

Reconsideration Request Form

1. Requester Information

Name: .music LLC

Address: Contact Information Redacted

Email: Contact Information Redacted

Phone Number (optional): Contact Information Redacted

2. Request for Reconsideration of (check one only):

Board action/inaction

Staff action/inaction

3. Description of specific action you are seeking to have reconsidered.

We are requesting reconsideration of the Community Priority Evaluation determination for Far Further/.music LLC's application for .MUSIC.

4. Date of action/inaction:

October 7, 2014

5. On what date did you become aware of the action or that action would not be taken?

October 7, 2014

6. Describe how you believe you are materially affected by the action or inaction:

We applied using the "community" designation as the authorized representative of the Music community because of the vulnerabilities faced by the Music community due to rampant disregard of intellectual property rights and infringement of copyright using the Internet. Enhanced rights protection

mechanisms were an intrinsic part of the policies outlined in the application, including restrictions and limitations on Registrant qualifications. These restrictions directly reflect the mission and goals of the Music community to help safeguard creators' rights and mitigate intellectual Property rights infringement.

ICANN and the EIU made key errors in evaluating our application and did not evaluate the application in a manner consistent with others that were successful at CPE. The action of ICANN and the EIU places our application in a contention set with applicants with "open" registration policies. We are therefore facing an auction scenario that lacks parity. In addition we are a community- based applicant with only one string and must compete with much larger applicants. It is a business reality that an applicant with open policies can anticipate greater commercial potential and therefore can afford to outbid an applicant with restricted policies and lower commercial potential. The action of the staff and CPE panel therefore places our company and our community in an untenable position. If we are not successful in winning the TLD at auction, not only will the considerable investment we have made to date be lost, but also any future potential to recover that investment will be lost.

7. Describe how others may be adversely affected by the action or inaction, if you believe that this is a concern.

This is a serious concern and goes to the heart of why we submitted a community application. The entire Music community is adversely affected by this action. The GAC determined that MUSIC is a "Category 1" string, meaning that it represents a sector that is vulnerable to violations of its creative and intellectual property rights. Billions of dollars of annual revenue generated by our community

members have been lost since the advent of illegal music distribution on the Internet. This has adversely affected the personal incomes of millions of people in the Music community – many of whom have struggled for financial survival even prior to this downturn. This problem is exacerbated in developing regions. The adoption of .MUSIC names by ‘any and all’ through open and unrestricted registrations increases the opportunity for widespread infringement and abuse and strips the community of any capacity to provide safe harbor to its members and mitigate further financial harm.

8. Detail of Board or Staff Action

One of ICANN’s articulated core values is, “Making decisions by applying documented policies neutrally and objectively, with integrity and fairness.” (Article 1, Mission and Core Values of the ICANN Bylaws [11 Apr. 2013] at Clause 2.8).

As an applicant, .music LLC contends that ICANN and the Economist Intelligence Unit failed to conduct the evaluation fairly, consistently and per the guidelines already published. Significant facts were overlooked or ignored and there are inconsistencies between our determination and determinations for other strings that received passing scores in their Community Priority Evaluations.

While the Panel determined that the application met the requirements for delineation by demonstrating “clear and straightforward” membership, the application received zero points for “Community Establishment” because of the Panel’s incorrect judgment that there is insufficient “awareness and recognition among its members.”

There is a clear inconsistency in how this standard was applied in our CPE evaluation, giving us a score of 0/4 on Community Establishment when compared to .HOTEL and .RADIO who received 4/4 and 3/4 respectively.

.MUSIC

The community as defined in the application does not demonstrate an awareness and recognition among its members. The application materials and further research provide no substantive evidence of what the AGB calls “cohesion” – that is, that the various members of the community as defined by the application are “united or form a whole”

While the Panel acknowledges that many of the members in the proposed community share an interest in music, the AGB specifies that a “commonality of interest” is not sufficient to demonstrate the requisite awareness and recognition of a community among its members.

The comments about MUSIC are not consistent with EIU statements in HOTEL, RADIO or ECO.

.HOTEL:

...the community as defined in the application has awareness and recognition among its members. This is because the community is defined in terms of its association with the hotel industry and the provision of specific hotel services.

.RADIO:

...the community as defined in the application has awareness and recognition among its members. This is because the community as defined consists of

entities and individuals that are in the radio industry, and as participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community. In addition, membership in the (industry) community is sufficiently structured, as the requirements listed in the community definition above show.

.ECO:

The application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.”

The interdependence and active commitment to shared goals among the various membership types are indicative of the “cohesion” that the AGB requires in a CPE-eligible community. The Panel found that entities included in the membership categories defined in the application are shown to cohere in their work towards clearly defined projects and goals that overlap among a wide array of member organizations.

In the previous three examples, the word “music” could have been substituted for “hotel,” “radio” or “environmental” and thereby demonstrated consistency in the evaluation. However, the EIU used language and a point of view that was not consistent with these in its evaluation of .MUSIC.

The Panel seems unaware of the obvious interrelationships in the music community defined in the application and cohesion created by its shared commitment to protect its various intellectual property rights, via legal, regulatory or cooperative ties. There are numerous examples of the Music community’s

self-awareness and cohesion, already part of the documented correspondence submitted to ICANN. (See Annex 3)

Each constituent part of the Music community is aware, and often in contractual or statutory relationships with other entities or organizations in the Music community. (Please see Annex 3 for a graphic representation of existing Music community relationships.) The Music community is a symbiotic eco-system that could not function without, at the very least, “awareness and recognition” among its members.

The Music community has repeatedly demonstrated “awareness and recognition” in many ways. For example, in 2011, select members of the Music Community, issued an RFI to help choose a .MUSIC applicant that best reflected its collective values. There are many more instances of collective interest and action by the Music community. On July 2, 2014, leading members of the Music community jointly reiterated their support of our application:

<https://www.icann.org/resources/correspondence/hatton-to-icann-2014-07-02-en>)

On September 24, 2014, members of the creative sector of the Music community signed a letter of opposition expressing their collective concerns about another “community” application:

<https://www.icann.org/resources/correspondence/carnes-to-icann-2014-09-24-en>)

These are all clear examples of self-awareness and cohesion on the part of the

community. However, all were apparently ignored by ICANN and the EIU.

Given the weight and importance assigned to “awareness,” “recognition” and “cohesion” (adding up to eight points), ICANN and EIU cannot evaluate this factor simply by looking at the Websites of a few community members, with the expectation that they would make their relationship with every other member of the community a necessary or essential aspect of their content. For example, Websites of .ECO .HOTEL and .RADIO community members do not expressly recognize other community members. Websites are not typically purposed to demonstrate the breadth and depth of community relationships.

The people who make music know they are part of a community. The EIU assessment of this factor was wrong and inconsistent with other CPE determinations, and ICANN’s acceptance of it was in error.

An additional error was made in the “Longevity” portion of the Determination:

The Panel determined that this application refers to a proposed community construed to obtain a sought-after generic word as a gTLD. Moreover the applicant appears to be attempting to use the gTLD to organize the various groups noted in the application documentation, as opposed to applying on behalf of an already organized and cohesive community.

This statement by the Panel is false and pejorative. This blatant misstatement of facts calls into question the credibility of the Panel. In 2011 representatives of the global Music community conducted a rigorous process to select one or more applicants that met its criteria to be its representative for .MUSIC.

The clearly delineated Music community obviously existed prior to the applicant, and in an act of demonstrable cohesion, sought to protect the mutual interests of its members by selecting an applicant that warranted that it would operate according to those interests. The Panel's view on this pivotal point contradicts the actual facts.

Contrary to the statement of the Panel, the applicant did NOT "organize the various groups noted in the application documentation." It did in fact apply "on behalf of an already organized and cohesive community." Given that fact, it is irrational for the Determination to state otherwise.

In an example supporting the concept of "Pre Existence," on January 5, 2011, prior to the application phase of the new gTLD program (and prior to the selection of .music LLC as its representative), the Music community sent correspondence to ICANN signed by national and international community organizations expressing their concerns about rights protections in music-related strings. (<https://forum.icann.org/lists/5gtld-guide/msg00118.html>)

On May 14, 2013, a public comment regarding safeguards was sent to ICANN signed by numerous members of our community. It is significant to note that this was done independently, without our knowledge or involvement.

(<https://forum.icann.org/lists/comments-gac-safeguard-advice-23apr13/msg00090.html>)

Another error was made in determining “Organization,” which also led to the loss of one point for “Support.” The Panelist failed our application and concluded the following:

Two conditions must be met to fulfill the requirements for organization: there must be at least one entity mainly dedicated to the community and there must be documented evidence of community activities.

The community as defined in the application is disperse [sic] geographically and across a wide array of music- related activities, ranging from production to legal advocacy. Based on the Panel’s research, there is no entity mainly dedicated to the entire community as defined by the applicant, nor does the application include reference to such an organization in its sample list of member organizations. Research showed that those organizations that do exist represent members of the defined community only in a limited geographic area or only in certain fields within the community.

The EIU interpreted the AGB phrase “mainly dedicated to the community” to mean “a recognized community institution or member organization [that] not only (1) represents the entirety of the community as defined by the application (in all its breadth of categories as described in Delineation), but is also (2) recognized by the same community as its representative.”

The EIU failed to recognize the International Music Council, which meets the requirement for a global organization dedicated to the entire community, and is a supporter of the application. Its Website (<http://www.imc-cim.org>) describes it as follows:

The International Music Council (IMC), founded in 1949 by UNESCO, is the world's largest network of organizations and institutions working in the field of music. The International Music Council promotes access to music for all and the value of music in the lives of all peoples. Through its members and their networks, IMC has direct access to over 1,000 organisations in some 150 countries”.

Mandated to promote all types of music, the International Music Council is an organization habilitated to speak to governments, institutions and regions. It works through and for its members to internationally support the development and the promotion of diverse music and the role of musicians in the context of social, cultural and economic development.

The IMC is the world's leading membership-based professional organisation dedicated to the promotion of the value of music in the lives of all peoples. IMC's mission is to develop sustainable music sectors worldwide, to create awareness about the value of music, to make music matter throughout the fabric of society, and to uphold [basic music rights](#) in all countries.

IMC was founded in 1949 at the request of the Director-General of [UNESCO](#) as a non-governmental advisory body to the agency on musical matters. It is based at UNESCO headquarters in Paris and functions today independently as an international NGO official partner of UNESCO.

In the course of its existence, IMC has developed into a highly influential network advocating for appropriate policies and practices aimed at strengthening the work of its members and partners worldwide.

IMC's network is present in 150 countries on all continents, with national music councils and international, regional and national music organisations as well as specialised organisations in the field of arts and culture. IMC members of honour are chosen among the world's outstanding professionals, educators, performers and composers. Through its members, IMC has direct access to over 1000 organisations and 200 million persons eager to develop and share knowledge and experience on diverse aspects of musical life.

IMC is represented by a [Regional Music Council](#) in each of the following five regions: Africa, The Americas, Asia Pacific, Europe and the Arab World. Their mission is to contribute and develop regional programs and to support activities that are specifically tailored to the needs of IMC members and partners in the region.

