require authentication and verification of all Registrant data. DOT Registry shall verify the certificates of incorporation, whether a corporation is in active status, contact information, e-mail address, and, to the best of its abilities, determine whether address information supplied is accurate. Second-level domains in the TLD shall not be operational unless two (2) out of three (3) of the above authentication methods have been satisfied.

With regard to registrars, DOT Registry shall provide financial incentives for pre-authentication of Registrant data prior to such data being passed to the registry. DOT Registry will provide for lower renewal and bulk registration fees in its RRAs

for registrations which have been pre-authenticated and which DOT Registry can rely on as accurate data to be entered into its WhoIs database.

DOT Registry will also maintain historical databases of Registrants and associated information which have provided inaccurate WhoIs information. DOT Registry will endeavor to use this database to uncover patterns of suspicious registrations which DOT Registry shall then flag for further authentication or for review of the Registrant's use of the domain in question to ensure Registrant's use is consonant with DOT Registry's abuse policy.

In addition, DOT Registry's Abuse Team shall on its own initiative, no less than twice per year, perform a manual review of a random sampling of domain names within the applied-for TLD to test the accuracy of the WhoIs information. Although this will not include verifying the actual information in the WHOIS record, DOT Registry will be examining the WHOIS data for prima facie evidence of inaccuracies. In the event that such evidence exists, it shall be forwarded to the registrar, who shall be required to address those complaints with their Registrants. Thirty days after forwarding the complaint to the registrar, the DOT Registry will examine the current WhoIs data for names that were alleged to be inaccurate to determine if the information was corrected, the domain name was deleted, or there was some other disposition. If the registrar has failed to take any action, or it is clear that the Registrant was either unwilling or unable to correct the inaccuracies, DOT Registry reserves the right to suspend the applicable domain name(s) should DOT Registry determine that the Registrant is using the domain in question in a manner contrary to DOT Registry's abuse policy. DOT Registry shall also reserve the right to report such recalcitrant registrar activities directly to ICANN.

Abuse Prevention and Mitigation - Domain Name Access

All domain name Registrants will have adequate controls to ensure proper access to domain functions.

In addition to the above, all domain name Registrants in the applied-for TLD will be required to name at least two (2) unique points of contact who are authorized to request and/or approve update, transfer, and deletion requests. The points of contact must establish strong passwords with the registrar that must be authenticated before a point of contact will be allowed to process updates, transfer, and deletion requests. Once a process update, transfer, or deletion request is entered, the points of contact will automatically be notified when a domain has been updated, transferred, or deleted through an automated system run by DOT Registry's registrar. Authentication of modified Registrant information shall be accomplished 48 Hours.

29. Rights Protection Mechanisms

DOT Registry is committed to implementing strong and integrated Rights Protection Mechanisms (RPM). Use of domain names that infringe upon the legal rights of others in the TLD will not be tolerated. The nature of such uses creates security and stability issues for the registry, registrars, and registrants, as well as for users of the Internet in general. DOT Registry will protect the legal rights of others by implementing RPMs and anti-abuse policies backed by robust responsiveness to complaints and requirements of DOT Registry's registrars.

Trademark Clearinghouse

Each new gTLD Registry will be required to implement support for, and interaction with, the Trademark Clearinghouse ("Clearinghouse"). The Clearinghouse is intended to serve as a central repository for information to be authenticated, stored, and disseminated pertaining to the rights of trademark holders. The data maintained in the Clearinghouse will support and facilitate other RPMs, including the mandatory Sunrise Period and Trademark Claims service.

Utilizing the Clearinghouse, all operators of new gTLDs must offer: (i) a Sunrise registration service for at least 30 days during the pre-launch phase giving eligible trademark owners an early opportunity to register second-level domains in new gTLDs; and (ii) a Trademark Claims Service for at least the first 60 days that second-level registrations are open. The Trademark Claims Service is intended to provide clear notice to a potential registrant of the rights of a trademark owner whose trademark is registered in the Clearinghouse.

Sunrise A Period

DOT Registry will offer segmented Sunrise Periods. The initial Sunrise Period will last [minimum 30 days] for owners of trademarks listed in the Clearinghouse to register domain names that consist of an identical match of their listed trademarks. All domain names registered during the Sunrise Period will be subject to DOT Registry's domain name registration policy, namely, that all registrants be validly registered corporations and all applied-for domains will only be awarded the ".INC" domain that matches or includes a substantial part of the Registrant's legal name. DOT Registry will assign its Rights Protection Team; which is lead by our Director of Legal and Policy and further supported by two dedicated employees to receive and authenticate all Sunrise Registrations.

DOT Registry's registrar will ensure that all Sunrise Registrants meet sunrise eligibility requirements (SERs), which will be verified by Clearinghouse data. The proposed SERs include: (i) ownership of a mark that is (a) nationally or regionally registered and for which proof of use, such as a declaration and a single specimen of current use - was submitted to, and validated by, the Trademark Clearinghouse; or (b) that have been court-validated; or (c) that are specifically protected by a statute or treaty currently in effect and that was in effect on or before 26 June 2008, (ii) optional registry elected requirements concerning international classes of goods or services covered by registration; (iii) representation that all provided information is true and correct; and (iv) provision of data sufficient to document rights in the trademark.

Upon receipt of the Sunrise application, DOT Registry will issue a unique tracking number to the Registrar, which will correspond to that particular application. All applications will receive tracking numbers regardless of whether they are complete. Applications received during the Sunrise period will be accepted on a first-come, first-served basis and must be active corporations in good standing before they may be awarded the requested domain, or able to proceed to auction. Upon submission of all of the required information and documentation, registrar will forward the information to DOT Registry's [RPM Team] for authentication. DOT Registry's [RPM Team] will review the information and documentation and verify the trademark information, and notify the potential registrant of any deficiencies. If a registrant does not cure any trademark-related deficiencies and/or respond by the means listed within one (1) week, DOT Registry will notify its registrar and the domain name will be released for registration.

DOT Registry will incorporate a Sunrise Dispute Resolution Policy (SDRP). The SDRP will allow challenges to Sunrise Registrations by third parties for a ten-day period

after acceptance of the registration based on the following four grounds: (i) at time the challenged domain name was registered, the registrant did not hold a trademark registration of national effect (or regional effect) or the trademark had not been court-validated or protected by statute or treaty; (ii) the domain name is not identical to the mark on which the registrant based its Sunrise registration; (iii) the trademark registration on which the registrant based its Sunrise registration is not of national or regional effect or the trademark had not been court-validated or protected by statute or treaty; or (iv) the trademark registration on which the domain name registrant based its Sunrise registration did not issue on or before the effective date of the Registry Agreement and was not applied for on or before ICANN announced the applications received.

After receiving a Sunrise Complaint, DOT Registry's [RPM Team] will review the Complaint to see if the Complaint reasonably asserts a legitimate challenge as defined by the SDRP. If not, DOT Registry's [RPM Team] will send an email to the Complainant within thirty-six (36) hours of sending the confirmation email that the subject of the complaint clearly does not fall within one of the delineated grounds as defined by the SDRP and that DOT Registry considers the matter closed.

If the domain name is not found to have adequately met the SERs, DOT Registry's [RPM Team] will alert the registrar and registry services provider to immediately suspend the resolution of the domain name. Thereafter, DOT Registry's [RPM Team] will immediately notify the Sunrise Registrant of the suspension of the domain name, the nature of the complaint, and provide the registrant with the option to respond within ten (10) days to cure the SER deficiencies or the domain name will be canceled.

If the registrant responds within ten (10) business days, its response will be reviewed by DOT Registry's [RPM Team] to determine if the SERs are met. If DOT Registry's [RPM Team] is satisfied by the registrant's response, DOT Registry's [RPM Team] will submit a request to the registrar and the registry services provider to unsuspend the domain name. DOT Registry's [RPM Team] will then notify the Complainant that its complaint was ultimately denied and provide the reasons for the denial.

Names secured as described through the Sunrise AT/AD processes will result in the registration of resolving domain names at the registry. Names reserved through the Sunrise B process will not result in resolving domain name at DOT Registry. Rather, these names will be reserved and blocked from live use. The applied for string will resolve to an informational page informing visitors that the name is unavailable for registration and reserved from use.

Applications that fit the following criteria will be considered during the Sunrise A period: Applicant owns and operates an existing domain name in another gTLD or ccTLD, in connection with eligible commerce and satisfies the registration requirements described in Section 1.

Sunrise B

Applications that fit the following criteria will be considered during the Sunrise B period:

- a) Applicant holds valid trademark registrations or owns rights to a particular name and wishes to block the use of such name.
 - b) The Applicant must seek to block a name that corresponds to the entire text of its trademark or the complete textual component of a graphical or compound trademark. Certain variances are permitted for trademarks containing spaces or special characters that are not available for domain names.
- Any entity, applying for blocks under Sunrise Bas a non-member of the sponsored community cannot apply for names in the TLD.

Founder's Program

Applications for the Founder's Program will be accepted after the close of the Sunrise Periods. Potential registrants should understand that certain expectations, as described herein will accompany the issuance of a domain name under the Founder's Program and all registrations resulting from this program will be required to follow the below listed guidelines, which will be further described in their Program Agreement:

- a) Registrants awarded a domain through the Founder's Program must use their best efforts to launch a ".INC" website within 30 days of signing the Program Agreement.
- b) In addition, each registrant will be required to issue a press release announcing the launch of their ".INC" Founder Website, concurrent with the launch of their .INC Founder Website, said press release must be approved by DOT Registry;
- c) Founder's websites should be kept good working order, with unique, meaningful content, user-friendly interfaces, and broad user appeal, for the duration of the License Term,
- d) Founders are expected to proactively market and promote ".INC" gTLD in a manner that is likely to produce widespread awareness of the unique advantages gained through the ".INC" string.
- e) Founders are expected to participate in reasonable joint marketing initiatives with DOT Registry or its Agents, these would be discussed and mutually agreed upon, given the unique circumstances of each marketing venture.
- f) Founders will allow DOT Registry to use in good faith Founder's name, likeness, trademarks, logos, and Application contents (other than Confidential Information,) as well as other Founder information and content as may be mutually agreed, in DOT Registry's marketing, promotional and communications materials. DOT Registry will randomly verify compliance of the above listed expectations and have the right to revoke any Founder's site, should they be deemed non-compliant.

Additionally, DOT Registry may suspend or delete a Founder's site without prior notice to the Registrar or Registrant if the Founder's site is deemed in violation of any of DOT Registry's registration guidelines or policies.

Registrants participating in the Founders program will receive 25% off their initial registration fees, additional discounts may be offered to founders at the time of renewal, should DOT Registry choose to offer additional discounts to founders or term extensions (not to exceed 5 years) DOT Registry will seek advance approval from ICANN via the specified channels.

Landrush

Landrush is a limited time opportunity for companies that want to secure a high value ".INC" name for a small fee (above the basic registration cost). The landrush period will last 30 days. Applications will be accepted and evaluated to determine if they meet the requirements for registration. At the end of the Landrush period domain names with only one application will be awarded directly to the Applicant. Domain names with two or more applications will proceed to a closed mini auction, between the respective Applicants, where the highest bidder wins.

General Availability Period

Applicants must meet registration requirements.

Names will be awarded on a first-come, first serve basis which is determined as of the time of the initial request, not when authentication occurs.

Domain Name Contentions

Name contentions will arise when both a Sunrise A and Sunrise B application are submitted for the same name, the following actions will be taken to resolve the contention.

