

**IN THE MATTER OF AN INDEPENDENT REVIEW PROCESS
BEFORE THE INTERNATIONAL CENTRE FOR DISPUTE RESOLUTION**

AFILIAS DOMAINS NO. 3 LIMITED,

Claimants

v.

INTERNET CORPORATION FOR ASSIGNED NAMES AND NUMBERS,

Respondent

ICDR Case No. _____

WITNESS STATEMENT OF RAM MOHAN

1 November 2018

I. Personal and Professional Background

1. My full name is Ram Mohan. I am a citizen of the United States and I reside in Yardley, Pennsylvania. Currently, I am Afilias plc's ("**Afilias**") Executive Vice President and Chief Technology Officer. I have been with Afilias since 2001. Afilias is a domain name registry or registry service provider for several top-level domains ("**gTLDs**"), including .INFO, .MOBI, .ASIA, .IN, .ME, and .BZ.

2. Over the last 17 years, I have also served in various capacities within various policy-making and policy-influencing groups at the Internet Corporation for Assigned Names and Numbers ("**ICANN**"), a global non-profit organization that coordinates and manages the domain name system ("**DNS**"). I was a member of the ICANN Board of Directors¹ until 25 October 2018, and am presently a member of the ICANN Security & Stability Advisory Committee ("**SSAC**"). My first position within ICANN was with the Generic Names Supporting Organization ("**GNSO**") WHOIS Working Group, which I led as its chairman from 2001 until 2002. I also became a member of SSAC around the same time. I was recruited to ICANN's Nominating Committee ("**NomCom**") in 2002 and remained a member until 2005. From 2005 to 2009, I was a member of the ICANN President's Advisory Committee on Internationalized Domain Names ("**IDNs**"). In 2008, I was elected as the SSAC's non-voting liaison to the ICANN Board, a position which I held until October 2018.

3. I received a Bachelor of Science in electrical engineering from Manipal Academy of Higher Education in 1990, and then a Master of Business Administration in Entrepreneurship and Finance from the Bharathidasan Institute of Management, Tiruchirappalli in 1992.

¹ Nothing that I have stated in this Witness Statement addresses any matter that is confidential to the ICANN Board of Directors and its deliberations. I have recused myself from any and all Board discussions concerning .WEB and Afilias' TLD application.

4. After receiving my Masters, I worked as an engineer in networking services for Unisys before accepting an offer from First Data Resources as a Senior Technology Architect. The experience I gained at Unisys and First Data Resources paved my way to Infonautics, an Internet-based company that directed the course of my career towards the domain name industry. Infonautics created and maintained online information services, such as “Encyclopedia.com,” and for six years I served as both its Chief Operating Officer and Chief Technology Officer. I resigned from my positions at Infonautics when offered a position as Afilias’ Chief Technology Officer in 2001.

5. In parallel to my work with Afilias, I also identify and develop policies that affect Internet users through my participation in Internet standards groups and governing bodies. I am an Advisory Council member to the Internet Society, a nonprofit organization that promotes the open development and use of the Internet for all individuals. I also serve as the Technology Advisor for the Government of India’s Department of Information Technology. Through this position, I advise the Government of India on its management of the .IN country-code top-level domain, the DNS, IDNs, Internet Protocol (“IP”) addresses, and other related matters.

II. ICANN’s Governing Documents

6. In performing its obligation to coordinate and manage the DNS, ICANN is required to comply with its two governing documents: the ICANN Articles of Incorporation (the “**Articles**”) and the Bylaws for ICANN (“**ICANN Bylaws**”). These documents impose upon ICANN various obligations and mandates that govern the ICANN Board’s actions.

