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Portland, OR 97205

Christine Willett, Vice-President gTLD Operations
Russ Weinstein, Senior Manager GDD Operations
cc: Dr. Steve Crocker, Chairman of the Board
ICANN
12025 Waterfront Dr., Suite 300
Los Angeles, CA 90094

January 6, 2015

Ms. Willett and Mr. Weinstein:

ICANN stated in a December 1, 2014 communication to the .llc contention set that it was not rescheduling the auction for .llc due to a pending Independent Review Proceeding (IRP). I'm writing to implore you to immediately postpone the .llc Auction of Last Resort in order to allow the IRP to run its due course.

The intent around the timing of the Auction of Last Resort, as I understand it, is to allow applicants to coordinate among themselves and come to a mutual resolution prior to the Auction of Last Resort. The IRP has prevented any earnest conversation amongst the contention set.

Additionally, moving to an Auction of Last Resort while the IRP is pending could create an unforeseen scenario wherein the applicant that is awarded the TLD may be subject to the revocation of said registry due solely to the actions of former applicants. This would be unprecedented in the new TLD program and creates further complications, such as refunds for the auction fees incurred.

We believe that the IRP is an important part of ICANN's accountability and review mechanisms and that there is no clear reason to continue without delay to the ICANN Auction of Last Resort before the IRP is resolved. With this in mind, I respectfully ask that the auction be postponed immediately.

With kind regards,

Raymond King
CEO, Top Level Design, LLC