- a) Both Applicants will be notified of the contention and the Sunrise A Applicants will be given first right to either register their requested domain or withdraw their application. Since ".INC" is a sponsored community domain for registered Corporations, a domain applied for under Sunrise A will, all else being equal, receive priority over the identical domain applied for under Sunrise B. Sunrise A names get priority over Sunrise B names.
- b) If the Sunrise A Applicant chooses to register their name regardless of the contention, then the Sunrise B Applicant may choose to pursue further action independently of DOT Registry to contest the name.
- c) If two Sunrise A Applicants apply for the same domain name (i.e., Delta Airlines and Delta Faucet both seek to be awarded the use of DELTA.INC) then DOT Registry will notify both Applicants of the contention and proceed to an auction process as described in Section 9.
- d) If a Sunrise A Applicant and a Landrush Applicant apply for the same domain name, the Sunrise A Applicant, all else being equal will have priority over the Landrush Applicant.
- e) If two Sunrise B Applicants apply for the same domain name (i.e., Delta Airlines and Delta Faucet, both seek to block the use of DELTA.INC), then DOT Registry will accept both applications as valid and block the use of the indicated domain.

Appeal of Rejected Sunrise Applications

An Applicant can file a request for reconsideration within 10 days of the notification of DOT Registry's rejection. Reconsideration can be requested by completing a reconsideration form and filing a reconsideration fee with DOT Registry. Forms, fee information, and process documentation will be available on the DOT Registry website. Upon receipt of the reconsideration form and the corresponding fee, DOT Registry or its Agents will re-examine the application, and notify the Registrant of all findings or additional information needed. The Request for Reconsideration must be submitted through the Registrant's registrar, and a reconsideration fee must be paid to DOT Registry.

Auctions

Sunrise A names found to be in contention as described above will result in Auction. DOT Registry plans to have a qualified third party conduct our auction processes, therefore the rules contained in this document are subject to change based on the selection of an auctioneer:

- a) When your auction account is created, it will be assigned a unique bidder alias in order to ensure confidential bidding. The bidder alias will not reflect any information about your account. You may change your bidder alias to a name of your choosing but once set, it cannot be changed again.
- b) All auction participants are expected to keep their account information current, throughout the auction process.
- c) Auction participants will receive up to date communication from the auctioneer as the auction progresses, bidding status changes, or issues arise.
- d) Bidding
 - i) Auctions will follow a standard process flow: scheduled (upcoming), open and closed.
 - ii) You will receive an "Auction Scheduled" notice at least ten (10) days prior to the scheduled auction start date. You will receive an "Auction Start" notice on the auction start date, which will indicate that you may begin placing bids through the interface. Once closed, the auction is complete and if you are the winning bidder, you will proceed to the payment process.
 - iii) If you choose to bid for a particular domain and you are the highest bidder at the end of an auction, you are obligated to complete the transaction and pay the Auctioneer the amount of your winning bid. Carefully consider your bids prior to placing them - bids are not retractable under any circumstances.

- iv) If no bids are placed on a particular domain, the Registry will register the domain on behalf of the first customer (in the respective phase) to submit an application through a registrar.
- e) Extensions
- i) A normal auction period is anticipated to last a minimum of 7 (seven) days. However, in the event of significant auction activity, an auction close may extend during the last twenty-four (24) hours of scheduled operation to better need the volume of the auction.
- ii) Auction extensions are meant to provide a mechanism that is fair for bidders in all time zones to respond to being outbid.
- iii) An auction extension will occur whenever the auction lead changes in the last twenty four (24) hours of the schedule of an auction. The close will be revised to reflect a new closing time set at twenty four (24) hours after the change in auction lead occurred. Essentially, this means that a winning maximum bid has to remain unchallenged for a period of twenty four (24) hours before the auction will close.
- iv) It is important to note that extensions are not simply based on the auction value changing since this could occur as a result of proxy bidding where the same bidder retains their lead. In this case, the maximum bid has not changed, the leader has not changed and therefore no extension will occur.
- f) Payment Default

In the event that you as the winning bidder decide not to honor your payment obligations (or in the event of a reversal of payment or a charge back by a credit card company or other payment provider) on any outstanding balance, the Registry has the right to cancel any/all of your winning registrations for any .INC domain name, regardless of whether they have been paid for or not. You do not have the right to "pick and choose" the names you wish to keep or not keep. Winning an auction creates an obligation to remit payment. Failure to remit payment is a breach of your agreement. You will lose any previously won domains and will no longer be allowed to bid on any current or future auctions sponsored by DOT Registry. Participants are encouraged therefore to consider carefully each bid submitted as any bid could be a winning bid.

Trademark Claims Service

DOT Registry will offer a Trademark Claims Service indefinitely to provide maximum protection and value to rights holders. The Trademark Claims Service will be monitored and operated by DOT Registry's RPM Team that will receive all communications regarding the Trademark Claims Service and catalog them. DOT Registry's registrar will review all domain name requests to determine if they are an identical match of a trademark filed with the Trademark Clearinghouse. A domain name will be considered an identical match when the domain name consists of the complete and identical textual elements of the mark, and includes domain names where (a) spaces contained within a mark that are either replaced by hyphens (and vice versa) or omitted; (b) certain special characters contained within a trademark are spelled out with appropriate words describing it (e.g., @ and &); and (c) punctuation or special characters contained within a mark that are unable to be used in a second-level domain name are either (i) omitted or (ii) replaced by spaces, hyphens or underscores. Domain names that are plural forms of a mark, or that merely contain a mark, will not qualify as an identical match.

If the registrar determines that a prospective domain name registration is identical to a mark registered in the Trademark Clearinghouse, the registrar will be required to email a "Trademark Claims Notice" (Notice) in English to the protective registrant of the domain name and copy DOT Registry's RPM Team. The Notice will provide the prospective registrant information regarding the trademark referenced in the Trademark Claims Notice to enhance understanding of the Trademark rights being claimed by the trademark holder. The Notice will be provided in real time without

cost to the prospective registrant.

After receiving the notice, the registrar will provide the prospective registrant five (5) days to reply to the Trademark Claims Service with a signed document that specifically warrants that: (i) the prospective registrant has received notification that the mark is included in the Clearinghouse; (ii) the prospective registrant has received and understood the notice; and (iii) to the best of the prospective registrant's knowledge the registration and use of the requested domain name will not infringe on the rights that are the subject of the notice. If the warranty document satisfies these requirements, the registrar will effectuate the registration and notify DOT Registry's RPM Team.

After the effectuation of a registration that is identical to a mark listed in the Trademark Clearinghouse, the registrar will provide clear notice to the trademark owner consisting of the domain name that has been registered and copy DOT Registry's RPM Team. The trademark owner then has the option of filing a Complaint under the Uniform Domain Name Dispute Resolution Policy (UDRP) or the Uniform Rapid Suspension System (URS).

Uniform Rapid Suspension System (URS)

DOT Registry will specify in the Registry Agreement, all RRAs, and all Registration Agreements used in connection with the TLD that it and its registrars will abide by all decisions made by panels in accordance with the Uniform Rapid Suspension System (URS). DOT Registry's RPM Team will receive all URS Complaints and decisions, and will notify its registrar to suspend all registrations determined by a URS panel to be infringing within a commercially reasonable time of receiving the decision. DOT Registry's RPM Team will catalog all abuse communications, but only provide them to third-parties under limited circumstances, such as in response to a subpoena or other such court order or demonstrated official need by law enforcement.

Uniform Domain Name Dispute Resolution Policy (UDRP)

DOT Registry will specify in the Registry Agreement, all Registry-Registrar Agreements, and Registration Agreements used in connection with the TLD that it will promptly abide by all decisions made by panels in accordance with the Uniform Domain Name Dispute Resolution Policy (UDRP). DOT Registry's RPM Team will receive all UDRP Complaints and decisions, and will notify its registrar to cancel or transfer all registrations determined to be infringing within ten (10) business days of receiving the decision. DOT Registry's [RPM Team] will catalog all abuse communications, but only provide them to third-parties under limited circumstances, such as in response to a subpoena or other such court order or demonstrated official need by law enforcement.

Proven Registrars

In order to reduce abusive registrations and other activities that affect the legal rights of others, DOT Registry will only contract with ICANN-accredited registrars. The registrar, according to the RRA, will not be able to register any domain names, thus eliminating the possibility of front-running.

Pre-Authorization and Authentication

Registrant authentication shall occur in accordance with the registration eligibility criteria and the Anti-Abuse Policy for .INC as set forth in Question 28.

The verification process is designed to prevent a prospective registrant from

providing inaccurate or incomplete data, such that, if necessary, the registrant can be readily contacted regarding an infringing use of its site; indeed, the process (including verification of a registrant's certificate of incorporation) is designed to ensure that only qualified members of the community are permitted to register in the TLD.

DOT Registry will not permit registrants to use proxy services.

Thick WhoIs

DOT Registry will include a thick WhoIs database as required in Specification 4 of the Registry agreement. A thick WhoIs provides numerous advantages including a centralized location of registrant information, the ability to more easily manage and control the accuracy of data, and a consistent user experience.

Grace Period

If a Registrant previously awarded a ".INC" domain is dissolved and/or forfeited for any reason, then such ".INC" domain will be forfeited to DOT Registry at their designated renewal time; unless such Registrant takes all reasonable steps to become reinstated and such Registrant is reinstated within six months of being dissolved and/or forfeited.

If a Registrant previously awarded the ".INC" domain is administratively dissolved by the Secretary of State or legally applicable jurisdiction, then such ".INC" will be forfeited to DOT Registry at their designated renewal time, unless such Registrant is reinstated within six months of being administratively dissolved.

Takedown Procedure

DOT Registry will provide a Takedown Procedure modeled after the Digital Millennium Copyright Act's notice-and-takedown procedure.

At all times, DOT Registry will publish on its home website at NIC.INC contact information for receiving rights protection complaints (Complaint) from rights holders, including but not limited to trademark and copyright Complaints. Complaints will be addressed to and received by DOT Registry's RPM Team who will catalogue and ticket in DOT Registry's CRM software and review as outlined herein. DOT Registry will catalog all rights protection communications and only provide them to third parties under limited circumstances, such as in response to a subpoena or other such court order or demonstrated official need by law enforcement.

Any Complaint from a rights holder will be relayed to DOT Registry's RPM Team. A member of DOT Registry's RPM Team will then send an email to the Complainant within forty-eight (48) hours of receiving the Complaint confirming receipt of the email, and that DOT Registry will notify the Complainant of the results of the Complaint within (10) days of receiving the Complaint.

After sending the confirmation email, DOT Registry's RPM Team will review the Complaint. If DOT Registry or its registrar determines that the registration was in bad faith, DOT Registry or its registrar may cancel or suspend the resolution of the domain name. Bad faith registration includes, but is not limited to, the registration of a domain identical to a registered trademark where the registrant has proceeded with registration after receipt of a Clearinghouse notice, as described above.

If the registrant responds within ten (10) business days, its response will be

reviewed by the DOT Registry's RPM Team. If DOT Registry's RPM Team is satisfied by the registrant's response that the content has been taken down or is not infringing, DOT Registry's RPM Team will unsuspend the domain name. DOT Registry's RPM Team will then notify the Complainant that its complaint was ultimately denied and provide the reasons for the denial. If the registrant does not respond within ten (10) business days, DOT Registry or its registrar may cancel or suspend the resolution of the domain name.

This Takedown Procedure will not prejudice any party's election to pursue another dispute mechanism, such as URS or UDRP, as set forth in DOT Registry's response to Question 28.

30(a). Security Policy: Summary of the security policy for the proposed registry

30.(a).1 Security Policies

DOT Registry and our back-end operator, Neustar recognize the vital need to secure the systems and the integrity of the data in commercial solutions. The ".INC" registry solution will leverage industry-best security practices including the consideration of physical, network, server, and application elements.

Neustar's approach to information security starts with comprehensive information security policies. These are based on the industry best practices for security including SANS (SysAdmin, Audit, Network, Security) Institute, NIST (National Institute of Standards and Technology), and CIS (Center for Internet Security). Policies are reviewed annually by Neustar's information security team.

The following is a summary of the security policies that will be used in the ".INC" registry, including:

1. Summary of the security policies used in the registry operations
2. Description of independent security assessments
3. Description of security features that are appropriate for ".INC"
4. List of commitments made to registrants regarding security levels

All of the security policies and levels described in this section are appropriate for the ".INC" registry.