7. The Articles establish ICANN as a California nonprofit public benefit corporation. Pursuant to the Articles, ICANN must “promot[e] the global public interest in the operational

stability of the Internet.”² It must also “carry[] out its activities in conformity with relevant principles of international law and international conventions and local law and[,] [to the extent appropriate and consistent with these Articles and its Bylaws] ... through open and transparent processes that enable competition and open entry in Internet-related markets.”³

8. The ICANN Bylaws provide further guidance to the ICANN Board regarding its obligations to the Internet community. The Bylaws plainly state ICANN’s mission, which “is to ensure the stable and secure operation of the Internet’s unique identifier systems,”⁴ and identifies the Core Values and commitments that should guide the ICANN Board’s actions. The ICANN Board takes the Core Values quite seriously, and the Board invariably discusses the Core Values when making decisions. Significantly, the ICANN Bylaws identify one such Core Value as “[i]ntroducing and promoting competition in the registration of domain names where practicable and beneficial to the public interest as identified through the bottom-up, multistakeholder policy development process.”⁵

9. The ICANN Bylaws and Articles also require ICANN to operate in an open and transparent manner.⁶ As a member of the ICANN community for 17 years and a member of the ICANN Board for the last 10 years, I understand that ICANN’s obligations to carry out activities

² ICANN, Amended and Restated Articles of Incorporation of Internet Corporation for Assigned Names and Numbers (approved on 9 Aug. 2016, filed on 3 Oct. 2016), *available at* <https://www.icann.org/resources/pages/governance/articles-en>, [Ex. RM-1], Art. 2(II).

³ *Id.*, Art. 2(III).

⁴ ICANN, Bylaws for Internet Corporation for Assigned Names and Numbers (18 June 2018), *available at* <https://www.icann.org/resources/pages/governance/bylaws-en>, [Ex. RM-2], Art. 1, Sec. 1.1(a) (at p. 3). The ICANN Bylaws further outline the ICANN accountability review mechanisms, and the rules governing ICANN’s supporting organizations—including the GNSO. *Id.*

⁵ *Id.*, Art. 1, Sec. 1.2(b)(iv) (at p. 7).

⁶ *Id.*, Art. 3, Sec. 3.1 (at p. 8); ICANN, Amended and Restated Articles of Incorporation of Internet Corporation for Assigned Names and Numbers (approved on 9 Aug. 2016, filed on 3 Oct. 2016), *available at* <https://www.icann.org/resources/pages/governance/articles-en>, [Ex. RM-1], Art. 2(III).

“through open and transparent processes” and “[e]mploy open, transparent and bottom-up, multistakeholder policy development processes”⁷ require that it act with transparency regarding its decision-making processes.

10. ICANN and the ICANN Board are required to operate in a manner that is consistent with and that promote these commitments and Core Values: “[t]he Commitments and Core Values are intended to apply in the broadest range of possible circumstances.”⁸ Since part of ICANN’s organizational mandate is to promote competition and consumer choice, the promotion of competition should permeate every decision that ICANN makes.

III. ICANN’s Core Value to Promote Competition and the New gTLD Program

11. Throughout my time on the ICANN Board, and my involvement in the Internet community, I participated in discussions about the meaning of ICANN’s Core Value of introducing and promoting competition in the DNS. Based on my 17 years working with ICANN, it is my understanding that ICANN is obligated to take affirmative actions to create an environment within which market forces can operate to set competitive prices. In practice, the policy behind this Core Value is more specific: break the NSI/VeriSign monopoly.

12. The New gTLD Program was founded on certain principles that are fundamental to ICANN; in sum, the New gTLD Program was designed to introduce and promote competition for the supply of generic domain names at the wholesale registry level via a process that was fair and transparent. ICANN’s New gTLD Program was and remains the principal means by which ICANN intends to introduce and promote competition at the wholesale registry level. In other

⁷ ICANN, Bylaws for Internet Corporation for Assigned Names and Numbers (18 June 2018), *available at* <https://www.icann.org/resources/pages/governance/bylaws-en>, [Ex. RM-2], Art. 2(II).

⁸ *Id.*, Art. 1, Sec. 1.2(c) (at p. 7).

words, the New gTLD Program is the principal means by which ICANN intends to develop competition for VeriSign.