IMC members (such as the National Music Council of the United States), include those representing virtually all, if not ALL, sectors of the community as defined by the application. There is abundant evidence of the community-based activities of these organizations.

The application received a zero score in both “Nexus” and “Uniqueness.” The panel failed to reference the nearly 30 additional Letters of Support that were received after the application filing. In terms of organized music activity, the support encompasses nearly 100% of all record labels, songwriters, music publishers, performance rights organizations, collecting societies, union musicians, music retailers, instrument manufacturers, etc., in the world.

The applicant limits the proposed community to individuals and entities that have a “current registration and verifiable membership in a global music community organization”. The string MUSIC, however, identifies all individuals and entities involved in the creation of music, regardless of whether or not they have verifiable membership in a music-related organization. The application itself does not provide an estimate for the number of musicians who have registered with one of the proposed community’s organizations (of which it lists 42 examples), but one of the largest musician’s membership organizations in the US, the American Society of Composers, Authors, and Publishers (ASCAP) has about 500,000 members. The Indian equivalent of ASCAP (also a supporter of the application) has fewer than 3,000 members. The number of amateur musicians worldwide is unknown but is estimated to be about 200 million – far surpassing the application’s estimate of 4 million individuals registered with musical organizations. Therefore, there are many individual musicians identified by the applied-for string who do not fall within the membership of the proposed community. This difference between the proposed community and those identified by the string is substantial and is indicative of the degree to which the applied-for string substantially over-reaches beyond the community defined by the application.

The application did not attempt to estimate the potential size of the community. The figure of four million was a very rough estimate of directly accessible organizations and addressable individuals, representing ONLY the 42 organizations listed in the application, taking into account overlap and duplication. This was a conservative number that also tied to the financial projections in the confidential portion of the application. That said, it is worth

noting that the membership of the International Music Council alone, which supports this application, narrows the perceived “overreach” gap considerably. It states on its Website: “Through its members and their networks, IMC has direct access to over 1000 organisations in some 150 countries and to 200 million persons...” This “overreach” would have been narrowed even further had the membership of the additional supporting organizations, as well as the thousands of other eligible organizations, been considered by the Panel. Finally, any unaffiliated music participant can become a part of this community affiliating with any number of eligible organizations and by agreeing not to infringe others’ creative or intellectual property rights.

Therefore, the vast majority of music participants in the world are already included, or are qualified to be included in the community as defined in the application. It therefore does not overreach substantially. In the .RADIO decision, millions of “radio” users (such as first responders), were not viewed as “overreach” (or part of the .RADIO community); nor were the millions of eco-conscious consumers who are not affiliated with a .ECO organization considered “overreach” (or part of the .ECO community). To be consistent, the EIU should have awarded points not only for Community Establishment but also Nexus.

This is discussed in additional detail in a letter to ICANN dated July 3, 2014 that provided further comments on the Application, but apparently was not reviewed by the Panel:

The AGB provides that 3 points will be awarded where “The string matches the name of the community or is a well known short-form or abbreviation of the community”.

This community is known as the “Music community”; the string matches the community name completely, and the application accordingly qualifies for 3 points. It is understood that the word “music” is a generic word. However, nothing in the AGB rules requires that the string match the name of the community *exclusively*. That is, it does not have to amount to a virtual brand, used only by the applicant Music community, in order to score the maximum 3 points. The string must simply “match” the name of the community. In this case it matches exactly the name of the community; there is no other word that describes the community members and their activities other than “music”, and they are known as the Music community. There is accordingly no grey area of “identifying” or “closely identifying” the community, nor any need to decide whether the description “over reaches” in making that identification. It is not strictly relevant if there are other meanings for the word, if the word is the exact match of the community name. The string is an exact match for the name of the community, which is the strongest “nexus” there can be between a string and a community.

When the words “Music community” are used together, it only refers to the activities of a member of the applicant community, or groups of members acting in concert, to bring music from creation to enjoyment by a global audience. It means the creators, developers, distributors, promoters and educators – members of the Music community referred to above. It includes their professional advisors, the collection societies, and the music rights enforcement agents – all are part of this global “Music community”. Turning the proposition around, it would be deceptive to use any other

term or terms to describe this well-known community other than as the “Music community”. It would be equally deceptive for any other group not connected with the applicant community to describe itself as the “Music community” – which it could not do without deceiving consumers. This is exactly the kind of nexus with a community in fact that the AGB seeks to identify, and protect by ensuring that only this community is allocated the TLD that is so closely linked to its name, business and way of life. This community is the “Music community”. In fact, it is known as such, and it would be damaging to allow any other community to use the string.

Another point the AGB makes is that it cannot be simply a case of self-assertion or self-appropriation of the name – others must use it for the community: “With respect to “Nexus” for a score of 3, the essential aspect is that the applied for string is commonly known by others as the identification name of the community”.

This is a community that thinks of itself as a community, and is thought of by others as a community: both think of it and call it the “Music community”. It is important to recall what the AGB described as the essential test of the Nexus issue, namely: “With respect to ‘Nexus,’ for a score of 3, the essential aspect is that the applied-for string is commonly known by others as the identification / name of the community.” (*Letter from John Frankenheimer, Annex 3*).

Consistent with our claim that .MUSIC should have earned points for Nexus, we also believe we should earn the point of Uniqueness.

The AGB also links Uniqueness to Nexus; the guidelines set out in Section 4.2.3 of the Guidebook state that a “score of 1 for ‘uniqueness’ implies a requirement that the

string does identify a community, i.e. scores 2 or 3 for 'Nexus,' in order to be eligible for a score of 1 for 'Uniqueness'. The applicant qualifies under both headings – there is a strong nexus between the Music community and the string (an exact match) and the string uniquely defines and describes the applicant community, and no other.

(Ibid)

With respect to “Support” (and therefore also “Organization”), in its “CPE Guidelines” document, the EIU asks, “Consider whether the community institution or member organization is the clearly recognized representative of the community.” One need only look at the membership of the IMC to determine that it includes (directly and through its member organizations), the community segments described in the application. The fact that organizations must meet specific requirements and pay a membership fee to belong is indicative of their support of IMC as a recognized representative of the community. There is abundant evidence of the community-based activities of IMC and its member organizations.

We further contend that the EIU evaluation of the application’s “Name Selection,” “Content/Use” and “Enforcement” policies overstepped the intent of the AGB.

According to the Panel:

The Panel determined that the application did not satisfy the condition of consistency with the articulated community-based purpose of the applied-for string. There was no evidence in the application of restrictions or guidelines for name selection that arose out of the community-based purpose of the application, nor was it articulated that the other name selection rules (not related

to the community-based purpose) were otherwise sufficient and in accordance with the community-based purpose of the application. In section 20(c) on its community-based purpose, the applicant states,

“Registration policies will safeguard the exclusive nature of the community by requiring potential registrants to have a bona fide membership with an at least one Organization Member of Global Music Community, before they can acquire a .music address.”

This, however, is sufficient only to guarantee the CPE Eligibility requirements as in 3-A above. The application does not refer to its community-based purpose in discussion of name selection rules, *despite its articulation of several community values that could come to bear on name selection* (emphasis added).

ICANN/EIU did not follow the AGB’s requirement that evaluation of registration policies would be...

...done from a holistic perspective, with due regard for the particularities of the community explicitly addressed. *More restrictions do not automatically result in a higher score.* The restrictions and corresponding enforcement mechanisms proposed by the applicant should show an alignment with the community-based purpose of the TLD and demonstrate continuing accountability to the community named in the application.

The “community values” that must be adhered-to by all Registrants in .MUSIC are consistent with our community-based purpose of providing a legitimate and safe namespace for the music community. Registrants must own the appropriate rights to the “name or online brand/identity.” Keeping in mind the AGB guideline

that states: “Policies and enforcement mechanisms are expected to constitute a coherent set,” these are appropriate restrictions for naming and content/use. We understand that requiring names and content/use to be “music-related” may seem logical. However, it is utterly impracticable to do so given that many community member names bear no obvious attributes or connectivity to music. Further, it is inappropriate to mandate what percentage of content must be “music-related” and virtually impossible to manage compliance.

We believe that eligibility restrictions and warranties that the Registrant must not infringe the rights of others are sufficient and in alignment with the community-based purpose of the application, given its emphasis on intellectual property safeguards. Furthermore, these policies will be monitored and overseen by the community through a Policy Advisory Board that fulfills the AGB requirement for “ongoing accountability to the community.”

Rather than developing prescriptive naming policies seeking to prevent registration of inappropriate or abusive names, the applicant has developed a strong Acceptable Use Policy (“AUP”), by which names wrongly selected and/or used may be taken down. Details of the AUP are contained in the Answer to Q 28. In particular, names used for Phishing or Pharming will be subject to the AUP, with the potential for very rapid takedown.

All names registered will also be subject to challenge via the URS and UDRP to ensure that names selected by registrants do not infringe the existing IP rights of others. In addition, the applicant will develop and implement a Music Eligibility

Dispute Resolution Requirements Procedure, under which members of the Music community may challenge registrations for breaching the name selection rules.

Therefore, the application policies include name selection rules that are consistent with the articulated community purpose, and which are consistent with the application's mission statement. (*Letter from John Frankenheimer, Annex 2*)

With respect to "Content and Use," we refer again to our July 3, 2014 letter to ICANN:

The applicant has content and use rules, and repeats the point above: further elements of use and content policies to control inappropriate use and content may well be developed by the PAB in consultation with the registry operator and the community. The applicant has described its use and content rules. In summary they are relatively permissive, but coupled with frequent tests and subject to performance requirements. The applicant has described above its Acceptable Use Policy, which addresses many instances of content and use abuse, including creative rights infringement, IP violations, spam, fast flux hosting as well as malware distribution. Those policies include providing a single point of contact at the registry for dealing with abuse issues. Further, the eligibility restrictions create conditions under which content and use are more likely to be music-related.

The Registrant Agreement will also require registrants *inter alia* to certify on an annual basis that they are in compliance with all accreditation and other rules, including those relating to use and content. The applicant describes its proposed use of scanning tools to monitor for potential misuse. Further terms are included in the answer to Q. 28. All applicants are required to hold valid rights to all content displayed on or distributed through a site linked to a .MUSIC domain. Respect for

creative rights and Intellectual Property is a fundamental shared value among the Music community. Thus the requirement to hold valid rights to all content displayed is consistent with the community-based purpose of the TLD. (*ibid*)

While the Panel noted that appropriate Enforcement mechanisms were adequately described in the application, it denied a point because the description of “Appeals” was somehow inadequate.

The PAB is charged with developing procedures and processes including those relating to enforcement, and appeals. In its answer to Q. 20(b) those policies are described, and include accreditation, naming conventions, permitted activities (“use”) and registrant warranties. The policy talks of audits, (to check compliance), suspension (a temporary penalty) and termination (a final penalty), but also of various appeal rights after audit, verification and enforcement steps have been taken.

Appeal processes for registrars that have been sanctioned are also discussed. Briefings of the PAB by the registry company are required to include reports on appeals by registrants and registrars.