30.(a).2 Summary of Security Policies

Neustar has developed a comprehensive Information Security Program in order to create effective administrative, technical, and physical safeguards for the protection of its information assets, and to comply with Neustar's obligations under applicable law, regulations, and contracts. This Program establishes Neustar's policies for accessing, collecting, storing, using, transmitting, and protecting electronic, paper, and other records containing sensitive information.

-The policies for internal users and our clients to ensure the safe, organized and fair use of information resources.

-The rights that can be expected with that use.

-The standards that must be met to effectively comply with policy.

-The responsibilities of the owners, maintainers, and users of Neustar's information resources.

-Rules and principles used at Neustar to approach information security issues

The following policies are included in the Program:

1. Acceptable Use Policy

The Acceptable Use Policy provides the rules of behavior covering all Neustar Associates for using Neustar resources or accessing sensitive information.

2. Information Risk Management Policy

The Information Risk Management Policy describes the requirements for the on-going information security risk management program, including defining roles and responsibilities for conducting and evaluating risk assessments, assessments of technologies used to provide information security and monitoring procedures used to measure policy compliance.

3. Data Protection Policy

The Data Protection Policy provides the requirements for creating, storing, transmitting, disclosing, and disposing of sensitive information, including data classification and labeling requirements, the requirements for data retention. Encryption and related technologies such as digital certificates are also covered under this policy.

4. Third Party Policy

The Third Party Policy provides the requirements for handling service provider contracts, including specifically the vetting process, required contract reviews, and on-going monitoring of service providers for policy compliance.

5. Security Awareness and Training Policy

The Security Awareness and Training Policy provide the requirements for managing the on-going awareness and training program at Neustar. This includes awareness and training activities provided to all Neustar Associates.

6. Incident Response Policy

The Incident Response Policy provides the requirements for reacting to reports of potential security policy violations. This policy defines the necessary steps for identifying and reporting security incidents, remediation of problems, and conducting lessons learned post-mortem reviews in order to provide feedback on the effectiveness of this Program. Additionally, this policy contains the requirement for reporting data security breaches to the appropriate authorities and to the public, as required by law, contractual requirements, or regulatory bodies.

7. Physical and Environmental Controls Policy

The Physical and Environment Controls Policy provides the requirements for securely storing sensitive information and the supporting information technology equipment and infrastructure. This policy includes details on the storage of paper records as well as access to computer systems and equipment locations by authorized personnel and visitors.

8. Privacy Policy

Neustar supports the right to privacy, including the rights of individuals to control the dissemination and use of personal data that describes them, their personal choices, or life experiences. Neustar supports domestic and international laws and regulations that seek to protect the privacy rights of such individuals.

9. Identity and Access Management Policy

The Identity and Access Management Policy covers user accounts (login ID naming convention, assignment, authoritative source) as well as ID lifecycle (request, approval, creation, use, suspension, deletion, review), including provisions for system/application accounts, shared/group accounts, guest/public accounts, temporary/emergency accounts, administrative access, and remote access. This policy also includes the user password policy requirements.

10. Network Security Policy

The Network Security Policy covers aspects of Neustar network infrastructure and the technical controls in place to prevent and detect security policy violations.

11. Platform Security Policy

The Platform Security Policy covers the requirements for configuration management of servers, shared systems, applications, databases, middle-ware, and desktops and laptops owned or operated by Neustar Associates.

12. Mobile Device Security Policy

The Mobile Device Policy covers the requirements specific to mobile devices with information storage or processing capabilities. This policy includes laptop standards, as well as requirements for PDAs, mobile phones, digital cameras and music players, and any other removable device capable of transmitting, processing or storing information.

13. Vulnerability and Threat Management Policy

The Vulnerability and Threat Management Policy provides the requirements for patch management, vulnerability scanning, penetration testing, threat management (modeling and monitoring) and the appropriate ties to the Risk Management Policy.

14. Monitoring and Audit Policy

The Monitoring and Audit Policy covers the details regarding which types of computer events to record, how to maintain the logs, and the roles and responsibilities for how to review, monitor, and respond to log information. This policy also includes the requirements for backup, archival, reporting, forensics use, and retention of audit logs.

15. Project and System Development and Maintenance Policy

The System Development and Maintenance Policy covers the minimum security requirements for all software, application, and system development performed by or on behalf of Neustar and the minimum security requirements for maintaining information systems.

30.(a).3 Independent Assessment Reports

Neustar IT Operations is subject to yearly Sarbanes-Oxley (SOX), Statement on Auditing Standards #70 (SAS70) and ISO audits. Testing of controls implemented by Neustar management in the areas of access to programs and data, change management and IT Operations are subject to testing by both internal and external SOX and SAS70 audit groups. Audit Findings are communicated to process owners, Quality Management Group and Executive Management. Actions are taken to make process adjustments where required and remediation of issues is monitored by internal audit and QM groups.

External Penetration Test is conducted by a third party on a yearly basis. As authorized by Neustar, the third party performs an external Penetration Test to review potential security weaknesses of network devices and hosts and demonstrate the impact to the environment. The assessment is conducted remotely from the Internet with testing divided into four phases:

- A network survey is performed in order to gain a better knowledge of the network that was being tested
- Vulnerability scanning is initiated with all the hosts that are discovered in the previous phase
- Identification of key systems for further exploitation is conducted
- Exploitation of the identified systems is attempted.

Each phase of the audit is supported by detailed documentation of audit procedures and results. Identified vulnerabilities are classified as high, medium and low risk to facilitate management's prioritization of remediation efforts. Tactical and strategic recommendations are provided to management supported by reference to industry best practices.

30.(a).4 Augmented Security Levels and Capabilities

There are no increased security levels specific for ".INC". However, Neustar will provide the same high level of security provided across all of the registries it manages.

A key to Neustar's Operational success is Neustar's highly structured operations practices. The standards and governance of these processes:

- Include annual independent review of information security practices
- Include annual external penetration tests by a third party
- Conform to the ISO 9001 standard (Part of Neustar's ISO-based Quality Management System)
- Are aligned to Information Technology Infrastructure Library (ITIL) and CoBIT best

practices

- Are aligned with all aspects of ISO IEC 17799
- Are in compliance with Sarbanes-Oxley (SOX) requirements (audited annually)
- Are focused on continuous process improvement (metrics driven with product scorecards reviewed monthly).

A summary view to Neustar's security policy in alignment with ISO 17799 can be found in section 30.(a).5 below.

30.(a).5 Commitments and Security Levels

The ".INC" registry commits to high security levels that are consistent with the needs of the TLD. These commitments include:

Compliance with High Security Standards

- Security procedures and practices that are in alignment with ISO 17799
- Annual SOC 2 Audits on all critical registry systems
- Annual 3rd Party Penetration Tests
- Annual Sarbanes Oxley Audits

Highly Developed and Document Security Policies

- Compliance with all provisions described in section 30.(b) and in the attached security policy document.
- Resources necessary for providing information security
- Fully documented security policies
- Annual security training for all operations personnel

High Levels of Registry Security

- Multiple redundant data centers
- High Availability Design
- Architecture that includes multiple layers of security
- Diversified firewall and networking hardware vendors
- Multi-factor authentication for accessing registry systems
- Physical security access controls
- A 24x7 manned Network Operations Center that monitors all systems and applications
- A 24x7 manned Security Operations Center that monitors and mitigates DDoS attacks
- DDoS mitigation using traffic scrubbing technologies

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Annex B



- Thinking
- Starting
- Maintaining
- Closing

Business Entity Search

Date: 02/25/2014

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Business Summary

Current Entity Name

ECYBER SOLUTIONS GROUP INC

[File Name Change Online](#)

Business Entity ID Number

6063101

[View History and Documents](#)

Current Mailing Address: 13006 RUSSELL ST, OVERLAND PARK, KS 66209 [Update](#)

Business Entity Type: KANSAS FOR PROFIT CORPORATION

Date of Formation in Kansas: 09/30/2005

State of Organization: KS

Current Status: ACTIVE AND IN GOOD STANDING

[Certificate of Good Standing](#)

Resident Agent and Registered Office

Resident Agent: YEHIELA GERSHOM

Registered Office: 5925 Nall Avenue Suite 400, MISSION, KS 66209

[Update Resident Agent/Office](#)

Annual Reports

The following annual report information is valid for active and delinquent status entities only.

[Tax Closing Month](#): 12

[The Last Annual Report on File](#): 12/2012

Next Annual Report Due: 04/15/2014

[File Online](#)

[Forfeiture Date](#): 07/15/2014

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Annex C

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eCyber Solutions

13006 Russell St
Shawnee Mission, Kansas 66209
United States

Basic Profile

eCyber Solutions

eCyber Solutions is a dynamic company in Software Development & Design industry. eCyber Solutions is committed to filling the needs of ...

Company name: eCyber Solutions

Address: 13006 Russell St, Shawnee Mission, Kansas 66209, United States
[View map](#)

Employees: 5 - 10

Website: <http://www.ecybersolutions.com>

About eCyber Solutions:

eCyber Solutions is a complete Internet and Multimedia design firm specializing in innovative uses of technology. We ...

Business Profile

eCyber Solutions

eCyber Solutions is a supplier of turnkey e-commerce solutions in Shawnee Mission. eCyber Solutions consists several other services in ...

Annual Revenue: \$1 mil. - \$5 mil.

Industry: Software Development & Design, Software.

Products: turnkey e-commerce solutions, web development tools.

Top Competitors in Shawnee Mission

for eCyber Solutions

Searching for companies like eCyber Solutions? In Shawnee Mission, not just eCyber Solutions, there are also some companies similar to ...

eCyber Solutions

13006 Russell St
Shawnee Mission, Kansas 66209
United States

Products & Services: turnkey e-commerce solutions, web development tools, ...

Share it

Popular local services in Shawnee Mission

- Shawnee Mission industrial products (1)
- Shawnee Mission General farms (1)
- Shawnee Mission Miscellaneous retail stores (3)
- Shawnee Mission Commercial printing (10)
- Shawnee Mission Auditing (7)
- Shawnee Mission bookkeeping services (7)
- Shawnee Mission Industrial and personal service paper (3)
- Shawnee Mission Engineering services (2)
- Shawnee Mission Water supply (1)
- Shawnee Mission healthcare information consulting (1)

Popular companies in turnkey e-commerce solutions

- CLEVELAND turnkey e-commerce solutions (1)
- Shawnee Mission turnkey e-commerce solutions (1)
- Columbus turnkey e-commerce solutions (1)
- Deerfield Beach turnkey e-commerce solutions (1)

Popular companies in Shawnee Mission

- Robert Thomas CPA LLC
- SmallBizAccountants.com
- Benchmark Biolabs Inc

Top Competitors in United States

for eCyber Solutions

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eCyber Solutions

13006 Russell St
Shawnee Mission, Kansas 66209
United States

Products & Services: turnkey e-commerce solutions, web development tools, ...

Donegan Optical Company,
Incorporated

Chris-Leef General Agency Inc

Waddell & Reed Inc

SPARHAWK LABORATORIES INC

Dwyer Dykes & Thurston Lc

BayerDVM.com

IKE & ASSOCIATES, INC.

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Animals Benefit Club

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Growth Financial Services Corp
Car-Ber Testing Services Inc
Abrams & Krochak

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Annex D

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Web Management

Website Design, Web Development, Web Hosting, Ecommerce Websites



Online Technology

Mobile Applications, Desktop Solutions



Online Marketing

SEO Services, PPC, PPM, Facebook Management, Twitter Management



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Annex E



- Thinking
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Business Summary

Current Entity Name

DOT REGISTRY, LLC

[File Name Change Online](#)

Business Entity ID Number

6574495

[View History and Documents](#)

Current Mailing Address: Shaul Jolles - 208 W. 19th street, kansas city, MO 64108 [Update](#)

Business Entity Type: KANSAS LTD LIABILITY COMPANY

Date of Formation in Kansas: 10/03/2011

State of Organization: KS

Current Status: ACTIVE AND IN GOOD STANDING

[Certificate of Good Standing](#)

Resident Agent and Registered Office

Resident Agent: ECYBER SOLUTIONS GROUP INC

Registered Office: 6600 College Suite 125, OVERLAND PARK, KS 66211

[Update Resident Agent/Office](#)

Annual Reports

The following annual report information is valid for active and delinquent status entities only.

