



American Red Cross  
National Headquarters  
2025 E Street, NW  
Washington, DC 20006

June 16, 2011

VIA EMAIL: [pritz@icann.org](mailto:pritz@icann.org); [amy.stathos@icann.org](mailto:amy.stathos@icann.org)

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Dear Ms. Stathos and Mr. Pritz:

Thank you for your support for our request to protect Red Cross Names from registration at both the top and second level of new gTLDs that will be introduced during the New gTLD Program. We were disappointed to learn that ICANN will not include the Red Cross Names on the Reserved Names List in the May 2011 version of the New gTLD Applicant Guidebook. We understand that ICANN has not rejected our request, but rather has further questions for the International Red Cross and Red Crescent Movement ("the Movement") on this issue. We are delighted to respond to those questions in an effort to clarify the importance of protecting the Red Cross Names from registration by third parties.

### **Why were the Red Cross Names chosen for protection?**

First, the ICANN Board asked why the Red Cross Names were chosen for protection. As we explained in our April 5, 2011 letter (revised draft found in Attachment A), the Red Cross Names (reproduced in the chart below) are specifically reserved for use by the 194 governments who have ratified the Geneva Conventions. The Geneva Conventions also prohibit private entities from using the Red Cross Names. Additionally there is national or federal legislation in many of these countries to protect the Red Cross Names. For example, in the United States there are two criminal statutes that provide that the unauthorized use of the designation RED CROSS (18 U.S.C. § 706) and any unauthorized fundraising or receiving money using the designation RED CROSS (18 U.S.C. § 917) shall be subject to a fine, imprisonment, or both. We are not aware of any other entity that is protected under international treaty and national laws. Furthermore, we sought protection for the various Red Cross Names as translated in the official U.N. languages, as they are most often used and protected by national legislation. Finally, we take this opportunity to add names that were inadvertently omitted from the prior submission that are associated with Magen David Adom, Israel's national emergency medical, disaster, ambulance and blood bank service that was officially recognized by the Movement as the national aid society of the state of Israel under the Geneva Conventions, and a member of the International Federation of Red Cross and Red Crescent Societies.

## RED CROSS RESERVED NAMES

ENGLISH	FRENCH	SPANISH	RUSSIAN	ARABIC	CHINESE
redcross	croixrouge	cruzroja	Красный Крест	رمح ال بيصلوا	紅十字 (traditional) ▪ 十字 (simplified)
	croix-rouge				
redcrescent	croissanrouge	medialunaroja	Красный Полумесяц	لالما رمح ال	紅新月 (traditional) ▪ 新月 (simplified)
	croissant-rouge				
redcrystal	cristalrouge	cristalrojo	Красный Кристалл	ءارمحل ءرولبل	紅水晶 (traditional) ▪ 水晶 (simplified)
	cristal-rouge				
redlionandsun				الكريستلة الحمراء	
magenddavidadom					
Redstarofdavid	<b>HEBREW</b>				
	דודן 717 אדום				

Reserving these names and prohibiting third parties from registering these names would thus ensure that ICANN, the new gTLD registries, and the new gTLD registrars would not violate these international and national laws.

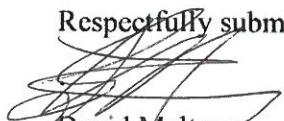
### **How will the requested reservations be effective in protecting the interests of the Movement?**

Second, the Board asked how the requested reservations (at the second level) will be effective in protecting the interests of the organization. The Movement is the world's largest international humanitarian aid organization, and a large portion of the Movement's revenues come from donations that are used to provide that humanitarian assistance. Moreover, a significant amount of the Movement's activities and donations are coordinated through the Internet. This fact has not escaped the attention of people who abuse the Movement's reputation by launching fraudulent websites containing Red Cross Names to solicit donations routinely after virtually every newsworthy disaster. These fraudulent websites siphon donations that are intended for the Movement and improperly divert them to the fraudulent organization's own purposes. The Movement then spends a significant amount of time and resources in enforcement activities, including shutting down these sites and attempting to recover the fraudulent funds. If the Red Cross Names are reserved, illegitimate third parties would be thwarted from defrauding the Movement through illegitimate websites. Further, the Movement would no longer have to spend its limited resources and donor dollars to eliminate the public's and donor's confusion caused by cybersquatting, illegal phishing websites, and the subsequent trademark enforcement efforts that required of the Movement. Preventing the loss of these crucial Movement funds

through reserving these Red Cross Names from registration would thus ensure the continued stability of operations in the Movement and the essential humanitarian mission of preparing for and responding to disasters and protect innumerable innocent people from internet frauds.

We appreciate your continued work on this issue. Please let us know if you require any additional information.

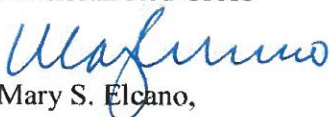
Respectfully submitted,



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