An additional dispute resolution procedure is described, namely the MEDRP – a music eligibility dispute resolution procedure. The procedure, also called “CEDP,” is a policy described as “a dispute process for members of the .MUSIC community to dispute .MUSIC domain activity that violates the RRA, RA, published acceptable use policy and/or community eligibility requirements for .MUSIC community membership.”

These mechanisms form a coherent program, consistent with and designed to advance the goals of the community, to which there is continuing accountability.

(ibid)

With regard to “Support,” the Determination states:

The Panel determined that the applicant was not the recognized community institution(s)/member organization(s), nor did it have documented authority to represent the community, or documented support from the recognized community institution(s)/member organization(s). A recognized community institution or member organization is one which not only (1) represents the entirety of the community as defined by the application (in all its breadth of categories as described in Delineation), but is also (2) recognized by the same community as its representative. No such organization among the applicant’s supporters demonstrates the kind of structure required to be a “recognized” organization, as per AGB guidelines. However, the applicant possesses documented support from at least one group with relevance and this documentation contained a description of the process and rationale used in arriving at the expression of support. The Community Priority Evaluation Panel determined that the applicant partially satisfies the requirements for Support.

As noted earlier, the International Music Council is a global organization that represents the entire community as defined in the application. In addition, the organizations that support the application represent the majority of the community as defined in the application.

This scoring is inconsistent with that of other successful applications:

.HOTEL, .RADIO

The Community Priority Evaluation panel determined that the applicant was not the recognized community institution(s)/member organization(s). However, the applicant possesses documented support from the recognized community institution(s)/member organization(s), and this documentation contained a description of the process and rationale used in arriving at the expression of support. These groups constitute the recognized institutions to represent the community, and represent a majority of the overall community as defined by the applicant. The Community Priority Evaluation Panel determined that the applicant fully satisfies the requirements for Support.

Given that the vast majority of the Music community has provided formal Letters of Support for this application, a rational and reasoned interpretation of the AGB should have resulted in two points for support.

Finally, a point was lost due to "Opposition."

The Community Priority Evaluation panel determined that there is opposition to the application from a group of non-negligible size and from an organization within the communities explicitly addressed by the application, making it relevant.

The entity has a strong reputation in the music representation and marketing fields, and a subsidiary company that is involved in distribution and promotion. These activities fall within the applicant's proposed membership segments. The entity was founded in 2006, has several full-time employees, and has an impact in the music community that reaches thousands of people, in addition to

partnerships with major international brands. The grounds of the entity's objection do not fall under any of those excluded by the AGB (such as claims that are "spurious, unsubstantiated, made for a purpose incompatible with competition objectives, or filed for the purpose of obstruction"), but rather relate to how the community is delineated and the rules for name selection. Therefore, the Panel determined that the applicant satisfied the requirements for Opposition partially.

Given the emphasis on transparency within ICANN, it is baffling and disconcerting that the sources of opposition are not identified. The EIU Panel instead described the opposition as from an unnamed group with "several employees" that reaches "thousands" of people. This opposition could hardly qualify as "relevant" and of "non-negligible" size, especially when compared to the size of the Music community as described in our application. All of the opposition that has been made public (i.e. formal opposition letters) was clearly orchestrated by a competing applicant using identical form letters printed on the competing applicant's letterhead. We were not given the opportunity to respond to any statements or Letters of Opposition, as provided for in ICANN's "CPE FAQs," nor can we reconcile the inconsistency of this scoring with AGB Section 4.2.1 which states:

To be taken into account as relevant opposition, such objections or comments must be of a reasoned nature. Sources of opposition that are clearly spurious, unsubstantiated, made for a purpose incompatible with competition objectives, or filed for the purpose of obstruction will not be considered relevant.

The inconsistency is not only with the AGB, but also with how it was applied across other community applicants who prevailed. Specifically, there is a clear inconsistency in the assessment from our Panel to the assessment by the Panel for .HOTEL, .ECO and .RADIO, wherein they prevailed.

In summary, we reiterate that ICANN and the Economist Intelligence Unit failed to conduct the evaluation fairly and, consistently as per previously published guidelines, as discussed above with additional detail in various attachments. Further, many of our Letters of Support were obviously not taken into account, nor were GAC comments in numerous Communiqués regarding “communities with demonstrable support.”

We also assert that ICANN and the EIU failed to understand the nature and structure of the music community and that this evaluation utilized a prejudicial and inconsistent approach. In lieu of approaching the evaluation in a fair and neutral position, the EIU almost immediately adopts a negative bias, with an implied distrust of the applicant and the community. As a result, the assessment was myopic and selective, and intended to find means to deny the application, rather than give it a fair hearing. This is an extraordinary example of “missing the forest for the trees.” The evaluation process itself appeared to be more of a test of whether applicants were able to answer questions in a particular manner rather than whether their communities legitimately fulfilled what ICANN intended when it created the program.

Finally, the Panel failed to utilize “clarifying questions,” a step that would have

provided essential information and enhanced the judgment and accuracy of the evaluation.

9. What are you asking ICANN to do now?

We request that the current finding that the Applicant has failed the CPE should be set aside. The Application should be remitted to a different Panel for re-examination, with the Panel directed to have regard to the matters raised in the Reconsideration Request, and any further direction from the BGC.

10. Please state specifically the grounds under which you have the standing and the right to assert this Request for Reconsideration, and the grounds or justifications that support your request.

We are an applicant for a gTLD under ICANN's new gTLD program. We have applied on the basis that .MUSIC is a "community" application as defined in the program, and we have sought evaluation under the Community Priority process in that Program. We have been denied community status by that evaluation, which if not corrected by the BGC will cause us, and the music community we represent, material financial harm, as detailed above.

11. Are you bringing this Reconsideration Request on behalf of multiple persons or entities? (Check one)

Yes

No

Do you have any documents you want to provide to ICANN?

Yes, please see attached documents.



Signature

October 22, 2014

Date

Annex 1 - CPE Determinations

.eco

.hotel

.radio

.music



New gTLD Program
Community Priority Evaluation Report
Report Date: 6 October 2014

Application ID:	1-912-59314
Applied-for String:	ECO
Applicant Name:	Big Room Inc.

Overall Community Priority Evaluation Summary

Community Priority Evaluation Result	Prevailed
<p>Thank you for your participation in the New gTLD Program. After careful consideration and extensive review of the information provided in your application, including documents of support, the Community Priority Evaluation panel determined that the application met the requirements specified in the Applicant Guidebook. Your application prevailed in Community Priority Evaluation.</p>	

Panel Summary

Overall Scoring	14 Point(s)	
<u>Criteria</u>	<u>Earned</u>	<u>Achievable</u>
#1: Community Establishment	4	4
#2: Nexus between Proposed String and Community	3	4
#3: Registration Policies	4	4
#4: Community Endorsement	3	4
Total	14	16
Minimum Required Total Score to Pass <u>14</u>		

Criterion #1: Community Establishment	4/4 Point(s)
1-A Delineation	2/2 Point(s)
<p>The Community Priority Evaluation panel has determined that the community as defined in the application met the criterion for Delineation as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook (AGB), as the community defined in the application is clearly delineated, organized and pre-existing. The application received the maximum score of 2 points under criterion 1-A: Delineation.</p> <p><u>Delineation</u></p> <p>Two conditions must be met to fulfill the requirements for delineation: there must be a clear straightforward membership definition and there must be awareness and recognition of a community (as defined by the applicant) among its members.</p> <p>The community defined in the application (“ECO”) is as follows:</p> <p>Members of the Community are delineated from Internet users generally by community-recognized memberships, accreditations, registrations, and certifications that demonstrate active commitment, practice and reporting.</p>	

Community members include:

Relevant not-for-profit environmental organizations (ie, accredited by relevant United Nations (UN) bodies; International Union for Conservation of Nature (IUCN) member; proof of not-for-profit legal entity status with documented environmental mission).

Businesses (ie, members of environmental organizations; UN Global Compact participants; hold internationally-recognized environmental certifications; report to a global sustainability standard).

Government agencies with environmental missions (ie, UN bodies, national/sub-national government agencies with environmental responsibilities).

Individuals (ie, members of environmental organizations; academics; certified environmental professionals).

This community definition shows a clear and straightforward membership and is therefore well defined. Membership is determined through formal membership, certification, accreditation and/or a clearly defined mission, a transparent and verifiable membership structure that adequately meets the AGB criteria. Individuals' and organizations' association with, and membership in, the defined community can be verified by way of (1) membership in environmental organizations or certifiable practice in relevant fields in the case of individuals; or (2) accreditation, certification, or environmental mission in the case of organizations. In all cases, the application's membership definition depends on a transparent, explicit, and formal affiliation to an entity with an environmental focus.

In addition, the community as defined in the application has awareness and recognition among its members. According to the application:

The Community has historically structured and organized itself and its work through an international network of organizations, including millions of individual members with strongly aligned goals, values and interests. As well as collaborating via long-standing international multi-stakeholder fora and membership organizations, members traditionally organize through multi-organization alliances around specific events, geographies, and issues.

According to the AGB, "community" implies "more of cohesion than a mere commonality of interest" and there should be "an awareness and recognition of a community among its members." Based on the Panel's research and materials provided in the application, the community members as defined in the application demonstrate the "cohesion" required by the AGB. The application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who "demonstrate active commitment, practice and reporting." This involvement may vary among member categories as below:

Not-for-profit environmental organizations and government agencies with environmental missions: These entities must have a demonstrable mission that is directly associated with promoting environmental goals. Their mission and activities therefore align with the community-based purpose of the application, which is to foster transparency and communication in order to advance progress towards environmental goals.

Individuals: These may be members of the organizations included in the above grouping, or are academics or professionals whose degree, license, or other form of certification demonstrates that their area of work falls in a field related to the environment.

Businesses: These are businesses which may be members of one of the organizations referred to in the first grouping of members (such as the UN Global Compact), or have certified compliance with standards that are recognized by such organizations as showing commitment to environmental goals.

In all of the above cases, each individual or entity has a clear, public and demonstrable involvement in environmental activities. The interdependence and active commitment to shared goals among the various membership types are indicative of the “cohesion” that the AGB requires in a CPE-eligible community. The Panel found that entities included in the membership categories defined in the application are shown to cohere in their work towards clearly defined projects and goals that overlap among a wide array of member organizations. For example, Conservation International is a nonprofit organization that falls within the application’s delineated community. It shows cohesion with the application’s membership by way of its advocacy to and cooperation with both businesses¹ and governments² worldwide. Greenpeace, another such organization, has consultative status with the UN and actively involves its thousands of members, volunteers, and experts worldwide in its campaigns.³ Furthermore, businesses that are included in the applicant’s defined community have voluntarily opted to subject themselves to evaluation of their compliance with environmental standards that qualify them for the accreditations referenced in the application. As such, the defined community’s membership is found to meet the AGB’s standard for cohesion, required for an adequately delineated community.

The Community Priority Evaluation panel determined that the community as defined in the application satisfies both of the conditions to fulfill the requirements for Delineation.

Organization

Two conditions need to be met to fulfill the requirements for organization: there must be at least one entity mainly dedicated to the community, and there must be documented evidence of community activities.

