



SENT VIA EMAIL

October 17, 2016

Internet Corporation for Assigned Names and Numbers ("ICANN")
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094-2536
Email: didp@icann.org

Re: Document Information Disclosure Policy Request ("DIDP") relating to November 4, 2016 meeting from 12:30 – 13:15 currently scheduled in room MR 1.04 at ICANN 57 in Hyderabad, India concerning .inc (as well as .llc and .llp if those applications will also be discussed)

Dear ICANN:

As the CEO of Dot Registry, LLC ("Dot Registry"), I request the documents and information described below, pursuant to ICANN's Documentary Information Disclosure Policy ("DIDP").

Background

Dot Registry is the sole community applicant for .corp, .inc, .llc, and .llp new generic Top-Level Domains ("gTLDs"). Dot Registry is currently awaiting the ICANN Board's next steps related to Dot Registry's IRP Declaration, in which we prevailed. Dot Registry should be included in any meeting or discussion related to .inc, .llc, .llp applications. Dot Registry was not invited to attend this closed working group meeting at ICANN 57 in Hyderabad, India.

Requested Documents

Dot Registry respectfully requests that ICANN produce:

- 1) The identity of the working group which is scheduled to meet on November 4, 2016 from 12:30 – 13:15 in room MR 1.04 about .inc, as well as .llc and .llp if those applications will also be discussed in the meeting;
- 2) Provide a list of all working group members and their current affiliation;
- 3) Provide an agenda for the topic(s) of discussion around .inc, as well as .llc and .llp if those applications will also be discussed in the meeting; and
- 4) Provide rationale around why this meeting was called and why Dot Registry was not invited to participate.

This DIDP Request is in the public interest as this directly impacts Dot Registry. The above requested information is currently not publicly available as of the date of this letter, does not meet any defined conditions for non-disclosure, and is a proper subject for a DIDP Request.

Rationale

To the extent that ICANN deems that any of the information falls into one of the defined conditions for non-disclosure, ICANN should nonetheless disclose the information, as the public interest in disclosing the information outweighs any harm that might be caused by disclosure. As a harmed party to the *Dot Registry, LLC v. ICANN* IRP, we are entitled to understand any discussions around .inc, .llc, or .llp.

The need for this disclosure is especially pressing in light of the Board’s recent re-appointment of the BGC to re-evaluate Dot Registry’s three Reconsideration Requests. As stated by ICANN’s Counsel, Jeffrey LeVee, on Pages 166 – 167 of the *Dot Registry, LLC v. ICANN* IRP Hearing Transcript:

“The BGC has made it clear that it is not conducting a substantive review on the merits...It's not the Board Governance Committee's mandate. They don't have the expertise to do that, and a substantive review of any of these things, including CPE reviews, would require the Board Governance Committee to have the sort of expertise that it expressly decided to outsource. That's the purpose of having a different company, an outside vendor do the CPE reviews.”

Unless ICANN provides the requested documents, the Internet community will have no way to evaluate whether the ICANN is held to the policies established in the gTLD Applicant Guidebook and to the general mandated principles enumerated in ICANN’s Articles of Incorporation and Bylaws, including transparency, accountability, good faith and fair dealing. Because ICANN is tasked through its Bylaws and Articles of Incorporation with operating in a transparent and accountable manner, and with ensuring that its policies and practices are followed in a similar manner by its affiliated bodies, Dot Registry urges ICANN to provide the material requested, as outlined in this DIDP request.

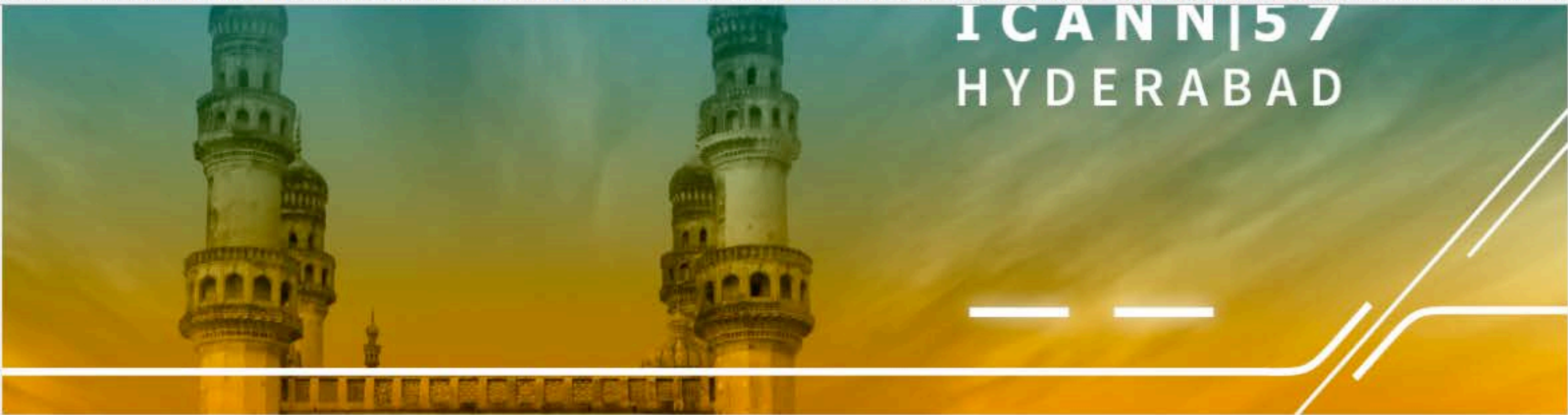
Dot Registry reserves all of its rights at law and in equity, including, but not limited to, its right to obtain this or other information from ICANN.

DOT REGISTRY, LLC

Sincerely,



Shaul Jolles,
Chief Executive Officer



Welcome to the schedule for ICANN57! This seven-day, Annual General Meeting is focused on outreach, capacity building, and showcasing ICANN's work to a broader global audience. For more details about the meeting, please visit <https://meetings.icann.org/en/hyderabad57>.

Schedule ▾ Staff Facilitators Attendees

Friday, November 4 • 12:30 - 13:15

.web and .inc [C]

Sign up or log in to save this event to your list and see who's attending!

<http://sched.co/8cvy> [Tweet](#) [Share](#)

Board update discussion session on .web and .inc

Friday November 4, 2016 12:30 - 13:15
MR 1.04
Working Group, Closed - Members Only



Schedule or People Search

- Nov 2 - 9, 2016
- Hyderabad, Telangana, India
- Business Engagement
- Capacity Building / Training
- Cross Community Workshop
- General Session / Plenary
- Introductory / Outreach
- Networking Event
- Operations / Management
- Security / Technical
- Working Group
- ★ Popular

Recently Active Attendees