[Tax Closing Month](#): 12

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Annex F

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- Logical Link Control, in computer networking, a sublayer of the OSI Data Link Layer in the IEEE 802 family of standards
- [Lunar Lander Challenge](#), \$2 million prize program funded by NASA
- FlyLAL Charters, ICAO airline designator of the charter airline

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References in periodicals archive ?

An electing large LLC is one with at least 100 members in any preceding tax year that elects to be subject to the electing large partnership rules.
Audits of electing large LLCs by *Ellentuck, Albert B.* / *The Tax Adviser*

Decatur Tennessee Valley Recycling Mobile Alter Scrap Processing (under construction) David's Auto Shredding (under construction) ALASKA Anchorage Alaska Metal Recycling ARIZONA Glendale Glendale Iron & Metal (shreds nonferrous metals) Phoenix Metal Management Arizona LLC Tucson Metal Management Arizona LLC ARKANSAS North Little Rock A.
Growth industry: the list of America's auto shredding plants has ... by *Toto, Deanne* / *Recycling Today*

MA (D) * Davis-Standard Blow Molding Systems, NJ * Davis-Standard LLC, CT# DIMA, Inc.
1/Primary equipment by *Plastics Technology*

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Annex G



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Annex H



**State of Vermont
Office of the Secretary of State**

128 State Street
Montpelier, VT 05633-1101

[phone] 802-828-2363
[fax] 802-828-2496
www.sec.state.vt.us

**James C. Condos, Secretary of State
Brian H. Leven, Deputy Secretary**

August 8, 2013

Internet Corporation of Assigned Names and Numbers
ATTN: Jamie Hedlund
1101 New York Ave, NW
Washington, DC 20005

Subject: Concern over restrictions on the Top Level Domains ".INC", ".LLC", ".CORP", and ".LLP"

Mr. Hedlund,

This letter confirms that The Vermont Secretary of State's Office is charged with registering businesses in the State of Vermont. In addition, my office monitors the position of good standing each of these businesses maintains and their overall right to conduct business transactions or commerce within the United States. I also serve on the Business Services Committee of the National Association of Secretary of States of which a great deal of focus is placed on concerns related to fraudulent business registration, beneficial ownership, and the protection against business identity theft in the United States.

It is my understanding that the Internet Corporation for Assigned Names and Numbers ("ICANN") is in the process of reviewing applications that refer to the business entity designations of INC, LLC, LLP and CORP and that the GAC has issued specific advice related to the issuance of these strings. With the growing national concern related to fraudulent business registration, business identity theft, and online consumer protection this office believes that the Beijing Communique should not be taken lightly and that these strings should only be issued under a community designation in order to ensure the long-term integrity of the extensions. We would encourage ICANN to not only select an applicant that shows sufficient merit to monitor the issuance and maintenance of these extensions, but additionally consider the policies contained within each application and how well the applicant demonstrates their ability to comply with the GAC advise.

It is essential that specific protection mechanisms and registration policies be in place to protect the community of US registered businesses. Many of my colleagues have previously submitted letters to ICANN in relation to our concerns over the issuance of these strings in a non-restricted format. Please consider our appeal requesting that the strings of INC, LLC, LLP, and CORP only be issued to an applicant restricting the use of the extension to registered businesses in the United States which can be verified through the applicable registering body.

Sincerely,


Jim Condos
VT Secretary of State

 **VERMONT**

Resolution of Recommendation to the International Corporation of Assigned Names and Numbers (ICANN) for Issuance of Corporate Internet Extensions

WHEREAS, the National Association of Secretaries of State (NASS) is an organization whose members include Secretaries of State and Lieutenant Governors of the 50 U.S. states and territories; and

WHEREAS, the majority of members are responsible for the administrative oversight of business entity registration processes in their respective states; and

WHEREAS, the International Corporation of Assigned Names and Numbers (ICANN) is in the process of awarding new Internet extensions that include business entity endings, including .INC, .LLC, .LLP and .CORP; and

WHEREAS, NASS and its members have followed this process closely and have expressed concerns regarding the potentially negative impacts of issuing generic gTLDs as corporate extensions, which we believe do not have enforceable safeguards to protect against misuse and could ultimately have a harmful effect on entities that are legally registered in the U.S. ; and

WHEREAS, NASS and many of its members have previously expressed in numerous letters to ICANN that these extensions may be unnecessary and irresponsible, but if allowed, should only be awarded to entities that are appropriately registered and in good-standing with Secretary of State or other state filing offices of jurisdiction; and

WHEREAS, there is a growing national concern relating to fraudulent business registration, business identity theft, online consumer protection and consumer confusion; and

WHEREAS, if these extensions were to be awarded without enforceable safeguards, it could allow anyone to operate a .INC, .LLC, .LLP or .CORP website, regardless of their actual business registration status/entity type; and

WHEREAS, the Government Advisory Committee to ICANN has issued advice in regards to the necessity of safeguards and restrictions on these particular Internet extensions and we believe these safeguards and restrictions are only enforceable in the community application process;

NOW, THEREFORE, BE IT RESOLVED THAT the National Association of Secretaries of State (NASS) recommends that if these extensions are approved, then ICANN should adopt the GAC recommendations and award the .INC, .LLC, .LLP and .CORP extensions with appropriate safeguards and restrictions designed to protect the U.S. business community and consumers.

Adopted the 21st day of July, 2013
in Anchorage, AK

EXPIRES: Summer 2018

ALABAMA STATE CAPITOL
600 DEXTER AVENUE
SUITE S-105
MONTGOMERY, AL 36130



(334) 242-7200
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WWW.SOS.ALABAMA.GOV

BETH CHAPMAN
SECRETARY OF STATE

June 25, 2013

Internet Corporation of Assigned Names and Numbers
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094-2536

To Whom It May Concern:

This letter advises that the Office of the Secretary of State of Alabama is charged with overseeing the process for the formation of corporations, limited liability companies (LLC's), non-profit entities, and several other types of business entities. The office is also charged with the maintenance of Alabama's database relating to those business entities. The businesses registered with this office are members of the larger community of corporations authorized to conduct business in the United States.

We understand that the Internet Corporation for Assigned Names and Numbers (ICANN) will be accepting applications for new web extensions this year. This office has been informed that companies such as DOT Registry, LLC, will be applying for the strings, ".INC" and ".LLC" with restrictions that are intended to protect U.S. companies and consumers that are registered with the Secretary of State. With growing national concern about fraudulent business registration, business identity theft, and online consumer protection, this office believes that these strings should only be issued under a community designation in order to protect both the members of this community and consumers at large.

Our office believes that specific restrictions and policies must be in place to protect the community of U.S. Registered Businesses and to ensure that these extensions are only representative of members of their respective communities as verified through their respective Secretary of State's Office.

Sincerely,

A handwritten signature in black ink that reads "Beth Chapman".

Beth Chapman
Secretary of State



State of North Carolina
Department of the Secretary of State

ELAINE F. MARSHALL
SECRETARY OF STATE

May 3, 2013

Internet Corporation of Assigned Names and Numbers
12025 Waterfront Drive
Suite 300
Los Angeles, California 90094-2536

Subject: Letter of support for the Restricted Use of the Top Level Domains, ".INC",
".LLC", ".CORP", and ".LLP"

Ladies and Gentlemen:

This letter confirms that The North Carolina Secretary of States Office is charged with registering businesses in the State of North Carolina. In addition my office monitors the position of good standing each of these businesses maintains and their overall right to conduct business transactions or commerce within the United States. The companies registered with this office are members of the larger community of registered US Businesses which can be further divided into the following designations: The Community of Registered Corporations, The Community of Registered Limited Liability Companies, and the Community of Limited Liability Partnerships.

We understand that the Internet Corporation for Assigned Names and Numbers ("ICANN") is in the process of reviewing applications that refer to the business entity designations of INC, LLC, LLP and CORP. This office has been informed that DOT Registry, LLC has submitted community applications for these strings, with restrictions that are intended to protect U.S. companies that are registered with the Secretary of State. With the growing national concern related to fraudulent business registration, business identity theft, and online consumer protection this office believes that these strings should only be issued under a community designation in order to protect both the members of this community and consumers at large.

Our office believes that specific restrictions and policies must be in place to protect the community of US Registered Businesses and to ensure that these extensions are only representative of members of their respective communities as verified through their Secretary of State's Office.

Sincerely,


Elaine F. Marshall



A. Ralph Mollis

Secretary of State

State of Rhode Island and Providence Plantations

April 12, 2013

Internet Corporation of Assigned Names and Numbers
12025 Waterfront Drive, Suite 300
Los Angeles, California 90094-2536

Subject: Letter of support for the Restricted Use of the Top Level Domains, ".INC", ".LLC", ".CORP",
and ".LLP"

To Whom It May Concern:

This letter confirms that the Office of the Rhode Island Secretary of State is charged with registering businesses in the State of Rhode Island. In addition, this office monitors the position of good standing each of these businesses maintains as well as their overall right to conduct business transactions or commerce within the United States. The companies registered with this office are members of the larger community of registered U.S. Businesses which can be further divided into the following designations: The Community of Registered Corporations, the Community of Registered Limited Liability Companies, and the Community of Limited Liability Partnerships.

We understand that the Internet Corporation for Assigned Names and Numbers (ICANN) is in the process of reviewing applications that refer to the business entity designations of INC, LLC, LLP and CORP. This office has been informed that DOT Registry, LLC has submitted community applications for these strings, with restrictions that are intended to protect U.S. companies that are registered with the Secretary of State. With the growing national concern related to fraudulent business registration, business identity theft, and online consumer protection, this office believes that these strings should only be issued under a community designation in order to protect both the members of this community and consumers at large.

Our office believes that specific restrictions and policies must be in place to protect the community of U. S. Registered Businesses and to ensure that these extensions are only representative of members of their respective communities as verified through their Secretary of State's Office.

Sincerely,

A. Ralph Mollis
Secretary of State

State House
Room 217

Providence, RI 02903

Phone: 401-222-2357 ~ Fax: 401-222-1356





JASON KANDER
SECRETARY OF STATE
STATE OF MISSOURI

CAPITOL OFFICE
ROOM 208
(573) 751-2379

JAMES C. KIRKPATRICK
STATE INFORMATION CENTER
(573) 751-4936

March 28, 2013

Government Advisory Committee
ATTN: Suzanne Radell
Herbert C. Hoover Building (HCHB)
U.S. Department of Commerce
National Telecommunications and Information Administration
1401 Constitution Avenue, N.W.
Washington, DC 20230

Subject: Letter of support for the Restricted Use of the Top Level Domains “.INC.” “.LLC.”
“.CORP.” and “.LLP”

Dear Ms. Radell:

The Missouri Secretary of State's Office is charged with overseeing the business formation process for the formation of corporations, limited liability companies, non-profit companies, professional associations, and several other types of business structures, as well as the maintenance of Missouri's database relating to the aforementioned business entities. The businesses registered with this office are members of the larger community of corporations authorized to conduct business in the United States.

We understand that the Internet Corporation for Assigned Names and Numbers (“ICANN”) is in the process of reviewing applications that refer to the business entity designations of INC, LLC, LLP and CORP. With the growing national concern related to fraudulent business registration, business identity theft, and online consumer protection, this office believes that these strings should be issued under a community designation of companies that are registered with the Secretary of State or equivalent agency in order to protect both the members of this community and consumers at large.

Our office believes that specific restrictions and policies should be in place to protect the community of U.S. businesses and to ensure that these extensions are representative of members of their respective communities as verified through their Secretary of State's Office. Further, this office does not support the use of the strings, “.INC” and “.LLC” “.CORP”, and “.LLP” without restrictions that protect this important community of registered US Businesses.