The community as defined in the application has at least one entity mainly dedicated to the community. In fact, several entities are mainly dedicated to the community as defined by the application, such as the International Union for Conservation of Nature (IUCN), World Wide Fund For Nature (WWF), United Nations Environment Program and the Global Reporting Initiative, among others. According to the application:

All the major international membership organizations (IUCN, WWF, Greenpeace, Friends of the Earth), the biggest global business and environment organizations (World Business Council for Sustainable Development (WBCSD), Green Economy Coalition), the largest international Community alliances (350.org, TckTckTck) and the key global environmental reporting standards (Global Reporting Initiative, Carbon Disclosure Project) support the creation of .ECO as a Community TLD. The United Nations Environment Programme (UNEP) has been an observer to the .ECO community process since 2010.

As the world’s largest and longest established organizations and alliances, these institutions represent over 190 countries, 1,000 entities, and more than 10 million individual members.

The international organizations like those above actively include elements from all the application’s defined membership categories. The IUCN, for example, engages the private sector⁴, individuals like environmental scientists⁵, governmental agencies and other member organizations⁶. Its activities include the IUCN’s World Conservation Congress that brings together its members, as well members of other organizations and government representatives.⁷ The UN Global Compact similarly has regular events held worldwide where its affiliate organizations, governments and private sector partners come together in relation to the organization’s environmental goals.⁸ These organizational activities are representative of others that the Panel has reviewed that show ample evidence of the organized activity that the AGB requires of a community.

¹ <http://www.conservation.org/how/pages/innovating-with-business.aspx>

² <http://www.conservation.org/how/pages/working-with-governments.aspx>

³ <http://www.greenpeace.org/usa/en/campaigns/>

⁴ <http://iucn.org/about/work/programmes/business/>

⁵ <http://www.iucn.org/about/union/commissions/>

⁶ http://www.iucn.org/about/union/members/who_members/

⁷ http://www.iucn.org/about/work/programmes/gpap_home/gpap_events/gpap_2012/

⁸ https://www.unglobalcompact.org/NewsAndEvents/event_calendar/index.html

The Community Priority Evaluation panel determined that the community as defined in the application satisfies both of the conditions to fulfill the requirements for Organization.

Pre-existence

To fulfill the requirements for pre-existence, the community must have been active prior to September 2007 (when the new gTLD policy recommendations were completed).

The community as defined in the application was active prior to September 2007. The application presents the following as examples:

1948: First formal Community institution, the International Union for Conservation of Nature (IUCN), was established. Not-for-profit organizations, businesses and governments came together to address pressing environmental challenges. 1972: Global Environmental Community recognized by the world's governments on creation of the UN Environment Programme (UNEP), the UN's designated authority for addressing environmental issues at the global and regional level.

Many of the organizations that fall within the application's delineation have been active prior to 2007, including the UN Global Compact (founded in 2000)⁹, Greenpeace (founded in 1971)¹⁰, and others. The Panel has determined that since organizations like those referenced above are mainly dedicated to the members of the community as defined by the application, and since they and others were active prior to 2007, the community as defined in the application fulfills the requirements for Pre-existence.

1-B Extension

2/2 Point(s)

The Community Priority Evaluation panel determined that the community as identified in the application met the criterion for Extension specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the application demonstrates considerable size and longevity for the community. The application received a maximum score of 2 points under criterion 1-B: Extension.

Size

Two conditions must be met to fulfill the requirements for size: the community must be of considerable size, and must display an awareness and recognition of a community among its members.

The community as defined in the application is of a considerable size. The community for .ECO as defined in the application is large in terms of the number of members. According to the applicant:

40,000+ Not-for-Profit Organizations, eg, 34,376 US environmental organizations (2011 Internal Revenue Service Exempt Organizations Business Master File, National Center for Charitable Statistics); 6,157 in the UK (March 2012, 1/3 of 18,470 Environment/Conservation/Heritage registered charities, Charity Commission);

148,000+ Businesses, eg, 68,200 US businesses committed to environmental sustainability (Pew Charitable Trust, "The Clean Energy Economy", 2009); 80,000 small and medium enterprises in the EU use certified environmental management systems (Danish Technological Institute, "SMEs and the Environment in the European Union", 2010);

193+ Environment-focused Governmental Bodies – eg, 193 member states (UN website, March 2012);

18 million+ Individuals, eg, International: WWF, 5M; Greenpeace, 2.8M; FOE, 2M; Ocean Conservancy, 0.5M. National: National Wildlife Federation, 4M; Sierra Club, 1.4M; National Resources Defense Council, 1.2M; The Nature Conservancy, 1M (Members, 2010).

⁹ https://www.unglobalcompact.org/docs/news_events/8.1/UNGC_Annual_Review_2010.pdf

¹⁰ <http://www.greenpeace.org/usa/en/campaigns/history/>

In addition, as previously stated, the community as defined in the application has awareness and recognition among its members. This is because the community is defined in terms of its association with, and active participation in, environmental activities and environmental conservation and preservation.

The Community Priority Evaluation panel determined that the community as defined in the application satisfies both of the conditions to fulfill the requirements for Size.

Longevity

Two conditions must be met to fulfill the requirements for longevity: the community must demonstrate longevity and must display an awareness and recognition of a community among its members.

Many of the major catalysts of the modern environmental movement have continued or worsened in recent years, and the organizations founded with missions of environmental advocacy have redoubled their efforts. The number and breadth of environmental laws and protocols will continue to grow.¹¹ The effects of climate change are especially long-term¹² and many of the organizations in the application's delineated community advocate for long-term solutions and measures that they have committed to seeing through.¹³ The Panel has therefore determined that the community as defined in the application demonstrates longevity. The pursuits of the .ECO community are of a lasting, non-transient nature.

In addition, as mentioned previously, the community as defined in the application has awareness and recognition of a community among its members. This is because the community is defined in terms of its association with, and active participation in, environmental activities. Its members are actively committed to environmental causes, such as sustainable use of the environment and environmental conservation and preservation.

The Community Priority Evaluation panel determined that the community as defined in the application satisfies both the conditions to fulfill the requirements for Longevity.

Criterion #2: Nexus between Proposed String and Community

3/4 Point(s)

2-A Nexus

2/3 Point(s)

The Community Priority Evaluation panel determined that the application met the criterion for Nexus as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook. The string "identifies" the name of the community, without over-reaching substantially beyond the community, but does not "match" the name of the community. The application therefore received a score of 2 out of 3 points under criterion 2-A: Nexus.

To receive the maximum score for Nexus, the applied-for string must "match" the name of the community or be a well-known short-form or abbreviation of the community name. To receive a partial score for Nexus, the applied-for string must "identify" the community. "Identify" means that the applied-for string should closely describe the community or the community members, without over-reaching substantially beyond the community.

The applied-for string (.ECO) identifies the name of the community. According to the applicant,

The term "eco" has long been used to identify members of the Global Environmental Community (the Community), as well as concepts, products and services associated with the Community's goal of a respectful, responsible and sustainable use of the environment. The term appears in common usage and is clearly associated by consumers with environmentally responsible practices.

¹¹ <http://www.britannica.com/EBchecked/topic/189205/environmentalism/224631/History-of-the-environmental-movement>

¹² <http://www.epa.gov/climatechange/science/future.html>

¹³ http://www.oecd.org/env/cc/Outlook%20to%202050_Climate%20Change%20Chapter_HIGHLIGHTS-FINA-8pager-UPDATED%20NOV2012.pdf

The Oxford English Dictionary (OED) offers the following examples:
 Individuals and organizations (eg, eco-activist, eco-charities, eco-group)
 Concepts (eg, eco-advocacy, eco-activism, eco-justice, eco-cultural, eco-literacy, eco-philosophy, eco-minded, eco-savvy, eco-awareness, eco-consciousness)
 Products and services (eg, eco-product, eco-label, eco-house, eco-holiday, eco-resort, eco-bottle, eco-bulb, eco-forestry, eco-car)
 (Oxford English Dictionary, 3rd edition, Mar. 2008; online version Sept. 2011)
 Eco in Consumer Protection Public Policy

The Panel has determined that the string “.ECO,” is not a match of the community or a well-known short-form or abbreviation of the community name, as the AGB requires for a score of 3 for Nexus. This is because various organizations that are a part of the community as described by the application name the same community in various ways, but generally by use of the word “environment” or by words related to “eco” but not by “eco” itself or on its own. However, because of the common association of the prefix “eco” with various phrases closely associated with environmental protection, such as those provided in the excerpt of the application above, the Panel has determined that the string does identify the community, without overreaching substantially beyond the community.

Additionally, while the string identifies the name of the core community members (i.e. not-for-profit environmental organizations, government agencies with environmental missions, etc.) the community as defined by the application also includes some entities, such as businesses that use certified environmental management systems, which may not automatically be associated with the gTLD. For example, the applicant includes in the proposed community businesses that are participants in the UN Global Compact¹⁴. Business participants include China Development Bank, a US-based technology firm, Intel Corporation, a Brazil-based natural resources firm, Vale, and UK-based Unilever, a consumer goods company¹⁵. These companies, and the many others with the same or similar participation in the UN Global Compact, are not commonly known by the string “ECO” as the AGB requires for a full score on Nexus. However, since these entities comprise only part of one category of the application’s community membership, the over-reach is not substantial, as the public will generally associate the string with the community as defined by the applicant. Therefore, the Panel has determined that the application should receive partial credit for Nexus.

The Community Priority Evaluation panel determined that the applied-for string “identifies” the name of the community as defined in the application, but does not “match” it. It therefore partially meets the requirements for Nexus.

2-B Uniqueness

1/1 Point(s)

The Community Priority Evaluation panel determined that the application met the criterion for Uniqueness as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the string has no other significant meaning beyond identifying the community described in the application. The application received a maximum score of 1 point under criterion 2-B: Uniqueness.

To fulfill the requirements for Uniqueness, the string must have no other significant meaning beyond identifying the community described in the application. The string as defined in the application demonstrates uniqueness as the string does not have any other meaning beyond identifying the community described in the application. According to Oxford Dictionaries, the prefix “eco-” is defined as “Representing ecology, ecological, etc.” The string “eco” as a word or concept itself is defined as “Not harming the environment; [as in] eco-friendly.” The application cites, as in the excerpt above, several such uses of the applied-for string that correspond to the environmental focus of the community it defines. As such, the Panel has determined that the concept to which the definition refers is the same as the community purpose of the applied-for

¹⁴ The UN Global Compact is the world's largest corporate citizenship and sustainability initiative, with over 10,000 business participants and other stakeholders from more than 145 countries. See <https://www.unglobalcompact.org/ParticipantsAndStakeholders/index.html>.

¹⁵ https://www.unglobalcompact.org/HowToParticipate/Lead/lead_participants.html

string and that the applied-for string therefore satisfies the condition to fulfill the requirements for Uniqueness.