13. The ICANN community spent years developing and preparing to implement the New gTLD Program. During this time, ICANN engaged in a detailed and lengthy consultation process with all constituencies of the global Internet community. In particular, the GNSO itself devoted significant time to developing specific policy recommendations for introducing new gTLDs to the DNS, which took the form of a Final Report on the “Introduction of New Generic Top-Level Domains.”⁹ In making policy recommendations for the New gTLD Program, the GNSO’s final report emphasized that the introduction of new gTLDs will “promote competition in the provision of registry services” and provide for more business opportunities in the DNS.¹⁰ In fact, the GNSO identified the introduction and promotion of competition in the DNS as a central purpose of the New gTLD Program:

There is demand for additional top-level domains as a business opportunity. The GNSO Committee expects that this business opportunity will stimulate competition at the registry services level which is consistent with ICANN’s Core Value 6. ... In addition the introduction of new top-level domain application process has the potential to promote competition in the provision of registry services¹¹

14. The GNSO stated that the process for allocation of new gTLDs must be fair and non-discriminatory, ensuring that the policies and principles set forth in the Guidebook would be applied consistently and fairly, in keeping with ICANN’s Core Values.¹² Additionally, the GNSO

⁹ ICANN-GNSO, *Final Report: Introduction of New Generic Top-Level Domains, Part A* (8 Aug. 2007), available at <https://gns0.icann.org/en/issues/new-gtlds/pdp-dec05-fr-parta-08aug07.htm>, [Ex. RM-3].

¹⁰ *Id.*, p. 6.

¹¹ *Id.*, pp. 5, 12 (at paras. 13(iv), 7(iv)).

¹² *Id.*, p. 13 (para. 10) (“The evaluation and selection procedure for new gTLD registries should respect the principles of fairness, transparency and non-discrimination.”).

stated that, in administering the New gTLD Program, ICANN should act transparently, providing the public and the Internet community a meaningful opportunity to review all applications for new gTLDs, so that any concerns regarding any particular application could be raised and considered in a rigorous way.¹³ The GNSO also expected that ICANN would act expeditiously in introducing new gTLDs to the DNS and that ICANN would keep applicants for new gTLDs regularly updated on the status of their applications.

15. This report served as the basis for the gTLD Applicant Guidebook (“**Guidebook**”), which was adopted by the ICANN Board and sets forth the policies, principles, and rules that govern the New gTLD Program. The Guidebook’s fundamental principle was to create a single, transparent, and objective process for awarding new gTLDs, while at the same time ensuring that new gTLDs would be awarded to those entities best positioned to exploit them. According to ICANN, the Guidebook “provides a step-by-step procedure for new gTLD applicants. It specifies what documents and information are required to apply; the financial and legal commitments; and what to expect during the application and evaluation periods.”¹⁴

16. For example, to ensure that applicants intended to operate and market a successful registry, ICANN set the application cost at a relatively high level (USD 185,000), ensuring that companies that applied for a gTLD “had some skin in the game.” To ensure that applicants had the necessary financial resources to execute on their vision, ICANN required and evaluated significant financial disclosures from all applicants. To ensure that the applicant had the requisite technological expertise to operate a registry, ICANN required all applicants to disclose details

¹³ *Id.*, p. 13 (para. 10) (“The evaluation and selection procedure for new gTLD registries should respect the principles of fairness, transparency and non-discrimination. All applicants for a new gTLD registry should therefore be evaluated against transparent and predictable criteria, fully available to the applicants prior to the initiation of the process.”).

¹⁴ ICANN, *News & Media: New gTLD Frequently Asked Questions*, available at <https://newgtlds.icann.org/en/applicants/global-support/faqs/faqs-en>, [Ex. RM-4], para. 6.1 (at p. 9).

about their capabilities as well as to run certain tests to assure ICANN that the applicant’s technology met certain minimum standards. To ensure transparency, ICANN required applicants to provide information on the legal establishment of the applying entity, and to identify the directors, officers, partners, and major shareholders of that entity.¹⁵ Moreover, the names and positions of the individuals involved in the application were published as part of the public part of the application.¹⁶

17. ICANN also provided a “Comment Period” so that the public could provide comments on an application. According to the Guidebook, the public comment mechanism was part of ICANN’s dedication to “preserving the operational security and stability of the Internet, promoting competition, achieving broad representation of global Internet communities, and developing policy appropriate to its mission through bottom-up, consensus-based processes.”¹⁷ Evaluators were specifically required to perform due diligence on the application comments and to take the information provided in these comments into consideration.¹⁸

18. Once an application successfully completed the evaluation, comment and objection period, the applicant could hold itself out as having won a consensus approval from both ICANN and the broader Internet community.

