

ICANN
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January 7, 2011.

Thank you for your email highlighting a concern raised by ICANN staff members regarding our proposal to allow Telnic to remove the restriction on multi-digit labels in .tel. We appreciate the opportunity to respond to this concern in advance of your board meeting.

As we understand it, the ICANN staff believes that when an internet user enters a telephone number followed by “.tel” into a browser or other connected device, the user may expect that the information they receive will relate to the person or organization that leases that telephone number in the international telephone system. We also understand that a corollary to the staff’s concern is that an individual finding a .tel listing at a string that corresponds to a telephone number would assume that the information in that listing comes from the individual or entity with that telephone number.

On analyzing this scenario, we do not perceive the issue described in the email to be of significant concern for the reasons we describe below.

1. **This issue has not been raised before by the community or by ICANN.** In the course of our consultations over multi-digit strings, no one in the community has raised this potential scenario as an issue. As we have planned for a potential release of multi-digit strings in .tel, none of the individuals or organizations with whom we have consulted has voiced this concern. Furthermore, to our knowledge, and based on our review of the archival records, nobody raised this issue during ICANN’s evaluation of Telnic’s application to operate .tel, nor its evaluation of the other .tel proposals.

As you may recall, the concern raised during the application process was the perceived potential conflict with ENUM (which we believe we have addressed to your satisfaction in the letter that the Chairman of the .tel IPAG Mr. Lawrence Conroy sent you on November 30th). As such, we do not believe that the original limitation on numeric domain names in .tel was caused by the perceived confusion between phone numbers and domain names as was suggested in your email of 23d of December. As this has not been raised before, we believe that this is a new issue brought up by members of the ICANN staff after further internal conversation.

In our view, the fact that the community has not raised confusion of numeric strings as a potential issue strongly suggests that the community does not expect users to try to use .tel in the way imagined by the ICANN staff.

2. **Adequate tools already exist to deal with the instances of actual user confusion.** Domain names, though being useful as identifiers, were never intended to be the primary instrument for finding the right information on the internet. Search engines do that job much more efficiently. We expect that the upcoming arrival of new TLDs will further reduce the extent to which users use TLDs themselves as a means of locating specific information, as the same domain string will likely deliver different results in different TLDs.
3. **Adequate tools already exist to address instances of actual misrepresentation.** In the unlikely event that a .tel registrant registers a multi-digit string as a domain name and deliberately misrepresents himself or herself as the person or organization with the corresponding telephone number, there are already adequate tools available to address the situation (including UDRP if the string of digits has acquired trademark status). These same tools have been used for years in other TLDs, with considerable success.
4. **Other communications-based TLDs now offer numeric-only domains without restrictions and without problems.** Other TLDs, such as .mobi, that are normally considered communication-based are currently offering multi-digit strings with no special procedures for dealing with the alleged confusion. To our knowledge, they have not experienced the types of issues envisioned by the ICANN staff. Furthermore, we have not seen any indication that ICANN expects to TLDs proposed in the next round of applications to have in place measures to address this issue.

We also believe that, should it become necessary to address this issue, the decision as to what policies and practices to implement to do so lies with the .tel sponsoring organisation, not ICANN. Because .tel is sponsored TLD, ICANN has delegated to it certain policymaking functions, especially around issues that are unique to the TLD. As .tel is the only sponsored TLD that is currently restricted from offering multi-digit domain names, the issue raised by the staff is clearly unique to this TLD and therefore well within the scope of the .tel policymaking authority. Bringing ICANN into this process would be a violation of the fundamental principle of delegated authority for sponsored TLDs.

If, despite all of the foregoing, the issue outlined by the staff develops into a true issue for .tel, Telnic as a sponsored TLD has a policy development process in place led by a Policy Advisory Group (IPAG) which is composed of independent experts with experience in the telephony and internet industries. We believe that the IPAG is well-qualified to address any issues arising out of the release of multi-digit domain names.

Some might think that the correct solution would be to implement some type of allocation or reservation system enabling users to register or reserve their telephone numbers as strings in .tel. Without prejudice to the outcome of the possible IPAG deliberations, we would like to draw attention to the following points, which suggest that such a system would be impractical:

1. **Telephone numbers can appear in a variety of equally-valid formats, many of which are not unique to a specific recipient.** The only officially recognized unique identifier for a phone number is the E.164 international form: +<country code><nationally significant number>. For example, Telnic's office telephone number in London is +442074676450. The plus sign is essential as it indicates that the digits that immediately follow represent the dialling code of a country (note that it is not possible to include the plus sign as part of a domain name, so "true" E.164 telephone numbers and domain names will always remain separate).

In practice, however, an E.164 telephone number can be dialled in many different ways, all of which are equally valid depending on the location of the caller. For example, to call Telnic's office in London, depending on the location of the caller and the settings of that caller's phone, he or she will have to use one of the following dialling sequences:

- from London: 74676450
- from the rest of the UK: 02074676450
- from Germany (EU): 00 44 2074676450
- from the US: 011 44 2074676450

Not only are there many ways to dial the number for Telnic's office, but the same sequence used to reach Telnic when dialling from one location could lead to a different recipient when dialled from a different one. The number used to dial Telnic from London would reach someone else entirely when dialled within another country.

2. **Phone numbers change over time.** For example, over the last few years the area code for London has changed from 01 to 0171 and 0181, then to 0207 and 0208 and most recently to 020, causing all E.164 identifiers for London phone numbers to change as well.

In sum, even if Telnic were to try to implement a system allocating domain names to telephone number holders, there is no generally-accepted system for developing a string of unique numbers to achieve the intended result. Even if there were, the entire system could be undone by a change in local telephone rules.

We hope that we have addressed your concerns to your satisfaction and we are looking forward to ICANN approving our proposal to remove the restriction on multi-digit domains in .tel.

Kindest regards,



Khashayar Mahdavi
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