Criterion #3: Registration Policies	4/4 Point(s)
3-A Eligibility	1/1 Point(s)
<p>The Community Priority Evaluation panel determined that the application met the criterion for Eligibility as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as eligibility is restricted to community members. The application received a maximum score of 1 point under criterion 3-A: Eligibility.</p> <p>To fulfill the requirements for Eligibility, the registration policies must restrict the eligibility of prospective registrants to community members. The application demonstrates adherence to this requirement by restricting eligibility to individuals and entities (non-for-profit, businesses and governments) that are members of the global environmental community and that meet recognized standards. (Comprehensive details are provided in Section 20e of the applicant documentation). The Community Priority Evaluation panel determined that the application satisfies the condition to fulfill the requirements for Eligibility.</p>	
3-B Name Selection	1/1 Point(s)
<p>The Community Priority Evaluation panel determined that the application met the criterion for Name Selection as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as name selection rules are consistent with the articulated community-based purpose of the applied-for gTLD. The application received a maximum score of 1 point under criterion 3-B: Name Selection.</p> <p>To fulfill the requirements for Name Selection, the registration policies for name selection for registrants must be consistent with the articulated, community-based purpose of the applied-for gTLD. The application demonstrates adherence to this requirement by specifying several categories of name registration policies. The applicant further ensures that any strings “used in a manner inconsistent with the Community’s goals, values, and/or interests” (Application, Q18(b)) will be flagged and subject to additional scrutiny. The Community Priority Evaluation panel determined that the application satisfies the condition to fulfill the requirements for Name Selection.</p>	
3-C Content and Use	1/1 Point(s)
<p>The Community Priority Evaluation panel determined that the application met the criterion for Content and Use as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the rules for content and use are consistent with the articulated community-based purpose of the applied-for TLD. The application received a maximum score of 1 point under criterion 3-C: Content and Use.</p> <p>To fulfill the requirements for Content and Use, the registration policies must include rules for content and use for registrants that are consistent with the articulated community-based purpose of the applied-for gTLD. The application demonstrates adherence to this requirement by specifying that any approved registrant on the gTLD will post a link to their ECO Profile. This ECO Profile is a repository of registrant-specific information that, according to the application:</p> <p style="padding-left: 40px;">“will cover community-recognized memberships, accreditations, registrations, certifications, and reports that demonstrate active commitment, practice and reporting. Additional questions may: be both qualitative and quantitative; include commitments to environmental and social issues that are considered to be linked to environmental goals; and, reference robust existing environmental standards, requirements, indicators, regulations, codes, and calculators.”</p> <p>Therefore, the applicant has required not only certain specific content (in the form of a link to the above registrant-related information), but such content is clearly consistent with the articulate community-based purpose of the applied-for string. The Panel has therefore determined that the application satisfies the condition to fulfill the requirements for Content and Use.</p>	
3-D Enforcement	1/1 Point(s)
<p>The Community Priority Evaluation panel determined that the application met the criterion for Enforcement as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the</p>	

application provided specific enforcement measures as well as appropriate appeal mechanisms. The application received a maximum score of 1 point under criterion 3-D: Enforcement.

Two conditions must be met to fulfill the requirements for Enforcement: the registration policies must include specific enforcement measures constituting a coherent set, and there must be appropriate appeals mechanisms. The applicant outlined policies that include specific enforcement measures constituting a coherent set. The applicant's registry will evaluate complaints against a registrant agreement and decide on an appropriate course of action, which may result in the case being referred to a dispute resolution process. There is also an appeals mechanism, whereby a registrant has the right to seek the opinion of an independent arbiter approved by the registry. The Community Priority Evaluation panel determined that the application satisfies both conditions to fulfill the requirements for Enforcement.

Criterion #4: Community Endorsement **3/4 Point(s)**

4-A Support **1/2 Point(s)**

The Community Priority Evaluation panel has determined that the application partially met the criterion for Support specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as there was documented support from at least one group with relevance. The application received a score of 1 out of 2 points under criterion 4-A: Support.

To receive the maximum score for Support, the applicant is, or has documented support from, the recognized community institution(s)/member organization(s), or has otherwise documented authority to represent the community. In this context, "recognized" refers to the institution(s)/organization(s) that, through membership or otherwise, are clearly recognized by the community members as representative of the community. To receive a partial score for Support, the applicant must have documented support from at least one group with relevance. "Relevance" refers to the communities explicitly and implicitly addressed by the application's defined community.

The Community Priority Evaluation panel has determined that the applicant was not the recognized community institution(s)/member organization(s), nor did it have documented authority to represent the community, or documented support from the recognized community institution(s)/member organization(s). While organizations like the IUCN and the UN Global Compact are sufficient to meet the AGB's requirement for an "entity mainly dedicated to the community" under Delineation (1-A), it does not meet the standard of a "recognized" organization. The AGB specifies that "recognized" means that an organization must be "clearly recognized by the community members as representative of the community." The IUCN and others, as shown in their mission and activities, are clearly dedicated to the community and it serves the community and its members in many ways, but "recognition" demands not only this unilateral dedication of an organization to the community, but a reciprocal recognition on the part of community members of the organization's authority to represent it. There is no single such organization recognized by the defined community as representative of the community. However, the applicant possesses documented support from many groups with relevance; their verified documentation of support contained a description of the process and rationale used in arriving at the expression of support, showing their understanding of the implications of supporting the application. Despite the wide array of organizational support, however, the applicant does not have the support from the recognized community institution, as noted above, and the Panel has not found evidence that such an organization exists. The Community Priority Evaluation Panel has determined that the applicant partially satisfies the requirements for Support.

4-B Opposition **2/2 Point(s)**

The Community Priority Evaluation panel determined that the application met the criterion for Opposition specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the application did not receive any relevant opposition. The application received the maximum score of 2 points under criterion 4-B: Opposition.

To receive the maximum score for Opposition, the application must not have received any opposition of relevance. To receive a partial score for Opposition, the application must have received opposition from, at most, one group of non-negligible size.

The application received letters of opposition, which were determined not to be relevant, as they were either from individuals or groups of negligible size, or were not from communities which were not mentioned in the application but which have an association to the applied for string. The Community Priority Evaluation Panel determined that the applicant satisfies the requirements for Opposition.

Disclaimer: Please note that these Community Priority Evaluation results do not necessarily determine the final result of the application. In limited cases, the results might be subject to change. These results do not constitute a waiver or amendment of any provision of the Applicant Guidebook or the Registry Agreement. For updated application status and complete details on the program, please refer to the Applicant Guidebook and the ICANN New gTLDs microsite at <newgtlds.icann.org>.



New gTLD Program
Community Priority Evaluation Report

Report Date: 11 June 2014

Application ID:	1-1032-95136
Applied-for String:	HOTEL
Applicant Name:	HOTEL Top-Level-Domain s.a.r.l

Overall Community Priority Evaluation Summary

Community Priority Evaluation Result	Prevailed
<p>Thank you for your participation in the New gTLD Program. After careful consideration and extensive review of the information provided in your application, including documents of support, the Community Priority Evaluation panel determined that the application met the requirements specified in the Applicant Guidebook. Your application prevailed in Community Priority Evaluation.</p>	

Panel Summary

Overall Scoring	15 Point(s)	
<u>Criteria</u>	<u>Earned</u>	<u>Achievable</u>
#1: Community Establishment	4	4
#2: Nexus between Proposed String and Community	3	4
#3: Registration Policies	4	4
#4: Community Endorsement	4	4
Total	15	16

Minimum Required Total Score to Pass 14

Criterion #1: Community Establishment	4/4 Point(s)
1-A Delineation	2/2 Point(s)
<p>The Community Priority Evaluation panel determined that the community as identified in the application met the criterion for Delineation as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the community is clearly delineated, organized and pre-existing. The application received the maximum score of 2 points under criterion 1-A: Delineation.</p> <p><u>Delineation</u> Two conditions must be met to fulfill the requirements for delineation: there must be a clear, straightforward membership definition, and there must be awareness and recognition of a community (as defined by the applicant) among its members.</p> <p>The community defined in the application (“HOTEL”) is:</p>	

The .hotel namespace will exclusively serve the global Hotel Community. The string “Hotel” is an internationally agreed word that has a clear definition of its meaning: According to DIN EN ISO 18513:2003, “A hotel is an establishment with services and additional facilities where accommodation and in most cases meals are available.” Therefore only entities which fulfil this definition are members of the Hotel Community and eligible to register a domain name under .hotel. .hotel domains will be available for registration to all companies which are member of the Hotel Community on a local, national and international level. The registration of .hotel domain names shall be dedicated to all entities and organizations representing such entities which fulfil the ISO definition quoted above:

1. Individual Hotels
2. Hotel Chains
3. Hotel Marketing organizations representing members from 1. and/or 2.
4. International, national and local Associations representing Hotels and Hotel Associations representing members from 1. and/or 2.
5. Other Organizations representing Hotels, Hotel Owners and other solely Hotel related organizations representing on members from 1. and/or 2.

These categories are a logical alliance of members, with the associations and the marketing organizations maintaining membership lists, directories and registers that can be used, among other public lists, directories and registers, to verify eligibility against the .hotel Eligibility requirements.

This community definition shows a clear and straightforward membership. The community is clearly defined because membership requires entities/associations to fulfill the ISO criterion for what constitutes a hotel. Furthermore, association with the hotel sector can be verified through membership lists, directories and registers.

In addition, the community as defined in the application has awareness and recognition among its members. This is because the community is defined in terms of its association with the hotel industry and the provision of specific hotel services.

The Community Priority Evaluation panel determined that the community as defined in the application satisfies both the conditions to fulfill the requirements for Delineation.

Organization

Two conditions need to be met to fulfill the requirements for organization: there must be at least one entity mainly dedicated to the community, and there must be documented evidence of community activities.

The community as defined in the application has at least one entity mainly dedicated to the community. There are, in fact, several entities that are mainly dedicated to the community, such as the International Hotel and Restaurant Association (IH&RA), Hospitality Europe (HOTREC), the American Hotel & Lodging Association (AH&LA) and China Hotel Association (CHA), among others. According to the application,

Among those associations the International Hotel and Restaurant Association (IH&RA) is the oldest one, which was founded in 1869/1946, is the only global business organization representing the hotel industry worldwide and it is the only global business organization representing the hospitality industry (hotels and restaurants) worldwide. Officially recognized by United Nations as the voice of the private sector globally, IH&RA monitors and lobbies all international agencies on behalf of this industry. Its members represent more than 300,000 hotels and thereby the majority of hotels worldwide.

The community as defined in the application has documented evidence of community activities. This is confirmed by detailed information on IH&RA’s website, as well as information on other hotel association websites.

The Community Priority Evaluation panel determined that the community as defined in the application

satisfies both the conditions to fulfill the requirements for Organization.

Pre-existence

To fulfill the requirements for pre-existence, the community must have been active prior to September 2007 (when the new gTLD policy recommendations were completed).

The community as defined in the application was active prior to September 2007. Hotels have existed in their current form since the 19th century, and the oldest hotel association is IH&RA, which, according to the entity's website, was first established in 1869 as the All Hotelmen Alliance. The organization has been operating under its present name since 1997.

The Community Priority Evaluation panel determined that the community as defined in the application fulfills the requirements for Pre-existence.

1-B Extension

2/2 Point(s)

The Community Priority Evaluation panel determined that the community as identified in the application met the criterion for Extension specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the application demonstrates considerable size and longevity for the community. The application received a maximum score of 2 points under criterion 1-B: Extension.