19. The Guidebook encourages approved applicants for the same gTLD voluntarily to reach an agreement regarding the future operation of the registry.¹⁹ In many cases, the applicants resolved these “**contention sets**” through a private auction—in which the applicant with the

¹⁵ ICANN, *gTLD Applicant Guidebook* (4 June 2012), [Ex. RM-5], Sec. 1.2.1 (at p. 1-21).

¹⁶ *Id.*

¹⁷ *Id.*, Sec. 1.1.2.3 (at p. 1-5).

¹⁸ *Id.*

¹⁹ *Id.*, Sec. 1.1.2.10 (at p. 1-13).

highest bid wins the rights to the gTLD, and the proceeds of that bid are distributed to the losing bidders.²⁰ If voluntary resolution failed, ICANN administers an auction of last resort (“**ICANN Auction**”), at which the applicant with the highest bid wins the rights to the gTLD—but the proceeds are retained by ICANN.²¹

20. The purpose of an ICANN Auction is to “resolve contention in a clear, objective manner.”²² Further, the Board is generally obligated to ensure that its processes are “open and transparent.”²³ Accordingly, ICANN has an independent duty to ensure that all ICANN Auctions are conducted fairly and transparently, consistent with its obligations under its Bylaws, the Guidebook, and the Auction Rules.

21. Like the Guidebook, the ICANN Auction process itself was the subject of significant policy planning. In its 2008 paper, “Economic Case for Auctions in New gTLDs,” ICANN outlined several key policies for auctions it would administer as part of the New gTLD Program, which include the following:

- a. Auctions should be designed to “resolv[e] contention among competing applicants for new generic TLD strings.”²⁴ The central and most important policy is that participation in an ICANN-administered auction would be limited to qualified applicants, those entities that had submitted an application, passed evaluation, and resolved any objections from the GAC or the public. This policy is essential to maintaining the legitimacy of the entire New gTLD Program: if entities that were not members of a contention set could participate in an auction, there would be no reason to apply in the first instance.

²⁰ *Id.*

²¹ *Id.*, Module 4.3 (at p. 4-19).

²² *Id.*, Module 4.3, note 1 (at p. 4-19).

²³ ICANN, Board of Directors’ Code of Conduct (18 July 2018), *available at* <https://www.icann.org/resources/pages/governance/code-of-conduct-en>, [Ex. RM-6], Exhibit A, Sec. 1.2(a) (at p. 7).

²⁴ ICANN, *Economic Case for Auctions in New gTLDs* (8 Aug. 2008), [Ex. RM-7], Executive Summary (at p. 1).

- b. Auctions should be designed to enhance allocative efficiency by favoring those applicants who intended to serve the most users, provide the highest quality service, and develop the new gTLD the fastest.²⁵
- c. Auctions should be designed to promote transparency and fairness.²⁶
- d. Auctions should not be designed to maximize revenue, as “revenue maximization is not one of ICANN’s goals with the new gTLD process.”²⁷

22. Just like the Guidebook process was designed to ensure that the public knew exactly who was applying for which gTLDs and for what purpose, the ICANN Auction was designed to ensure that all participants knew who they were competing against. In keeping with its obligations to ensure openness, transparency, and objectivity, the ICANN Board must run a fair auction and, particularly for the sake of transparency, let all bidders know against whom they’re bidding.

IV. VeriSign’s Pursuit of .WEB

23. .WEB garnered significant and unique attention during the lead up to the initial round of the New gTLD Program because many people believed it was the only new gTLD that could successfully compete with .COM. The attention to .WEB was compounded by ICANN’s sudden and contentious decision not to delegate the gTLD in 2000, even though .WEB was generally considered the most attractive gTLD available from ICANN at that time.

24. By 2012, .WEB was widely viewed as the best new gTLD and the closest potential competitor to VeriSign’s .COM and .NET. For this reason, several leading registry and registrar operators applied for .WEB in 2012: Afilias; Google, through its Charleston Road Registry

²⁵ *Id.*, Sec. 2 (at p. 2).