Our office, along with many of my colleagues, have previously submitted letters to ICANN in relation to our concerns over the issuance of these strings in a non-restricted format. We realize that the internal deadline for GAC consideration is rapidly approaching and appreciate your time in regards to the importance of this issue.

Sincerely,

Jason Kander

JAMES C. KIRKPATRICK STATE INFORMATION CENTER
600 W. MAIN STREET • JEFFERSON CITY 65101



OFFICE OF THE SECRETARY OF STATE

ROSS MILLER
Secretary of State

March 8, 2013

Internet Corporation of Assigned Names and Numbers
12025 Waterfront Drive, Suite 300
Los Angeles CA 90094-2536

RE: Restricted Use of Domains using .inc, .llc, .corp and .llp

TO WHOM IT MAY CONCERN;

My office is responsible for processing the organizational, amendatory and annual filings for Nevada corporations, limited liability companies, limited partnerships and other statutory business entities. These entities do business as Nevada entities not only in Nevada, but throughout the U.S. and around the world. My office is the second most popular business entity filing jurisdiction in the country, behind Delaware.

Fraudulent use of corporate entities, business identity theft and consumer protection are of growing concern to me, as is the potential of abuse by those offering online services. The free and unregulated issuance of names using these extensions is also a concern because of possible confusion or deception caused by entities that are not properly registered in my office.

It is my understanding that DOT Registry, LLC has applied to you for the use of the domain names with these extensions. I believe that restrictions and policies must be crafted not only to protect Nevada and U.S. entities, but also the consumers utilizing the associated web sites. I also understand that DOT Registry, LLC's application may include provisions protecting entities on file with my office, other Secretaries of State and state filing offices. Regardless of the applicant, such restrictions and protections must be in place.

I remain available if I can be of further assistance.

Respectfully,

A handwritten signature in black ink that reads "Ross Miller".

ROSS MILLER
Secretary of State

ONE HUNDRED ONE NORTH CARSON STREET, SUITE THREE
CARSON CITY, NEVADA 89701-4786
(775) 684-5708 • FAX (775) 684-5717



STATE OF DELAWARE
DEPARTMENT OF STATE

JEFFREY W. BULLOCK
SECRETARY OF STATE

March 5, 2013

Heather Dryden
Governmental Advisory Committee
Attn: GAC Secretariat
ICANN
12025 Waterfront Drive #300
Los Angeles, CA 90094

Suzanne Radell
Senior Policy Advisor
National Telecommunications and Information Administration (NTIA)
Department of Commerce
1401 Constitution Ave. NW
Washington, DC 20230
SRadell@ntia.doc.gov

Dear Ms. Dryden and Ms. Radell:

As Delaware's Secretary of State, I administer the State's company registry, and am responsible for protecting the integrity of Delaware's legal entity registration system. Nearly one million legal entities such as corporations and limited liability companies (LLC) are organized in the United States under the laws of the State of Delaware.

The State of Delaware is the legal domicile of 64% of Fortune 500 companies, 55% of the firms listed on the two major U.S. stock exchanges, and 80% of new initial public offerings in the United States. Delaware is also the legal home to many of America's largest private-held and non-profit companies and hundreds of thousands of subsidiaries and affiliates of major companies in North America and around the world.

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FAX: (302) 739-3811

CARVEL STATE OFFICE BUILDING
820 FRENCH STREET, FOURTH FLOOR
WILMINGTON, DE 19801
(302) 577-8767
FAX: (302) 577-2694

In March of 2012, I imparted my concerns about ICANN's application review process for generic Top Level Domain (gTLDs) name extensions defined by state and provincial registries as "company endings". Such company endings include, but are not limited to, ".INC", ".CORP", ".LLP", ".LTD", ".GMBH", ".COMPANY" and ".LLC". At that time, I joined a chorus of federal and state officials in the United States who had urged ICANN to proceed cautiously and deliberately in any approvals of new gTLDs. Delaware's view is that the granting of such name extensions creates a number of public policy issues and concerns – not the least of which is increasing the potential for fraud and abuse.

Since expressing my initial concerns, I have followed the application and early warning process closely. More recently, I've learned of ICANN's new "Public Interest Commitments" (PIC) process and its associated "Public Interest Commitment Dispute Resolution Process" (PICDRS). Having the benefit of ICANN's response to my initial concerns and having reviewed the applications that have been submitted, I have no confidence that ICANN is interested in or capable of putting a system of clear and transparent enforcement mechanisms in place to ensure that "company endings" are not used for fraudulent or misleading purposes.

The responses I have received from ICANN and others have failed to acknowledge in any way the complex public policy questions raised by allowing gTLDs that use company endings. Instead, the responses have focused entirely on the process for filing objections to applications. The singular focus on an approval process rather than recognizing the serious policy implications associated with its granting of certain gTLDs calls into question whether ICANN is capable of evaluating, instituting and enforcing meaningful measures to protect consumers and legitimate legal entities from fraud and abuse.

Over 30 applications were submitted for various company endings, and while some of the applications include a proposed verification process, many do not. Only one applicant sought any input whatsoever from the affected community in my state and nationally. So it is no surprise that applicants that did propose a verification system failed to propose systems with enforceable mechanisms for safeguarding consumers, the public at large, state regulators, and the Internet itself from the types of fraud and abuse that are likely to occur in the absence of specific safeguards.

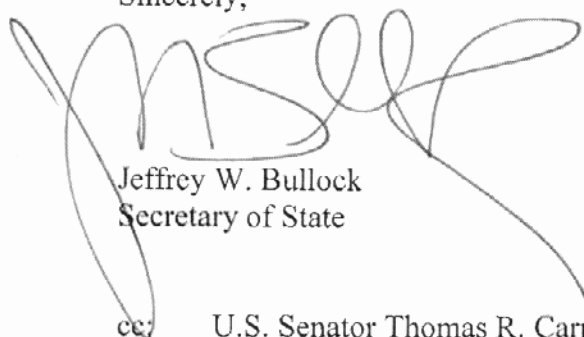
At this stage of the gTLDs process, I continue to believe that the public is best served if these company endings are not made available for use. I do not see an overriding public policy purpose or strong business case for ICANN to make them available – especially when hundreds of additional gTLDs are soon to become available.

It is also clear to me that any enforcement mechanism administered through ICANN is unlikely to provide the appropriate level of ongoing enforcement over the use of these sensitive gTLDs. The new PICDRS process, while no doubt well-intentioned, requires constant vigilance by the impacted community of company registrars. Not awarding these gTLDs is the preferred alternative. However, if such gTLDs are to be awarded and if there is going to be an effective and real-time enforcement mechanism, it must originate from the community with the greatest interest – namely, the company registrar

community represented in North America by organizations such as the International Association of Commercial Administrators (IACA) and the National Association of Secretaries of States (NASS) or in the case of non-U.S. endings such as .GMBH and .LTD with similar registrar communities elsewhere.

I am pleased to share these concerns and recommendations with you and I would welcome the opportunity to discuss them in greater detail. I am hoping that the GAC may be the appropriate vehicle for blocking the award of such gTLDs and assuring that adequate protections for consumers and businesses are put in place. If you have any questions, please contact me or Richard J. Geisenberger, Chief Deputy Secretary of State, at 302-739-4111. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bullock", written over a large, light-colored scribble.

Jeffrey W. Bullock
Secretary of State

cc: U.S. Senator Thomas R. Carper
U.S. Senator Christopher A. Coons
U.S. Congressman John C. Carney, Jr.
Richard J. Geisenberger, Chief Deputy Secretary of State
Leslie Reynolds, Executive Director, NASS

ALVIN A. JAEGER
SECRETARY OF STATE
HOME PAGE www.nd.gov/sos



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E-MAIL sos@nd.gov

SECRETARY OF STATE
STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0500

March 4, 2013

Jamie Hedlund
Vice President Stakeholder Engagement
Internet Corporation for Assigned Names and Numbers
12025 Waterfront Drive Suite 300
Los Angeles CA 90094-2536

Dear Mr. Hedlund,

I appreciate your speaking at the recent NASS conference in Washington DC. As a follow up to your presentation, I am taking this opportunity to reiterate the concerns that I expressed last year.

As I understand it, ICANN is now in the process of reviewing applications that have been submitted regarding top level domain names that use extensions such as .INC, .LLC, .LLP, and .CORP.

Therefore, I have enclosed a letter that I wrote in March 2012, in which I shared my concerns related to the use of the proposed domain name extensions. My reservations remain the same and I hope they will be considered by ICANN when deciding to aware any contractual agreement and that it contain sufficient community restrictions as to who is allowed to use these domain extensions.

Sincerely,

A handwritten signature in black ink, appearing to read "Al Jaeger".

Al Jaeger
Secretary of State

ALVIN A. JAEGER
SECRETARY OF STATE

HOME PAGE www.nd.gov/sos



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SECRETARY OF STATE

STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0500

March 23, 2012

Internet Corporation for Assigned Names and Numbers
1101 New York Avenue NW Suite 930
Washington DC 20005

To Whom It May Concern:

As the Secretary of State, I have the administrative oversight of various business entity registrations filed in my state.

It is my understanding that your organization (ICANN) is now accepting applications for a new expanded top level domain name program. I have learned that extensions such as .INC, .LLC, .LLP, and .CORP may be under consideration and that is of significant concern to me.

If ICANN considers approving these extensions, I respectfully request that they be approved and awarded to a company that has submitted an application that includes restrictions they will abide by, which would provide all of the possible protection for legitimate businesses and consumers from confusion or fraud.

All of these mentioned extensions are recognized under North Dakota state law as a means of identifying various types of business entities that are legally filed with my office. Therefore, it is important to ensure that the website domain name being considered for a business entity is only extended to a business entity that has a corresponding legal registration identified with that domain name. These business entities, with their registration, have lawfully earned the right to use these entity identifiers. That right should not be infringed about by any company or individual that has not obtained the legal use of them through the registration process in one of the states.

Therefore, along with my fellow members of the National Association of Secretaries of State (NASS), I am of the opinion that these extension identifiers should only be extended to entities in their respective states that are legally and appropriately registered with the Secretary of State, or the equivalent state agency.

During the past several months, the NASS Business Services Committee (of which I am a member) has been considering the proposed ICANN program and has been reviewing the potential impact these new extensions would have on existing businesses and new businesses registering with the various states.

As one member of the committee, I believe it is fundamental that NASS be consulted by companies such as DOT Registry or any other applicants regarding policy related to the registering and identifying of businesses as this expanded program is considered by ICANN. And, if ICANN approves these extensions, the successful recipient will agree to extend the new extensions only to a "community" of businesses appropriately and legally registered in one of the various states.

Without having appropriate restrictions in place, I would strongly oppose approving these extensions and awarding them to any company.

Sincerely,

A handwritten signature in black ink, appearing to read "Al Jaeger".

Al Jaeger
Secretary of State

State of Tennessee



The Secretary of State
State Capitol
Nashville, Tennessee 37243-0305

Tre Hargett
Secretary of State

615-741-2819
Tre.Hargett@tn.gov

February 22, 2013

Internet Corporation of Assigned Names and Numbers
12025 Waterfront Drive
Suite 300
Los Angeles, CA 90094-2536

Subject: Letter of Support for the Restricted Use of the Top Level
Domains, ".INC", ".LLC", ".CORP", and ".LLP"

To Whom It May Concern,

This letter confirms that the Tennessee Secretary of State's Office is charged with registering businesses in the State of Tennessee. In addition, my office monitors the position of good standing each of these businesses maintains and their overall right to conduct business transactions or commerce within the United States. The companies registered with this office are members of the larger community of registered U.S. Businesses, which can be further divided into the following designations: The Community of Registered Corporations, the Community of Registered Limited Liability Companies and the Community of Limited Liability Partnerships.

We understand that the Internet Corporation for Assigned Names and Numbers ("ICANN") is in the process of reviewing applications that refer to the business entity designations of INC, LLC, LLP and CORP. This office has been informed that DOT Registry, LLC has submitted community applications for these strings with restrictions that are intended to protect U.S. companies that are registered with the Secretary of State. With growing national concern about fraudulent business registration, business identity theft, and online consumer protection, this office believes that these strings should only be issued under a community designation in order to protect both the members of this community and consumers at large.