Size

Two conditions must be met to fulfill the requirements for size: the community must be of considerable size and must display an awareness and recognition of a community among its members.

The community as defined in the application is of a considerable size. The community for .HOTEL as defined in the application is large in terms of the number of members. According to the applicant, "the global Hotel Community consists of more than 500,000 hotels and their associations".

In addition, the community as defined in the application has awareness and recognition among its members because the community is defined in terms of association with the provision of hotel services.

The Community Priority Evaluation panel determined that the community as defined in the application satisfies both the conditions to fulfill the requirements for Size.

Longevity

Two conditions must be met to fulfill the requirements for longevity: the community must demonstrate longevity and must display an awareness and recognition of a community among its members.

The community as defined in the application demonstrates longevity. The pursuits of the .HOTEL community are of a lasting, non-transient nature.

In addition, the community as defined in the application has awareness and recognition among its members because the community is defined in terms of association with the provision of hotel services.

The Community Priority Evaluation panel determined that the community as defined in the application satisfies both the conditions to fulfill the requirements for Longevity.

Criterion #2: Nexus between Proposed String and Community

3/4 Point(s)

2-A Nexus

2/3 Point(s)

The Community Priority Evaluation panel determined that the application met the criterion for Nexus as

specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook. The string identifies the name of the community, without over-reaching substantially beyond the community. The application received a score of 2 out of 3 points under criterion 2-A: Nexus.

To receive the maximum score for Nexus, the applied-for string must match the name of the community or be a well-known short-form or abbreviation of the community name. To receive a partial score for Nexus, the applied-for string must identify the community. “Identify” means that the applied-for string should closely describe the community or the community members, without over-reaching substantially beyond the community.

The applied-for string (.HOTEL) identifies the name of the community. According to the applicant,

The proposed top-level domain name, “HOTEL”, is a widely accepted and recognized string that globally identifies the Hotel Community and especially its members, the hotels.

The string nexus closely describes the community, without overreaching substantially beyond the community. The string identifies the name of the core community members (i.e. hotels and associations representing hotels). However, the community also includes some entities that are related to hotels, such as hotel marketing associations that represent hotels and hotel chains and which may not be automatically associated with the gTLD. However, these entities are considered to comprise only a small part of the community. Therefore, the string identifies the community, but does not over-reach substantially beyond the community, as the general public will generally associate the string with the community as defined by the applicant.

The Community Priority Evaluation panel determined that the applied-for string identifies the name of the community as defined in the application. It therefore partially meets the requirements for Nexus.

2-B Uniqueness

1 / 1 Point(s)

The Community Priority Evaluation panel determined that the application met the criterion for Uniqueness as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the string has no other significant meaning beyond identifying the community described in the application. The application received a maximum score of 1 point under criterion 2-B: Uniqueness.

To fulfill the requirements for Uniqueness, the string .HOTEL must have no other significant meaning beyond identifying the community described in the application. The Community Priority Evaluation panel determined that the applied-for string satisfies the condition to fulfill the requirements for Uniqueness.

Criterion #3: Registration Policies

4/4 Point(s)

3-A Eligibility

1 / 1 Point(s)

The Community Priority Evaluation panel determined that the application met the criterion for Eligibility, as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as eligibility is restricted to community members. The application received a maximum score of 1 point under criterion 3-A: Eligibility.

To fulfill the requirements for Eligibility, the registration policies must restrict the eligibility of prospective registrants to community members. The application demonstrates adherence to this requirement by restricting eligibility to the narrow category of hotels and their organizations as defined by ISO 18513, and verifying this association through membership lists, directories and registries. (Comprehensive details are provided in Section 20e of the applicant documentation). The Community Priority Evaluation panel determined that the application satisfies the condition to fulfill the requirements for Eligibility.

3-B Name Selection	<i>1/1 Point(s)</i>
<p>The Community Priority Evaluation panel determined that the application met the criterion for Name Selection as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as name selection rules are consistent with the articulated community-based purpose of the applied-for gTLD. The application received a maximum score of 1 point under criterion 3-B: Name Selection.</p> <p>To fulfill the requirements for Name Selection, the registration policies for name selection for registrants must be consistent with the articulated community-based purpose of the applied-for gTLD. The application demonstrates adherence to this requirement by specifying that eligible applicants will be entitled to register any domain name that is not reserved or registered at the time of their registration submission. Furthermore, the registry has set aside a list of domain names that will be reserved for the major hotel industry brands and sub-brands. (Comprehensive details are provided in Section 20e of the applicant documentation). The Community Priority Evaluation panel determined that the application satisfies the condition to fulfill the requirements for Name Selection.</p>	
3-C Content and Use	<i>1/1 Point(s)</i>
<p>The Community Priority Evaluation panel determined that the application met the criterion for Content and Use as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the rules for content and use are consistent with the articulated community-based purpose of the applied-for TLD. The application received a maximum score of 1 point under criterion 3-C: Content and Use.</p> <p>To fulfill the requirements for Content and Use, the registration policies must include rules for content and use for registrants that are consistent with the articulated community-based purpose of the applied-for gTLD. The application demonstrates adherence to this requirement by specifying that each domain name must display hotel community-related content relevant to the domain name, etc. (Comprehensive details are provided in Section 20e of the applicant documentation). The Community Priority Evaluation panel determined that the application satisfies the condition to fulfill the requirements for Content and Use.</p>	
3-D Enforcement	<i>1/1 Point(s)</i>
<p>The Community Priority Evaluation panel determined that the application met the criterion for Enforcement as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the application provided specific enforcement measures as well as appropriate appeal mechanisms. The application received a maximum score of 1 point under criterion 3-D: Enforcement.</p> <p>Two conditions must be met to fulfill the requirements for Enforcement: the registration policies must include specific enforcement measures constituting a coherent set, and there must be appropriate appeals mechanisms. The applicant outlined policies that include specific enforcement measures constituting a coherent set. The applicant's registry will establish a process for questions and challenges that could arise from registrations and will conduct random checks on registered domains. There is also an appeals mechanism, whereby a registrant has the right to request a review of a decision to revoke its right to hold a domain name. (Comprehensive details are provided in Section 20e of the applicant documentation). The Community Priority Evaluation panel determined that the application satisfies both conditions to fulfill the requirements for Enforcement.</p>	

Criterion #4: Community Endorsement	<i>4/4 Point(s)</i>
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4-A Support	<i>2/2 Point(s)</i>
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The Community Priority Evaluation panel determined that the application fully met the criterion for Support

specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the applicant had documented support from the recognized community institution(s)/member organization(s). The application received a maximum score of 2 points under criterion 4-A: Support.

To receive the maximum score for Support, the applicant is, or has documented support from, the recognized community institution(s)/member organization(s), or has otherwise documented authority to represent the community. “Recognized” means the institution(s)/organization(s) that, through membership or otherwise, are clearly recognized by the community members as representative of the community. To receive a partial score for Support, the applicant must have documented support from at least one group with relevance. “Relevance” refers to the communities explicitly and implicitly addressed.

The Community Priority Evaluation panel determined that the applicant was not the recognized community institution(s)/member organization(s). However, the applicant possesses documented support from the recognized community institution(s)/member organization(s), and this documentation contained a description of the process and rationale used in arriving at the expression of support. These groups constitute the recognized institutions to represent the community, and represent a majority of the overall community as defined by the applicant. The Community Priority Evaluation Panel determined that the applicant fully satisfies the requirements for Support.

4-B Opposition

2/2 Point(s)

The Community Priority Evaluation panel determined that the application met the criterion for Opposition specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the application did not receive any relevant opposition. The application received the maximum score of 2 points under criterion 4-B: Opposition.

To receive the maximum score for Opposition, the application must not have received any opposition of relevance. To receive a partial score for Opposition, the application must have received relevant opposition from, at most, one group of non-negligible size. According to the Applicant Guidebook, “To be taken into account as relevant opposition, such objections or comments must be of a reasoned nature. Sources of opposition that are clearly spurious, unsubstantiated, made for a purpose incompatible with competition objectives, or filed for the purpose of obstruction will not be considered relevant”. “Relevance” and “relevant” refers to the communities explicitly and implicitly addressed.

The application received letters of opposition, which were determined not to be relevant, as they were either from groups of negligible size, or were from entities/communities that do not have an association with the applied for string. The Community Priority Evaluation Panel determined that these letters therefore were not relevant because they are not from the recognized community institutions/member organizations, nor were they from communities/entities that have an association with the hotel community. In addition, some letters were filed for the purpose of obstruction, and were therefore not considered relevant. The Community Priority Evaluation Panel determined that the applicant satisfies the requirements for Opposition.

Disclaimer: Please note that these Community Priority Evaluation results do not necessarily determine the final result of the application. In limited cases the results might be subject to change. These results do not constitute a waiver or amendment of any provision of the Applicant Guidebook or the Registry Agreement. For updated application status and complete details on the program, please refer to the Applicant Guidebook and the ICANN New gTLDs microsite at <newgtlds.icann.org>.

New gTLD Program
Community Priority Evaluation Report
 Report Date: 10 September 2014

Application ID:	1-1083-39123
Applied-for String:	RADIO
Applicant Name:	European Broadcasting Union

Overall Community Priority Evaluation Summary

Community Priority Evaluation Result	Prevailed
<p>Thank you for your participation in the New gTLD Program. After careful consideration and extensive review of the information provided in your application, including documents of support, the Community Priority Evaluation panel determined that the application met the requirements specified in the Applicant Guidebook. Your application prevailed in Community Priority Evaluation.</p>	

Panel Summary

Overall Scoring	14 Point(s)	
	Earned	Achievable
#1: Community Establishment	3	4
#2: Nexus between Proposed String and Community	3	4
#3: Registration Policies	4	4
#4: Community Endorsement	4	4
Total	14	16
Minimum Required Total Score to Pass 14		

Criterion #1: Community Establishment	3/4 Point(s)
1-A Delineation	1/2 Point(s)
<p>The Community Priority Evaluation panel determined that the community as defined in the application partially met the criterion for Delineation as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as it is clearly delineated and pre-existing, but, as defined, is not sufficiently organized. The application received a score of 1 out of 2 points under criterion 1-A: Delineation.</p> <p><u>Delineation</u> Two conditions must be met to fulfill the requirements for delineation: there must be a clear, straightforward membership definition and there must be awareness and recognition of a community (as defined by the applicant) among its members.</p> <p>The community defined in the application (“RADIO”) is, as follows:</p> <p style="padding-left: 40px;">The Radio industry is composed of a huge number of very diverse radio broadcasters: public and private; international and local; commercial or community-oriented; general purpose, or sector-</p>	

specific; talk or music; big and small. All licensed radio broadcasters are part of the .radio community, and so are the associations, federations and unions they have created (such as the EBU, applicant for the .radio TLD with the support of its sister Unions; see below for more details on Radio industry representativeness). Also included are the radio professionals, those making radio the fundamental communications tool that it is.

However, the Radio industry keeps evolving and today, many stations are not only broadcasting in the traditional sense, but also webcasting and streaming their audio content via the Internet. Some are not broadcasters in the traditional sense: Internet radios are also part of the Radio community, and as such will be acknowledged by .radio TLD, as will podcasters. In all cases certain minimum standards on streaming or updating schedules will apply.