²⁶ *Id.*, Sec. 2 (at p. 3).

²⁷ *Id.*

subsidiary;²⁸ Web.com Group;²⁹ Radix FZC, through DotWeb;³⁰ Donuts, through Ruby Glen;³¹ and Schlund Technologies.³² A small company called NU DOT CO also applied for .WEB. VeriSign, however, did not apply for .WEB—or any other new gTLD unassociated with VeriSign for that matter³³—in what I considered to be implicit recognition that the New gTLD Program was intended to create competition for VeriSign.

25. Based on Afiliás' longstanding strategic goal to obtain .WEB to compete against VeriSign, Afiliás was prepared to outbid all of the other applicants at the private auction. In preparation for the auction, Afiliás had acquired sufficient financing to bid more than three times the record bid of an ICANN Auction at the time.³⁴

26. Given the incentives inherent in a private auction, as opposed to an ICANN Auction, NDC was potentially sacrificing millions of dollars by insisting on an ICANN Auction.

²⁸ As one of the largest companies in the world, Google requires no introduction. Its Charleston Road Registry subsidiary applied for 101 new gTLDs in 2012. ICANNWiki, Google, *available at* <https://icannwiki.org/Google>, [Ex. RM-8].

²⁹ Web.com reported that in 2017 the company generated Non-GAAP revenue of USD 755.8 million. *See* Web.com, 2017 Annual Report (23 Feb. 2018), [Ex. RM-9], p. 3. On 3 August 2011, Web.com announced that they were acquiring the registrar Network Solutions, LLC for USD 405 million in cash and other consideration. J. O'Dell, "Web.com acquires Network Solutions for \$405M plus stock," *VentureBeat* (3 Aug. 2011), *available at* <https://venturebeat.com/2011/08/03/web-com-acquires-network-solutions/>, [Ex. RM-10].

³⁰ Started in 2012, Radix is world's third largest domain portfolio registry and Asia's largest gTLD applicant to ICANN. Radix is part of the Directi Group, which is currently valued at USD 1.4 billion. Radix has been an active participant in ICANN's process to expand the internet naming system, and has obtained the rights to operate over 10 new gTLDs (generic Top Level Domains) including .ONLINE, .STORE, .TECH, .WEBSITE, .SPACE, .PRESS, .SITE, .HOST, and .FUN. *See* Radix, *Radix in the News: .FUN has just begun! (undated)*, *available at* <https://radix.website/fun-has-just-begun>, [Ex. RM-11].

³¹ Donuts holds the world's largest portfolio of gTLDs, which include .LTD, .COMPANY, .CAREERS, .SUPPORT, .PHOTOGRAPHY, .CAFE, .HEALTHCARE, .SOCIAL, .WORLD, .LIVE, and .TRAVEL. Donuts Inc., About: Top-level domains, *available at* <https://donuts.domains/what-we-do/top-level-domains>, [Ex. RM-12].

³² Schlund Technologies is part of the United Internet conglomerate. With 22.89 million fee-based customer contracts and 35.42 million ad-financed free accounts (prior year: 34.29 million), United Internet is a leading European internet specialist. *See* United Internet, 2017 Annual Report, [Ex. RM-13].

³³ VeriSign only applied for non-Latin versions of .COM and .NET as part of the 2012 round of applications for new gTLDs, as well as .COMSEC and .VERISIGN.

³⁴ By the time NDC withdrew from the auction, Afiliás had insufficient time to obtain more financing to prevail in an auction against VeriSign.

Its decision to withdraw from the private auction therefore made little sense to me, especially as I considered it highly unlikely that NDC had a war chest of the size that would allow it to bid higher than what we could bid.

27. Confidential Information Redacted

28. Confidential Information Redacted

Confidential Information Redacted

29. Confidential Information Redacted

30. Confidential Information Redacted

31. Confidential Information Redacted

32. On 13 July 2016, in response to a request for the postponement of the auction by other members of the .WEB contention set, ICANN informed all of the .WEB applicants that it

had investigated concerns about a potential change in the management or control of NDC.³⁵ ICANN assured all the applicants that it had found no basis to initiate the application change request process or postpone the auction.³⁶ This letter confirmed our belief that VeriSign was not involved.