Our office believes that specific restrictions and policies must be in place to protect the community of U.S. Registered Businesses and to ensure that these extensions are only representative of members of their respective communities as verified through their respective Secretary of State's Office.

Sincerely,

A handwritten signature in black ink, appearing to read "Tre Hargett".

Tre Hargett
Secretary of State



STATE OF MINNESOTA
Office of the Minnesota Secretary of State
Mark Ritchie

February 13, 2013

Internet Corporation of Assigned Names and Numbers
12025 Waterfront Drive, Suite 300
Los Angeles, California 90094-2536

Subject: Letter of support for the Restricted Use of the Top Level Domains, ".INC", ".LLC",
".CORP", and ".LLP"

To Whom this May Concern:

This letter confirms that The Office of the Minnesota Secretary of State is charged with registering businesses in the State of Minnesota. In addition, my office monitors the position of good standing each of these businesses maintains and their overall right to conduct business transactions or commerce within the United States. The companies registered with this office are members of the larger community of registered U.S. Businesses which can be further divided into the following designations: The Community of Registered Corporations, The Community of Registered Limited Liability Companies, and the Community of Limited Liability Partnerships.

We understand that the Internet Corporation for Assigned Names and Numbers ("ICANN") is in the process of reviewing applications that refer to the business entity designations of INC, LLC, LLP and CORP. This office has been informed that DOT Registry, LLC has submitted community applications for these strings, with restrictions that are intended to protect U.S. companies that are registered with the Secretary of State. With the growing national concern related to fraudulent business registration, business identity theft, and online consumer protection, this office believes that these strings should only be issued under a community designation in order to protect both the members of this community and consumers at large.

Our office believes that specific restrictions and policies must be in place to protect the community of U.S. Registered Businesses and to ensure that these extensions are only representative of members of their respective communities as verified through their Secretary of States Office.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Ritchie".

MARK RITCHIE
Secretary of State



JASON KANDER
SECRETARY OF STATE
STATE OF MISSOURI

CAPITOL OFFICE
ROOM 208
(573) 751-2379

JAMES C. KIRKPATRICK
STATE INFORMATION CENTER
(573) 751-4936

February 5, 2013

Internet Corporation of Assigned Names and Numbers
12025 Waterfront Drive
Suite 300
Los Angeles, California 90094-2536

Subject: Letter of support for the Restricted Use of the Top Level Domains, “.INC” and “.LLC”
“.CORP”, and “.LLP”

To Whom It May Concern:

The Missouri Secretary of State's Office is charged with overseeing the business formation process for the formation of corporations, limited liability companies, non-profit companies, professional associations, and several other types of business structures, as well as the maintenance of Missouri's database relating to the aforementioned business entities. The businesses registered with this office are members of the larger community of corporations authorized to conduct business in the United States.

We understand that the Internet Corporation for Assigned Names and Numbers (“ICANN”) is in the process of reviewing applications that refer to the business entity designations of INC, LLC, LLP and CORP. With the growing national concern related to fraudulent business registration, business identity theft, and online consumer protection, this office believes that these strings should be issued under a community designation of companies that are registered with the Secretary of State or equivalent agency in order to protect both the members of this community and consumers at large.

Our office believes that specific restrictions and policies should be in place to protect the community of U.S. businesses and to ensure that these extensions are representative of members of their respective communities as verified through their Secretary of State's Office. Further, this office does not support the use of the strings, “.INC” and “.LLC” “.CORP”, and “.LLP” without restrictions that protect this important community of registered US Businesses.

Sincerely,

Jason Kander

JAMES C. KIRKPATRICK STATE INFORMATION CENTER
600 W. MAIN STREET • JEFFERSON CITY 65101

ADMINISTRATIVE RULES • BUSINESS SERVICES • ELECTIONS • PUBLICATIONS • SECURITIES • STATE ARCHIVES • STATE LIBRARY • WOLFNER LIBRARY

Annex I



Secretary of State

Jason M. Gant

State Capitol | 500 East Capitol Avenue | Pierre, South Dakota 57501 | sdsos@state.sd.us | sdsos.gov

March 30, 2012

Shaul Jolles
DOT Registry
208 W. 19th Street
Kansas City, MO

RE: ICANN gTLD evaluation process

Dear Mr. Jolles:

I am the Secretary of State of South Dakota. I also serve as the chairman of the Business Services Committee for the National Association of Secretaries of State (NASS). NASS membership is comprised of the Secretaries of State and Lt. Governors of the 50 states and territories. The majority of our members are responsible for the administrative oversight of various business entity registration processes in their respective states, including the registration of corporations and partnerships.

As you know, our office has been working closely with your organization with respect to policy decisions surrounding the issuance of the "strings" ".INC", ".CORP", ".LLP" and ".LLC" as part of the Internet Corporation for Assigned Names and Numbers's (ICANN) New Generic Top-Level Domain ("gTLD") Program. I believe if ICANN is to grant such top-level domains, it must be to a responsible registry operator, and operated in a restrictive manner to permit only qualified registrants into the domain, will greatly enhance the credibility and trustworthiness to both Internet users and South Dakota corporations. Therefore, if ICANN is in fact going to issue gTLD, South Dakota supports the application for the issuance of these "strings" if they are issued to a restrictive registry, planning to implement restrictions, as proposed by DOT Registry, to eligibility, including measures to authenticate the active status of all corporations seeking to register a second-level domain within the TLD.

Separately, the Executive Board of NASS has forwarded a letter to ICANN that was submitted by the Business Services committee. All of the extensions heretofore referenced are recognized under state law as a means of identifying various types of business entities here in the United States. The members of NASS believe these

Administration
Tel: (605) 773-3537
Fax: (605) 773-6580

Corporations
Tel: (605) 773-4845
Fax: (605) 773-4550

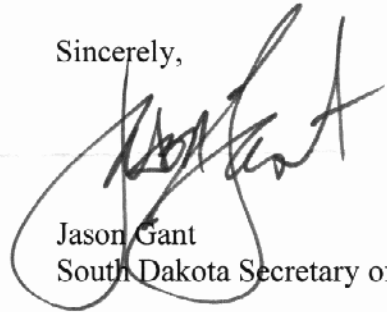
Uniform Commercial Code
Tel: (605) 773-4422
Fax: (605) 773-4550

extension identifiers, if granted, should only be extended to entities that are also legally and appropriately registered with the Secretaries of State, or the equivalent state agency. The referenced letter is attached.

Should Dot Registry propose to make any changes to the proposed registration policies in the future, I agree to be consulted as a policy advisor to ensure any proposed changes are in the best interest of our community before they are implemented.

Also enclosed is the official letter approved by NASS regarding gTLD.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Gant", is written over a circular stamp or seal. The signature is fluid and cursive.

Jason Gant
South Dakota Secretary of State

Enclosure



NASS
National Association
of Secretaries of State

March 30, 2012

Mr. Rod Beckstrom
President & CEO
Internet Corporation for Assigned Names and Numbers
4676 Admiralty Way, Suite 330
Marina del Rey, CA 90292-6601

re: New gTLD Program

Dear Mr. Beckstrom:

The National Association of Secretaries of State (NASS) is an organization whose members include the Secretaries of State and Lieutenant Governors of the 50 states and territories. Many of our members are responsible for the administrative oversight of various business entity registration processes in their respective states.

We understand that the Internet Corporation for Assigned Names and Numbers (ICANN) is now accepting applications for a new expanded top level domain name program. We also understand that extensions such as .INC, .LLC, .CORP, and .LLP may be under consideration as new top level domain names.

While we have concerns about the use of these extensions, if ICANN considers approving these extensions, our members respectfully request that they be approved with restrictions that would attempt to protect legitimate businesses and consumers from confusion or fraud. All of the extensions heretofore referenced are recognized under state law as a means of identifying various types of business entities here in the United States. Therefore it is important to ensure that the website domain name for a business entity has some amount of fidelity when compared to the businesses legal registration with the state. We would point to .EDU as a good example of how effective restrictions on internet domain extensions can add to consumer confidence and trust.

The members of NASS believe these extension identifiers (.INC, .LLC, .CORP, .LLP) should only be extended to entities that are also legally and appropriately registered with the Secretaries of State, or the equivalent state agency. The entity purchasing a new domain name should be the same entity registered with a Secretary of State or equivalent state agency.

For the past few months, the members of the NASS Business Services Committee have been working to familiarize themselves with the new ICANN program and reviewing the potential impact these new extensions would have on existing and new businesses registering with the Secretary of State.

Hall of States, 444 N. Capitol Street, N.W., Suite 401, Washington, DC 20001
(202) 624-3525 (202) 624.3527 Fax
www.nass.org

We feel it is important that NASS members be consulted by DOT Registry or other applicants regarding policy related to the registering and identifying of businesses as this process moves forward. Please feel free to contact Ms. Leslie Reynolds, NASS Executive Director with any questions at 202-624-3525.

Sincerely,

A handwritten signature in black ink that reads "Beth Chapman". The signature is written in a cursive style with a long horizontal line extending to the right.

Beth Chapman
Alabama Secretary of State
President, National Association of Secretaries of State

cc: Jamie Hedlund, ICANN Vice President of Government Affairs

Hall of States, 444 N. Capitol Street, N.W., Suite 401, Washington, DC 20001
(202) 624-3525 (202) 624.3527 Fax

www.nass.org



STATE OF DELAWARE
DEPARTMENT OF STATE

JEFFREY W. BULLOCK
SECRETARY OF STATE

March 20, 2012

ICANN
Attn: gTLD Program
4676 Admiralty Way
Suite 330
Marina del Rey, CA 90292-6601

To Whom It May Concern:

As Delaware's Secretary of State, I administer the State's company registry and am responsible for protecting the integrity of Delaware's legal entity registration system. Nearly one million legal entities, such as corporations and limited liability companies, (LLC) are organized in the United States under the laws of the State of Delaware.

The State of Delaware is the legal domicile of 63% of Fortune 500 companies, 55% of the firms listed on the two major U.S. stock exchanges, and 80% of new initial public offerings in the United States. Delaware is also the legal home to many of America's largest private-held and non-profit companies and hundreds of thousands of subsidiaries and affiliates of major companies around the world.

I understand that the Internet Corporation for Assigned Names and Numbers ("ICANN") will be accepting applications for new generic Top Level Domain (gTLD) name extensions this year. I have been informed that at least one firm – DOT Registry LLC – and possibly several other firms, plan to apply for the strings ".INC", ".CORP", ".LLC" and other potentially related extensions that state registries define as "company endings".

I join a chorus of federal and state officials who urge ICANN to proceed cautiously and deliberately in any approvals of new gTLDs. Delaware's view is that the granting of such name extensions creates a number of public policy issues and concerns – not the least of which is increasing the potential for fraud and abuse. As such, it is absolutely critical that if ICANN determines to grant such name extensions, that it does so in a restricted manner that is intended to protect consumers and the community of interest that exists among validly registered U.S. companies and my fellow State secretaries of state and other State company registrars that are responsible for administering the nation's legal entity registration system.

TOWNSEND BUILDING
401 FEDERAL STREET, SUITE 3
DOVER, DE 19901
(302) 739-4111
FAX: (302) 739-3811

CARVEL STATE OFFICE BUILDING
820 FRENCH STREET, FOURTH FLOOR
WILMINGTON, DE 19801
(302) 577-8767
FAX: (302) 577-2694

ICANN – gTLD program
March 20, 2012

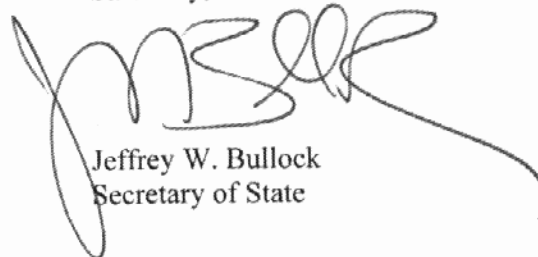
I therefore request that ICANN reject any request for the unrestricted use of “.INC”, “.LLC”, “.LLP”, “.CORP”, “.BANK”, “.TRUST” or similar commonly used company endings in the United States. The State of Delaware will object to the granting of such strings without restrictions.