The .radio community also comprises the often overlooked amateur radio, which uses radio frequencies for communications to small circles of the public. Licensed radio amateurs and their clubs will also be part of the .radio community.

Finally, the community includes a variety of companies providing specific services or products to the Radio industry.

This community definition shows a clear and straightforward membership and is therefore well defined. Association with, and membership in, the radio community can be verified through licenses held by professional and amateur radio broadcasters; membership in radio-related associations, clubs and unions; internet radios that meet certain minimum standards; radio-related service providers that can be identified through trademarks; and radio industry partners and providers.

In addition, the community as defined in the application has awareness and recognition among its members. This is because the community as defined consists of entities and individuals that are in the radio industry¹, and as participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community. In addition, membership in the (industry) community is sufficiently structured, as the requirements listed in the community definition above show.

The Community Priority Evaluation panel determined that the community as defined in the application satisfies both of the conditions to fulfill the requirements for Delineation.

Organization

Two conditions need to be met to fulfill the requirements for organization: there must be at least one entity mainly dedicated to the community, and there must be documented evidence of community activities.

The community as defined in the application does not have one entity mainly dedicated to the community. There are several entities that represent parts of the radio community, such as the World Broadcasting Unions (WBU), the Association for International Broadcasting, the Association of European Radios, the Association Mondiale des Radiodiffuseurs Communautaires, the European Association of Television and Radio Sales Houses, the Union Radiophonique et Télévisuelle Internationale, and the Internet Media Device Alliance. Based on the Panel's research, these entities only represent certain segments of the community as defined by the applicant. For example, the WBU is the umbrella organization for eight regional broadcasting unions, but does not represent amateur radio. There is no entity that represents all of the radio member categories outlined by the applicant. According to the application:

¹ The radio industry is included in the North American Industrial Classification System (NAICS). It defines this industry as, "Establishments primarily engaged in broadcasting aural programs by radio to the public. Included in this industry are commercial, religious, educational, and other radio stations. Also included here are establishments primarily engaged in radio broadcasting and which produce radio program materials." This definition of the industry includes the vast majority of entities included in the defined community.

The Radio community is structured mainly under 8 world broadcasting Unions which represent radio broadcasting interests at the World Radio Frequencies Conferences and coordinate their work through the WBU, as described in response to Question 11H.

The WBU works through a number of permanent working commissions, such as the Technical Committee, which deals with technical standardization; the Sports Committee, dealing with the coverage of world sports events (such as Olympic Games and football world championships); ISOG (International Satellite Operations Group), dealing with satellite contribution circuit issues. Besides the WBU, other specialized broadcasting associations represent specific radio interests, such as the already mentioned AMARC and AER.

According to the AGB, "organized" implies that there is at least one entity mainly dedicated to the community, with documented evidence of community activities." As described above, there is no entity(ies) that represents all of the radio member categories outlined by the applicant. An "organized" community is one that is represented by at least one entity that encompasses the entire community as defined by the applicant. For example, there should be at least one entity that encompasses and organizes: "radio broadcasters, the associations, federations and unions they have created, radio professionals, Internet radios, podcasters, amateur radio (and their clubs), and companies providing specific services or products to the Radio industry." Based on information provided in the application materials and the Panel's research, there is no such entity that organizes the community defined in the application. Therefore, as there is no entity that is mainly dedicated to the community as defined in the .RADIO application, as the Panel has determined, there cannot be documented evidence of community activities.

The Community Priority Evaluation panel determined that the community as defined in the application does not satisfy either of the two conditions to fulfill the requirements for organization.

Pre-existence

To fulfill the requirements for pre-existence, the community must have been active prior to September 2007 (when the new gTLD policy recommendations were completed).

The community as defined in the application was active prior to September 2007. Radio broadcast technologies have existed in one form or another for nearly a century. As the industry has evolved² through the uptake of new technologies, so too has industry membership. For example, in the early years of the industry, members of the radio industry included radio professionals, broadcasters and companies providing products to the industry, amongst others. With the advent of the internet and other radio technologies, the community has expanded to include Internet radios, podcasters and others. The Panel acknowledges that not all elements of the community defined in the application have been in existence since the dawn of the industry; however, the proposed community segments have been active prior to September 2007.

The Community Priority Evaluation panel determined that the community as defined in the application fulfills the requirements for Pre-existence.

1-B Extension

2/2 Point(s)

The Community Priority Evaluation panel determined that the community as identified in the application met the criterion for Extension specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the application demonstrates considerable size and longevity for the community. The application received a maximum score of 2 points under criterion 1-B: Extension.

² According to the US Federal Communications Commission, in 1906 the first program including speech and music was transmitted over the radio; by 1912 the US government put in place regulations for radio stations and operators. See http://transition.fcc.gov/omd/history/radio/documents/short_history.pdf

Size

Two conditions must be met to fulfill the requirements for size: the community must be of considerable size, and it must display an awareness and recognition of a community among its members.

The community as defined in the application is of a considerable size. The community for .RADIO as defined in the application is large in terms of the number of members. According to the application:

Currently, there are about 50,000 radio stations worldwide, according to the figure published by CIA World Facts on their website. In addition, there are at least another 50,000 web radios.

Moreover, the community as defined in the application has awareness and recognition among its members. This is because the community as defined consists of entities and individuals that are in the radio industry³, and as participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community.

The Community Priority Evaluation panel determined that the community as defined in the application satisfies both the conditions to fulfill the requirements for Size.

Longevity

Two conditions must be met to fulfill the requirements for longevity: the community must demonstrate longevity and it must display an awareness and recognition of a community among its members.

The community as defined in the application demonstrates longevity. The pursuits of the .RADIO community are of a lasting, non-transient nature. Radio services have, as noted, existed for more than a century and are likely to continue, although technological advances may change form and function.

Moreover, as mentioned previously, the community as defined in the application has awareness and recognition among its members. This is because the community as defined consists of entities and individuals that are in the radio industry⁴, and as participants in this clearly defined industry, they have an awareness and recognition of their inclusion in the industry community.

The Community Priority Evaluation panel determined that the community as defined in the application satisfies both the conditions to fulfill the requirements for Longevity.

Criterion #2: Nexus between Proposed String and Community

3/4 Point(s)

2-A Nexus

2/3 Point(s)

The Community Priority Evaluation panel determined that the application partially met the criterion for Nexus as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook. The string “identifies” the name of the community as defined in the application, without over-reaching substantially beyond the community, but it does not “match” the name of the community as defined. The application received a score of 2 out of 3 points under criterion 2-A: Nexus.

To receive the maximum score for Nexus, the applied-for string must “match” the name of the community or be a well-known short-form or abbreviation of the community name. To receive a partial score for Nexus, the applied-for string must “identify” the community. “Identify” means that the applied-for string should closely describe the community or the community members, without over-reaching substantially beyond the community.

The applied-for string (.RADIO) identifies the name of the community. According to the applicant:

³ Ibid

⁴ Ibid

Radio means the operators, services and technologies defined here as the Radio community. Radio also means, and is, audio broadcasting. The station broadcasting or streaming that audio content is radio, and the company performing the audio broadcasting is radio. A radio is the receiver used by the listener. Radio is the name everybody uses to refer to the entire industry, and the whole community.

With the advent of streaming via the Internet and the continuous delivery of audio content to broad groups of listeners, we now often refer to the new services as web, net or Internet radio.

The Radio community could not find any other name, even vaguely appropriate, to designate the TLD for its community. .radio is the TLD for the Radio community and could not be anything else. It is perfectly tuned.

The string closely describes the community, without overreaching substantially beyond the community. The string identifies the name of the core community members (i.e. licensed professional and amateur radio broadcasters and their associated unions and clubs, and Internet radio). However, the community, as defined in the application, also includes some entities that are only tangentially related to radio, such as companies providing specific services or products to radio broadcasting organizations and which may not be automatically associated with the gTLD string. For example, network interface equipment and software providers to the industry, based on the Panel's research, would not likely be associated with the word RADIO⁵. However, these entities are considered to comprise only a small part of the community. Since only a small part of the community as defined by the applicant extends beyond the reference of the string, it is not a substantial over-reach. Therefore, the string identifies the community, as the public will generally associate the string with the community as defined by the applicant.

The Community Priority Evaluation panel determined that the applied-for string identifies the name of the community as defined in the application. It therefore partially meets the requirements for Nexus.

2-B Uniqueness

1/1 Point(s)

The Community Priority Evaluation panel determined that the application met the criterion for Uniqueness as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the string has no other significant meaning beyond identifying the community described in the application. The application received a maximum score of 1 point under criterion 2-B: Uniqueness.

To fulfill the requirements for Uniqueness, the string must have no other significant meaning beyond identifying the community described in the application. The string as defined in the application demonstrates uniqueness, as the string does not have any other meaning beyond identifying the community described in the application. The Community Priority Evaluation panel determined that the applied-for string satisfies the condition to fulfill the requirements for Uniqueness.

Criterion #3: Registration Policies

4/4 Point(s)

3-A Eligibility

1/1 Point(s)

The Community Priority Evaluation panel determined that the application met the criterion for Eligibility as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as eligibility

⁵ There are numerous definitions of the word radio. These include: (a) the transmission and reception of electromagnetic waves of radio frequency, especially those carrying sound messages; (b) the activity or industry of broadcasting sound programs to the public; (c) an apparatus for receiving radio programs. Definition (b) closely reflects the core community as defined by the applicant, which includes: radio broadcasters, the associations, federations and unions they have created, radio professionals, Internet radios, podcasters, and amateur radio (and their clubs). However, the community members that provide "specific services or products to the Radio industry", such as software or interface equipment, would not be associated with the term "radio" by the general public.

is restricted to community members. The application received a maximum score of 1 point under criterion 3-A: Eligibility.

To fulfill the requirements for Eligibility, the registration policies must restrict the eligibility of prospective registrants to community members. The application demonstrates adherence to this requirement by restricting eligibility to the community categories mentioned in Delineation, and additionally requiring that the registered domain name be “accepted as legitimate; and beneficial to the cause and values of the radio industry; and commensurate with the role and importance of the registered domain name; and in good faith at the time of registration and thereafter.” (Comprehensive details are provided in Section 20e of the applicant documentation). The Community Priority Evaluation panel determined that the application satisfies the condition to fulfill the requirements for Eligibility.

3-B Name Selection

1/1 Point(s)

The Community Priority Evaluation panel determined that the application met the criterion for Name Selection as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as name selection rules are consistent with the articulated community-based purpose of the applied-for TLD. The application received a maximum score of 1 point under criterion 3-B: Name Selection.

To fulfill the requirements for Name Selection, the registration policies for name selection for registrants must be consistent with the articulated, community-based purpose of the applied-for gTLD. The application demonstrates adherence to this requirement by specifying that the registrant’s nexus with the radio community and use of the domain must be commensurate with the role of the registered domain, and with the role and importance of the domain name based on the meaning an average user would reasonably assume in the context of the domain name. (Comprehensive details are provided in Section 20e of the applicant documentation). The Community Priority Evaluation panel determined that the application satisfies the condition to fulfill the requirements for Name Selection.