33. On 21 July 2016, ICANN's Board Governance Committee published its decision rejecting reconsideration of ICANN's 13 July 2016 determination to proceed with the auction. In its decision, the Committee wrote:

The Applicant Guidebook provides that, '[i]f at any time during the evaluation process information previously submitted by an applicant becomes untrue or inaccurate, the applicant must promptly notify ICANN.' First, Nu Dot never notified ICANN that there were any changes to the information provided in the application. Second, as discussed above, after investigating the Requesters' allegations that there were changes in Nu Dot's organization requiring changes to the application, ICANN concluded that there was no evidence to suggest that Nu Dot's application was no longer accurate. Thus, as ICANN explained to the Requesters, there was no need for Nu Dot to 'initiate the application change request process.' ... [A]fter investigating the Requesters' allegations, ICANN found no evidence to suggest that Nu Dot experienced a change of leadership and/or control, and in fact received explicit confirmation from the primary contact for Nu Dot, Jose Ignacio Rasco, that no such changes had occurred, which ICANN is entitled to rely upon.³⁷

34. We therefore participated in the .WEB auction optimistic that we had raised sufficient capital to prevail, given that we knew (or, at least, thought we knew) the identity of the other contention set members.

35. ICANN then pressed forward with its plans to conduct the ICANN Auction on 27 July 2016, and the ICANN Auction for .WEB took place as scheduled. The auction was structured

³⁵ Letter from Christine A. Willett (ICANN) to .WEB Auction Members (13 July 2016), [Ex. RM-14], p.1.

³⁶ *Id.*

³⁷ Determination of the Board Governance Committee (BGC), Reconsideration Request 16-9 by Ruby Glen, LLC and Radix FZC (21 July 2016), [Ex. RM-15], pp. 10-11.

into a series of rounds. Bidders wishing to move to the next round were required to bid at a certain level. VeriSign, using NDC as a front to conceal its participation, won the auction, besting Afilias' maximum bid of USD 135 million.³⁸ Other than Afilias and NDC, no other member of the .WEB contention set had progressed beyond the USD 71.9 million threshold.

36. At the time, we did not know who we were actually bidding against, but soon the facts became apparent. On 28 July 2016, VeriSign disclosed in its second quarter 10-Q filing that it had committed to pay USD 130 million for the future assignment of unspecified contractual rights.³⁹ Although the 10-Q did not provide any additional information, we immediately began seeing media reports that VeriSign had acquired .WEB. On 1 August 2016, VeriSign issued a press release that confirmed that it had provided funds for NDC's bid in exchange for the assignment of .WEB to VeriSign.⁴⁰ Afilias immediately lodged a formal objection with ICANN.⁴¹

37. The ICANN Board⁴² showed no concern about the .WEB gTLD at the time. Once it became clear that VeriSign was behind the bid and that there was a violation of the Guidebook, I believe that ICANN should have disqualified NDC based on a number of technical rule violations by NDC, its lack of transparency, and its failure to disclose material information.

38. ICANN Staff are expected to do their best to implement provisions of the Guidebook based on their understanding of the policy rationales underlying the Guidebook. ICANN Staff have authority to deal with issues regarding the Guidebook so long as the issue in

³⁸ Afilias' bidding was constrained by covenants in its financing agreements, which set a USD 135 million cap on Afilias' bid for .WEB.

³⁹ Verisign Inc., *Form 10-Q (Quarterly Report)* (28 July 2016), [Ex. RM-16], Note 11 (at p. 13).

⁴⁰ Verisign, *Verisign Statement Regarding .Web Auction Results* (1 Aug. 2016), [Ex. RM-17].

⁴¹ See Letter from Scott Hemphill (Afilias) to Akram Atallah (ICANN) (8 Aug. 2016), [Ex. RM-18]; Letter from Scott Hemphill (Afilias) to Akram Atallah (ICANN) (9 Sept. 2016), [Ex. RM-19]; Letter from John Kane (Afilias) to Christine A. Willett (ICANN) (7 Oct. 2016), [Ex. RM-20].