I further request that, at a minimum, any approval for company ending strings be restricted in such a way that reasonably assures that the legal entity is, in fact, an active and validly registered legal entity in the United States, as DOT Registry LLC has proposed within its application. Specifically, any firm awarded the responsibility of administering such strings should be required to confirm whether the legal entity is validly formed according to criteria and documentation established by the states, and be required to check annually at renewal that the entity remains validly registered and actively in good standing according to criteria and documentation established by the states. The restrictions should further require that the homepage of such websites provide a mechanism that provides for the disclosure of the jurisdiction in which the entity is legally domiciled or include a geographic tag within the website name.

In order to reduce the risk of fraudulent activity, Delaware law places additional restrictions on the use of words such as “bank” and “trust” that are commonly associated with financial institutions. I therefore urge ICANN to seriously consider comment letters that have been submitted by the American Bankers Association and others urging ICANN to reject or place very significant restrictions on applications for the use of name extensions such as “.BANK” and “.TRUST”.

If you have any questions, please contact me or Richard J. Geisenberger, Chief Deputy Secretary of State, at 302-739-4111. Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'JBullock', with a long horizontal flourish extending to the right.

Jeffrey W. Bullock
Secretary of State

cc: Richard J. Geisenberger, Chief Deputy Secretary of State
Leslie Reynolds, Executive Director, National Association of Secretaries of State

KRIS W. KOBACH
Secretary of State



Memorial Hall, 1st Floor
120 S.W. 10th Avenue
Topeka, KS 66612-1594
(785) 296-4575
www.sos.ks.gov

STATE OF KANSAS

February 7, 2012

Dot Registry
208 W 19th St
Kansas City, Missouri 64108

Subject: Letter of support for the Restricted Use of the Top Level Domains, ".INC"
and ".LLC"

Ladies and Gentlemen:

This letter confirms that the State of Kansas, Office of the Secretary of State, is charged with administering Kansas's database of registered business entities. The companies registered with this office are members of the larger community of corporations authorized to conduct business in the United States.

We understand that the Internet Corporation for Assigned Names and Numbers ("ICANN") will be accepting applications for new web extensions this year. This office has been informed that companies, such as DOT Registry, LLC, will be applying for the strings, ".INC" and ".LLC" with restrictions that are intended to protect U.S. companies and consumers.

In the event ICANN decides to issue these strings and in order to further the public policy reasons for which entities file at the state level, we believe that such strings should only be issued to companies that are registered with a secretary of state or equivalent agency. It is important that registry companies provide access to the information provided by registered companies for jurisdictional purposes. Our office believes that such restrictions are integral to these strings and will object to the use of the strings, ".INC" and ".LLC" without any restrictions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kris W. Kobach", written in a cursive style.

Kris W. Kobach
Secretary of State



State of North Carolina
Department of the Secretary of State

ELAINE F. MARSHALL
SECRETARY OF STATE

February 13, 2012

Dot Registry
208 W 19th St
Kansas City, MO 64108

Dear Ladies and Gentlemen:

This letter advises that the Department of the Secretary of State of North Carolina is charged with overseeing the business formation process for the formation of corporations, limited liability companies (LLCs), non-profit companies, professional associations, and several other types of business structures, as well as the maintenance of North Carolina's database relating to the aforementioned business entities. The businesses registered with this office are members of the larger community of corporations authorized to conduct business in the United States.

We understand that the Internet Corporation for Assigned Names and Numbers (ICANN) will be accepting applications for new web extensions this year. This office has been informed that companies, such as DOT Registry, LLC, will be applying for the strings, ".INC" and ".LLC" with restrictions that are intended to protect U.S. companies and consumers that are registered with their state's administrator.

In the event ICANN decides to issue these strings and in order to further the public policy reasons for which entities file at the state level, we believe that such strings should only be issued to companies that are registered with a Secretary of State or equivalent agency. I believe that entities not appropriately registered and maintained in any state should be prohibited from strings that would misrepresent their existence. As most Secretaries of State are not equipped to verify legitimate entity existence, even though we maintain that information, the verification process should be a requirement, albeit not ours.

Sincerely,

Elaine F. Marshall



A. Ralph Mollis

Secretary of State

State of Rhode Island and Providence Plantations

February 10, 2012

DOT Registry, LLC
208 W 19th St
Kansas City, Missouri 64108

Subject: Letter of support for the Restricted Use of the Top Level Domains "INC"
and "LLC"

Ladies and Gentlemen:

This letter confirms that the State of Rhode Island, Office of the Secretary of State, is charged with monitoring corporate filings and protecting corporate registrations in the State of Rhode Island. The corporate entities registered with this office are members of the larger community of corporations authorized to conduct business in the United States.

We understand that the Internet Corporation for Assigned Names and Numbers ("ICANN") will be accepting applications for new web extensions this year. This office has been informed that companies, such as DOT Registry, LLC, will be applying for the strings, ".INC" and ".LLC." with restrictions that are intended to protect U.S. companies that are registered with the Secretary of State.

We believe that such strings should only be issued to corporate entities that are registered with a Secretary of State. Our office believes that such a restriction is integral to these strings and would object to the use of the strings, "INC" and "LLC" without restrictions.

Sincerely,

A. Ralph Mollis
Secretary of State

State House

Room 217

Providence, RI 02903

Phone: 401-222-2357 ~ Fax: 401-222-1356





OFFICE OF THE IOWA SECRETARY OF STATE

February 6, 2012

Dot Registry
208 W 19th St
Kansas City, MO 64108

Subject: Letter of support for the Restricted Use of the Top Level Domains, ".INC" and ".LLC"

Ladies and Gentlemen:

This letter confirms that the Iowa Secretary of State's Office, is charged with administering Iowa's database of registered business entities. The companies registered with this office are members of the larger community of corporations authorized to conduct business in the United States.

We understand that the Internet Corporation for Assigned Names and Numbers ("ICANN") will be accepting applications for new web extensions this year. This office has been informed that companies, such as DOT Registry, LLC, will be applying for the strings, ".INC" and ".LLC" with restrictions that are intended to protect U.S. companies and consumers. These types of requirements are necessary to protect U.S. companies and consumers from fraudulent and deceptive business practices.

In the event ICANN decides to issue these strings and in order to further the public policy reasons for which entities file at the state level, we believe that such strings should only be issued to companies that are registered with a secretary of state or equivalent agency. Also, it is important that registry companies provide access to the information by registered companies for jurisdictional purposes. This letter is not an endorsement of DOT Registry, LLC, but is a statement that our office believes that such restrictions, as proposed by DOT Registry, are integral to these strings and we will object to the use of the strings, ".INC" and ".LLC" without any such restrictions.

Respectfully Yours,

A handwritten signature in black ink, appearing to read "Matt Schultz".

Matt Schultz,
Secretary of State
State Commissioner of Elections



STATE OF MINNESOTA
Office of the Minnesota Secretary of State
Mark Ritchie

February 1, 2012

Dot Registry
208 W. 19th St.
Kansas City, MO 64108

To Whom It May Concern:

This letter confirms that the State of Minnesota, Office of the Secretary of State, is charged with regulating and protecting Corporations registered in the State of Minnesota. The companies registered with this office are members of the larger community of corporations authorized to conduct business in the United States.

We understand that the Internet Corporation for Assigned Names and Numbers ("ICANN") will be accepting applications for new web extensions this year. This office has been informed that companies, such as DOT Registry, LLC, will be applying for the strings, ".INC" and ".LLC." With restrictions that are intended to protect U.S. companies that are registered with the Secretaries of State.

We believe that such strings should only be issued to companies that are registered with a Secretary of State. Our office believes that such restrictions are integral to these strings and will object to the use of the strings, ".INC" and ".LLC." without restrictions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Ritchie", written over a horizontal line.

MARK RITCHIE
Secretary of State



STATE OF NEBRASKA

JOHN A. GALE
SECRETARY OF STATE

P.O. Box 94608
State Capitol, Suite 2300
Lincoln, NE 68509-4608
Phone 402-471-2554
Fax 402-471-3237
www.sos.state.ne.us

February 3, 2012

Dot Registry
208 W 19th St
Kansas City, Missouri 64108

Subject: Letter of support for the Restricted Use of the Top Level Domains, ".INC"
and ".LLC"

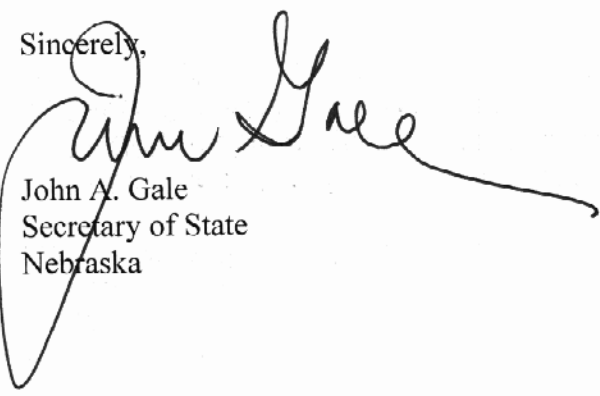
Ladies and Gentlemen:

This letter confirms that the State of Nebraska, Office of the Secretary of State, is charged with administering Nebraska's database of registered business entities. The companies registered with this office are members of the larger community of corporations authorized to conduct business in the United States.

We understand that the Internet Corporation for Assigned Names and Numbers ("ICANN") will be accepting applications for new web extensions this year. This office has been informed that companies, such as DOT Registry, LLC, will be applying for the strings, ".INC" and ".LLC" with restrictions that are intended to protect U.S. companies and consumers that are registered with the Secretary of State.

In the event ICANN decides to issue these strings and in order to further the public policy reasons for which entities file at the state level, we believe that such strings should only be issued to companies that are registered with a secretary of state or equivalent agency. It is important that registry companies provide access to the information provided by registered companies for jurisdictional purposes. Our office believes that such restrictions are integral to these strings and will object to the use of the strings, ".INC" and ".LLC" without any restrictions.

Sincerely,


John A. Gale
Secretary of State
Nebraska



Secretary of State

Jason M. Gant

State Capitol | 500 East Capitol Avenue | Pierre, South Dakota 57501 | sdsos@state.sd.us | sdsos.gov

February 27, 2012

Dot Registry
208 W 19th St
Kansas City, Missouri 64108

Subject: Letter of support for the Restricted Use of the Top Level Domains, “.INC.”; “.LLC”, “.LLP” and “.CORP.”

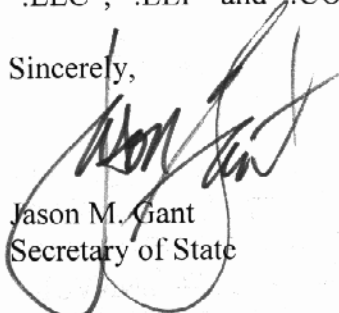
Ladies and Gentlemen:

This letter confirms that the State of South Dakota, Office of the Secretary of State, is charged with administering South Dakota's database of registered business entities. The companies registered with this office are members of the larger community of corporations authorized to conduct business in the United States.

We understand that the Internet Corporation for Assigned Names and Numbers (“ICANN”) will be accepting applications for new web extensions this year. This office has been informed that companies, such as DOT Registry, LLC, will be applying for the strings, “.INC”, “.LLC”, “.LLP” and “.CORP” with restrictions that are intended to protect U.S. companies and consumers that are registered with the Secretary of State.

In the event ICANN decides to issue these strings and in order to further the public policy reasons for which entities file at the state level, we believe that such strings should only be issued to companies that are registered with a secretary of state or equivalent agency. It is important that registry companies provide access to the information provided by registered companies for jurisdictional purposes. Our office believes that such restrictions are integral to these strings and will object to the use of the strings, “.INC”, “.LLC”, “.LLP” and “.CORP” without any restrictions.

Sincerely,


Jason M. Gant
Secretary of State

Administration
Tel: (605) 773-3537
Fax: (605) 773-6580

Corporations
Tel: (605) 773-4845
Fax: (605) 773-4550

Uniform Commercial Code
Tel: (605) 773-4422
Fax: (605) 773-4550



ROBIN CARNAHAN
SECRETARY OF STATE
STATE OF MISSOURI

STATE CAPITOL
ROOM 208
(573) 751-2379

JAMES C. KERRATRICK
STATE INFORMATION CENTER
(573) 751-4936

February 24, 2012

DOT Registry
208 W. 19th Street
Kansas City, MO 64108

Dear Ladies and Gentlemen:

This letter advises that the Secretary of State of Missouri is charged with overseeing the business formation process for the formation of corporations, limited liability companies (LLCs), non-profit companies, professional associations, and several other types of business structures, as well as the maintenance of Missouri's database relating to the aforementioned business entities. The businesses registered with this office are members of the larger community of corporations authorized to conduct business in the United States.

We understand that the Internet Corporation for Assigned Names and Numbers (ICANN) will be accepting applications for new web extensions this year. This office has been informed that companies, such as DOT Registry, LLC, will be applying for the strings, "INC" and "LLC" with restrictions that are intended to protect U.S. companies and consumers that are registered with their state's administrator.

In the event ICANN decides to issue these strings and in order to further the public policy reasons for which entities file at the state level, we believe that such strings should only be issued to companies that are registered with the Secretary of State or equivalent agency. I believe that entities not appropriately registered and maintained in any state should be prohibited from strings that would misrepresent their existence. As most Secretaries of State are not equipped to verify legitimate entity existence, even though we maintain that information, the verification process should be a requirement, albeit not ours.

Very truly yours,

A handwritten signature in cursive script that reads "Robin Carnahan".

Robin Carnahan
Secretary of State

ALVIN A. JAEGER
SECRETARY OF STATE

HOME PAGE www.nd.gov/sos



PHONE (701) 328-2900

FAX (701) 328-2992

E-MAIL sos@nd.gov

SECRETARY OF STATE
STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0500

March 23, 2012

Internet Corporation for Assigned Names and Numbers
1101 New York Avenue NW Suite 930
Washington DC 20005

To Whom it May Concern:

As the Secretary of State, I have the administrative oversight of various business entity registrations filed in my state.

It is my understanding that your organization (ICANN) is now accepting applications for a new expanded top level domain name program. I have learned that extensions such as .INC, .LLC, .LLP, and .CORP may be under consideration and that is of significant concern to me.

If ICANN considers approving these extensions, I respectfully request that they be approved and awarded to a company that has submitted an application that includes restrictions they will abide by, which would provide all of the possible protection for legitimate businesses and consumers from confusion or fraud.

All of these mentioned extensions are recognized under North Dakota state law as a means of identifying various types of business entities that are legally filed with my office. Therefore, it is important to ensure that the website domain name being considered for a business entity is only extended to a business entity that has a corresponding legal registration identified with that domain name. These business entities, with their registration, have lawfully earned the right to use these entity identifiers. That right should not be infringed about by any company or individual that has not obtained the legal use of them through the registration process in one of the states.

Therefore, along with my fellow members of the National Association of Secretaries of State (NASS), I am of the opinion that these extension identifiers should only be extended to entities in their respective states that are legally and appropriately registered with the Secretary of State, or the equivalent state agency.

During the past several months, the NASS Business Services Committee (of which I am a member) has been considering the proposed ICANN program and has been reviewing the potential impact these new extensions would have on existing businesses and new businesses registering with the various states.

As one member of the committee, I believe it is fundamental that NASS be consulted by companies such as DOT Registry or any other applicants regarding policy related to the registering and identifying of businesses as this expanded program is considered by ICANN. And, if ICANN approves these extensions, the successful recipient will agree to extend the new extensions only to a "community" of businesses appropriately and legally registered in one of the various states.

Without having appropriate restrictions in place, I would strongly oppose approving these extensions and awarding them to any company.

Sincerely,

Al Jaeger
Secretary of State

Annex J



1701 Walnut Street Kansas City, MO 64108
(816) 474-3555

March 27, 2012

Mr. Paul Spurgeon
Dot Registry
208 W. 19th
Kansas City, Missouri 64108

RE: Letter of support for the issuance of the internet domain name extensions “.INC”, “.LLP”, “.LLC” and “.CORP”.

Dear Paul;

I understand that Dot Registry is applying for the rights to manage new internet name extensions under ICANN's new GTLD program. I also understand that your application is a “members only” community application which restricts a company being awarded a new domain name to be a valid and existing US corporation of similar fidelity. I believe this differentiation in restrictive use will bring a higher level of credibility and trustworthiness to the users and owners of these sites.

I serve as CEO and control shareholder for Bishop-McCann, LLC. Our company operates a web site under the domain name www.bishopmccann.com. We are organized as a Missouri Corporation and are a member of the larger community of US based corporations and partnerships.

I am writing in support of Dot Registry's application for the issuance of these “strings” that would attempt to protect legitimate businesses and consumers from confusion or fraud; such restrictions would include measures to authenticate the active and good standing status of all corporations and partnerships who seek to register a second-level domain within the respective TLD as proposed by DOT Registry.

I wish you much success in this endeavor and look forward to the opportunity to be awarded a domain name with one of the above referenced extensions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan Nilsen', with a long horizontal flourish extending to the right.

Dan Nilsen
CEO

C CAPITAL, LLC

4520 Main Street
Kansas City, MO 64111
816-756-2225

March 30, 2012

Mr. Paul Spurgeon
Dot Registry
208 W. 19th
Kansas City, Missouri 64108

RE: Letter of support for the issuance of the internet domain name extensions “.INC”, “.LLP”, “.LLC” and “.CORP”.

Dear Paul;

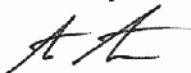
I understand that Dot Registry is applying for the rights to manage new internet name extensions under ICANN's new GTLD program. I also understand that your application is a “members only” community application which restricts a company being awarded a new domain name to be a valid and existing US corporation of similar fidelity. I believe this differentiation in restrictive use will bring a higher level of credibility and trustworthiness to the users and owners of these sites.

I serve as a founder and member of C 3 Capital, LLC. C 3 manages over \$250 million in assets for businesses to finance later stage growth, strategic acquisitions, ownership transitions and recapitalizations. Our company operates a web site under the domain name www.c3cap.com. We are organized as a Missouri LLC and are a member of the larger community of US based corporations and partnerships.

I am writing in support of Dot Registry's application for the issuance of these “strings” that would attempt to protect legitimate businesses and consumers from confusion or fraud; such restrictions would include measures to authenticate the active and good standing status of all corporations and partnerships who seek to register a second-level domain within the respective TLD as proposed by DOT Registry.

I wish you much success in this endeavor and look forward to the opportunity to be awarded a domain name with one of the above referenced extensions.

Sincerely,



Steven Swartzman

METRO TITLE SERVICES

March 21, 2012

Mr. Paul Spurgeon
Dot Registry
208 W. 19th
Kansas City, Missouri 64108

RE: Letter of support for the issuance of the internet domain name extensions “.INC”, “.LLP”, “.LLC” and “.CORP”.

Dear Paul;

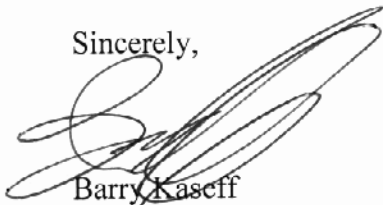
I understand that Dot Registry is applying for the rights to manage new internet name extensions under ICANN’s new GTLD program. I also understand that your application is a “members only” community application which restricts a company being awarded a new domain name to be a valid and existing US corporation of similar fidelity. I believe this differentiation in restrictive use will bring a higher level of credibility and trustworthiness to the users and owners of these sites.

I serve as President and control shareholder for Kaseff Services, LLC. Our company operates a web site under the domain name www.mymetrotitle.com. We are organized as a Kansas LLC and are a member of the larger community of US based corporations and partnerships.

I am writing in support of Dot Registry’s application for the issuance of these “strings” that would attempt to protect legitimate businesses and consumers from confusion or fraud; such restrictions would include measures to authenticate the active and good standing status of all corporations and partnerships who seek to register a second-level domain within the respective TLD as proposed by DOT Registry.

I wish you much success in this endeavor and look forward to the opportunity to be awarded a domain name with one of the above referenced extensions.

Sincerely,



Barry Kaseff
President



March 21, 2012

Mr. Paul Spurgeon
Dot Registry
208 W. 19th
Kansas City, Missouri 64108

Dear Paul;

I understand that Dot Registry is applying for the rights to manage new internet name extensions under ICANN's new GTLD program. I also understand that your application is a "members only" community application which restricts a company being awarded a new domain name to be a valid and existing US corporation of similar fidelity. I believe this differentiation in restrictive use will bring a higher level of credibility and trustworthiness to the users and owners of these sites.

I serve as President and control shareholder for Latteland Espresso LLC. Our company operates a web site under the domain name lattelandkc.com. We are incorporated as a Missouri Limited Liability Corporation and are a member of the larger community of US based corporations.

I am writing in support of Dot Registry's application for the issuance of these "strings" that would attempt to protect legitimate businesses and consumers from confusion or fraud; such restrictions would include measures to authenticate the active and good standing status of all corporations who seek to register a second-level domain within the respective TLD as proposed by DOT Registry.

I wish you much success in this endeavor and look forward to the opportunity to be awarded the domain name Latteland.LLC.

Sincerely,

A handwritten signature in black ink, appearing to read "Ed Schultz", is written over the typed name.

Ed Schultz

luminopolis

March 21, 2012

Mr. Shaul Jolles
Dot Registry
208 W. 19th
Kansas City, Missouri 64108

Dear Mr. Jolles,

I understand from our conversation that you and Dot Registry are applying for the rights to manage new internet name extensions under ICANN's new GTLD program. I also understand that your application is a "members only" community application which restricts a company being awarded a new domain name to be a valid and existing US corporation of similar fidelity. I believe this differentiation in restrictive use will bring a higher level of credibility and trustworthiness to the users and owners of these sites.

I serve as CEO of Luminopolis, LLC. Our company operates a web site under the domain name luminopolis.com. We are incorporated as a Missouri Limited Liability Corporation and are a member of the larger community of US based corporations.

I am writing in support of Dot Registry's application for the issuance of these "strings" that would attempt to protect legitimate businesses and consumers from confusion or fraud; such restrictions would include measures to authenticate the active and good standing status of all corporations who seek to register a second-level domain within the respective TLD as proposed by DOT Registry.

I wish you much success in this endeavor and look forward to the opportunity to be awarded the domain name Luminopolis.LLC.

Sincerely,



Jase Wilson



March 21, 2012

Mr. Shaul Jolles
Dot Registry
208 W. 19th
Kansas City, Missouri 64108

Dear Shaul;

I understand from our conversation that you and Dot Registry are applying for the rights to manage new internet name extensions under ICANN's new GTLD program. I also understand that your application is a "members only" community application which restricts a company being awarded a new domain name to be a valid and existing US corporation of similar fidelity. I believe this differentiation in restrictive use will bring a higher level of credibility and trustworthiness to the users and owners of these sites.

I serve as CEO of OfficePort, LLC. Our company operates a web site under the domain name officeportnetwork.com. We are incorporated as a Missouri Limited Liability Corporation and are a member of the larger community of US based corporations.

I am writing in support of Dot Registry's application for the issuance of these "strings" that would attempt to protect legitimate businesses and consumers from confusion or fraud; such restrictions would include measures to authenticate the active and good standing status of all corporations who seek to register a second-level domain within the respective TLD as proposed by DOT Registry.

I wish you much success in this endeavor and look forward to the opportunity to be awarded the domain name officeport.LLC.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael T. Edmondson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael T Edmondson