⁴² I had recused myself from Board discussions related to the issue of .WEB. Accordingly, my impressions are based on my observations as an Afilias executive, not an ICANN Board member.

front of them does not require an interpretation of the Guidebook's policies. By design, the ICANN Board does not involve itself in the administration and implementation of the Guidebook.

39. To this day, Afilias has no clear understanding of what, if anything, ICANN Staff has done to investigate the matter of how VeriSign has put itself in line to win the rights to operate the .WEB registry, as ICANN has still not responded to Afilias' letters requesting such information. Moreover, even though the Board has the authority to delegate responsibility for investigations to the ICANN Staff, this does not excuse the ICANN Board's inaction in response to a monopolist's attempts to acquire its best and closest potential competitor.

I affirm that the foregoing statement is true and correct to the best of my knowledge and belief.



Cedarampattu "Ram" Mohan

Date: 1 November 2018

LIST OF EXHIBITS

| Exhibit No. | Description |
|--------------|---|
| RM-1 | ICANN, Amended and Restated Articles of Incorporation of Internet Corporation for Assigned Names and Numbers (approved on 9 Aug. 2016, filed on 3 Oct. 2016), <i>available at</i> https://www.icann.org/resources/pages/governance/articles-en |
| RM-2 | ICANN, Bylaws for Internet Corporation for Assigned Names and Numbers (18 June 2018), <i>available at</i> https://www.icann.org/resources/pages/governance/bylaws-en |
| RM-3 | ICANN-GNSO, <i>Final Report: Introduction of New Generic Top-Level Domains, Part A</i> (8 Aug. 2007), <i>available at</i> https://gns0.icann.org/en/issues/new-gtlds/pdp-dec05-fr-parta-08aug07.htm |
| RM-4 | ICANN, <i>News & Media: New gTLD Frequently Asked Questions</i> , <i>available at</i> https://newgtlds.icann.org/en/applicants/global-support/faqs/faqs-en |
| RM-5 | ICANN, <i>gTLD Applicant Guidebook</i> (4 June 2012) |
| RM-6 | ICANN, Board of Directors' Code of Conduct (18 July 2018), <i>available at</i> https://www.icann.org/resources/pages/governance/code-of-conduct-en |
| RM-7 | ICANN, <i>Economic Case for Auctions in New gTLDs</i> (8 Aug. 2008) |
| RM-8 | ICANNWiki, Google, <i>available at</i> https://icannwiki.org/Google |
| RM-9 | Web.com, 2017 Annual Report (23 Feb. 2018) |
| RM-10 | J. O'Dell, "Web.com acquires Network Solutions for \$405M plus stock," <i>VentureBeat</i> (3 Aug. 2011), <i>available at</i> https://venturebeat.com/2011/08/03/web-com-acquires-network-solutions/ |
| RM-11 | Radix, <i>Radix in the News: .FUN has just begun!</i> (undated), <i>available at</i> https://radix.website/fun-has-just-begun |
| RM-12 | Donuts Inc., About: Top-level domains, <i>available at</i> https://donuts.domains/what-we-do/top-level-domains |
| RM-13 | United Internet, 2017 Annual Report |
| RM-14 | Letter from Christine A. Willett (ICANN) to .WEB Auction Members (13 July 2016) |
| RM-15 | Determination of the Board Governance Committee (BGC), Reconsideration Request 16-9 by Ruby Glen, LLC and Radix FZC (21 July 2016) |
| RM-16 | Verisign Inc., <i>Form 10-Q (Quarterly Report)</i> (28 July 2016) |
| RM-17 | Verisign, <i>Verisign Statement Regarding .Web Auction Results</i> (1 Aug. 2016) |
| RM-18 | Letter from Scott Hemphill (Afilias) to Akram Atallah (ICANN) (8 Aug. 2016) |
| RM-19 | Letter from Scott Hemphill (Afilias) to Akram Atallah (ICANN) (9 Sept. 2016) |

| Exhibit No. | Description |
|--------------------|---|
| RM-20 | Letter from John Kane (Afilias) to Christine A. Willett (ICANN) (7 Oct. 2016) |