3-C Content and Use

1/1 Point(s)

The Community Priority Evaluation panel determined that the application met the criterion for Content and Use as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the rules for content and use are consistent with the articulated community-based purpose of the applied-for TLD. The application received a maximum score of 1 point under criterion 3-C: Content and Use.

To fulfill the requirements for Content and Use, the registration policies must include rules for content and use for registrants that are consistent with the articulated community-based purpose of the applied-for gTLD. The application demonstrates adherence to this requirement by specifying that use of the domain name must be beneficial to the cause and values of the radio industry, and commensurate with the role and importance of the registered domain name, etc. (Comprehensive details are provided in Section 20e of the applicant documentation). The Community Priority Evaluation panel determined that the application satisfies the condition to fulfill the requirements for Content and Use.

3-D Enforcement

1/1 Point(s)

The Community Priority Evaluation panel determined that the application met the criterion for Enforcement as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the application provided specific enforcement measures as well as appropriate appeal mechanisms. The application received a maximum score of 1 point under criterion 3-D: Enforcement.

Two conditions must be met to fulfill the requirements for Enforcement: the registration policies must include specific enforcement measures constituting a coherent set, and there must be appropriate appeals mechanisms. The applicant outlined policies that include specific enforcement measures constituting a coherent set. The enforcement program is based on random checks, and if the content or use of an existing domain name shows bad faith, it will be suspended. There is also an appeals mechanism, which is managed in

the first instance by the registry, with appeals heard by an independent, alternative dispute resolution provider. (Comprehensive details are provided in Section 20e of the applicant documentation). The Community Priority Evaluation panel determined that the application satisfies both conditions to fulfill the requirements for Enforcement.

Criterion #4: Community Endorsement	4/4 Point(s)
4-A Support	2/2 Point(s)
<p>The Community Priority Evaluation panel determined that the application fully met the criterion for Support specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the applicant had documented support from the recognized community institution(s)/member organization(s). The application received a maximum score of 2 points under criterion 4-A: Support.</p> <p>To receive the maximum score for Support, the applicant is, or has documented support from, the recognized community institution(s)/member organization(s), or has otherwise documented authority to represent the community. “Recognized” means those institution(s)/organization(s) that, through membership or otherwise, are clearly recognized by the community members as representative of the community. To receive a partial score for Support, the applicant must have documented support from at least one group with relevance. “Relevance” refers to the communities explicitly and implicitly addressed.</p> <p>The Community Priority Evaluation panel determined that the applicant was not the recognized community institution(s)/member organization(s). However, the applicant possesses documented support from institutions/organizations representing a majority of the community addressed, and this documentation contained a description of the process and rationale used in arriving at the expression of support. The applicant received support from a broad range of recognized community institutions/member organizations, which represented different segments of the community as defined by the applicant. These entities represented a majority of the overall community. The Community Priority Evaluation Panel determined that the applicant fully satisfies the requirements for Support.</p>	
4-B Opposition	2/2 Point(s)
<p>The Community Priority Evaluation panel determined that the application met the criterion for Opposition specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the application did not receive any relevant opposition. The application received the maximum score of 2 points under criterion 4-B: Opposition.</p> <p>To receive the maximum score for Opposition, the application must not have received any opposition of relevance. To receive a partial score for Opposition, the application must have received opposition from, at most, one group of non-negligible size.</p> <p>The application received letters of opposition, which were determined not to be relevant, as they were (1) from individuals or groups of negligible size, or (2) were not from communities either explicitly mentioned in the application nor from those with an implicit association to such communities. The Community Priority Evaluation Panel determined that the applicant satisfies the requirements for Opposition.</p>	

Disclaimer: Please note that these Community Priority Evaluation results do not necessarily determine the final result of the application. In limited cases the results might be subject to change. These results do not constitute a waiver or amendment of any provision of the Applicant Guidebook or the Registry Agreement. For updated application status and complete details on the program, please refer to the Applicant Guidebook and the ICANN New gTLDs microsite at <newgtlds.icann.org>.

New gTLD Program
Community Priority Evaluation Report
 Report Date: 7 October 2014

Application ID:	1-959-51046
Applied-for String:	MUSIC
Applicant Name:	.MUSIC LLC

Overall Community Priority Evaluation Summary

Community Priority Evaluation Result	Did Not Prevail
<p>Thank you for your participation in the New gTLD Program. After careful consideration and extensive review of the information provided in your application, including documents of support, the Community Priority Evaluation panel determined that the application did not meet the requirements specified in the Applicant Guidebook. Your application did not prevail in Community Priority Evaluation.</p> <p>Your application may still resolve string contention through the other methods as described in Module 4 of the Applicant Guidebook.</p>	

Panel Summary

Overall Scoring	3 Point(s)	
<u>Criteria</u>	<u>Earned</u>	<u>Achievable</u>
#1: Community Establishment	0	4
#2: Nexus between Proposed String and Community	0	4
#3: Registration Policies	1	4
#4: Community Endorsement	2	4
Total	3	16
Minimum Required Total Score to Pass <u>14</u>		

Criterion #1: Community Establishment	0/4 Point(s)
1-A Delineation	0/2 Point(s)
<p>The Community Priority Evaluation panel determined that the community as defined by the application did not meet the criterion for Delineation as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook (AGB), as the community defined in the application does not demonstrate sufficient delineation, organization, or pre-existence. The application received a score of 0 out of 2 points under criterion 1-A: Delineation.</p> <p><u>Delineation</u> Two conditions must be met to fulfill the requirements for delineation: there must be a clear, straightforward membership definition and there must be awareness and recognition of a community (as defined by the applicant) among its members.</p> <p>The community is defined in the application as follows:</p>	

.MUSIC LLC was created with the express intent and purpose of serving a community established and known worldwide, which despite location, culture or genre, is identified and united by a single word: “music”...

The Global Music Community (GMC) is comprised of an international range of associations and organizations and the millions of individuals these organizations represent, all of whom are involved in the creation, development, publishing, recording, advocacy, promotion, distribution, education, preservation and or nurturing of the art of music...

The differentiation between general Internet users and members of the music community are clearly delineated by two well defined-criteria. They are:

1. Active participation in the creation and development of music, its advocacy and promotion, its professional support, the protection and preservation of the music community’s creative rights, as well as the nurturing of the art through music education.
2. Current registration and verifiable membership in a global music community organization that was organized and in existence prior to 2007 (as per ICANN guidelines) who are active participants in the support and representation of the creation and development of music, its advocacy and promotion, its professional support, the protection and preservation of the music community’s creative rights, as well as the nurturing of the art through music education.

The application’s defined community delineates a clear and straightforward membership, due to the requirement for members to have current and verifiable registration in a “global music community organization” (i.e. membership organization). The membership mechanism is therefore clear, and the groups of possible members must be active in creating, supporting, representing, protecting and/or nurturing music. This is a transparent and verifiable membership structure that adequately meets the AGB’s first criterion for Delineation.

However, according to the AGB, “community” implies “more of cohesion than a mere commonality of interest” and there should be “an awareness and recognition of a community among its members.” The community as defined in the application does not demonstrate an awareness and recognition among its members. The application materials and further research provide no substantive evidence of what the AGB calls “cohesion” – that is, that the various members of the community as defined by the application are “united or form a whole” (Oxford Dictionaries).

For example, the Guitar Foundation of America (GFA) falls within one of the articulated segments of the application’s proposed community.¹ Based on the Panel’s research, however, the GFA does not show an awareness or recognition of the several other segments of the applicant’s proposed community, whether by way of interaction or an explicit statement of cohesion.² The same lack of awareness, recognition, and/or cohesion is evident across a range of similar music-related organizations, which have neither mentioned their perception of cohesion with other disparate groups nor demonstrated it through records of their activities or objectives. While the Panel acknowledges that many of the members in the proposed community share an interest in music, the AGB specifies that a “commonality of interest” is not sufficient to demonstrate the requisite awareness and recognition of a community among its members.

Another example relates to members of the musician category, in particular amateur musicians, who do not, in most cases³, demonstrate the requisite recognition and awareness of a community with other member

¹ The group falls firmly within the membership structures defined by the applicant and has submitted a letter of support.

² The Panel acknowledges that an exhaustive review of all proposed community member organizations is not possible and has used the GFA as a representative example of the review carried out to determine awareness and recognition of the proposed community.

³ While an exhaustive review of such organizations is impossible, the Panel’s representative survey included member organizations catering exclusively to amateur musicians, defined in some cases as individuals with an interest in music

categories. The application does not refer to professional or amateur musicians specifically, but rather refers to “music creators”, which would include both types of musicians. The Panel reviewed the websites and other publicly available information for a number of organizations that specifically cater to amateur musicians⁴. These member organizations do not (a) demonstrate cohesion with other organizations for amateur musicians, nor do they (b) demonstrate cohesion with music industry professionals. The Panel’s review found that:

- a. The representative activities and stated objectives of amateur organizations do not typically indicate any demonstrable association or cohesion with organizations and their members.⁵ This reflects the broad array of musical interests to which such organizations cater, as well as the wide geographic dispersion of these organizations.
- b. There is insufficient evidence of awareness and recognition between amateur musicians and music industry professionals,⁶ such as promoters, distributors, and attorneys. Many of the amateur musicians’ organizations are explicitly restricted to members who have no business ties to the music industry.⁷ The representative activities and stated objectives of amateur organizations do not typically indicate any demonstrable association or cohesion with music industry professionals.

With respect to the member categories, particularly those discussed above, the Panel determined that there is insufficient awareness and recognition of a community among the proposed community members, and that they do not therefore cohere as a community as required by the AGB. While the Panel acknowledges that some of the individuals in the community as defined by the applicant have a commonality of interest in music, and even that some member categories cohere, the defined community as a whole, in all its member categories, does not meet the AGB’s requirement for community awareness and recognition.

Therefore, the Panel determined that the community as defined in the application satisfies one of the two conditions to fulfill the requirements for delineation, and thereby does not receive credit for delineation.

Organization

Two conditions must be met to fulfill the requirements for organization: there must be at least one entity mainly dedicated to the community and there must be documented evidence of community activities.

The community as defined in the application is disperse geographically and across a wide array of music-related activities, ranging from production to legal advocacy. Based on the Panel’s research, there is no entity mainly dedicated to the entire community as defined by the applicant, nor does the application include reference to such an organization in its sample list of member organizations. Research showed that those organizations that do exist represent members of the defined community only in a limited geographic area or only in certain fields within the community. According to the application:

To date, there are forty-two (42) clearly delineated, organized and pre-existing music community organizations that have provided individual written statements of support. This unparalleled level of global music community representation is referred to as the Charter Member Organizations of the Global Music Community (GMC). Collectively they represent over 4 million individual members within more than 1,000 associations in over 150 countries. Although these Charter Member Organizations are not the exhaustive list of every possible organizational member of the GMC, they do represent the largest, most well known, credible, and diverse membership of the GMC.

but who receive no payment for their performances or who have no contract or other formal link to a record label or management company.

⁴ These organizations clearly meet the proposed community’s eligibility requirements (including a verifiable membership structure).

⁵ See, as an example, the Japan Amateur Orchestras and amateur choruses in UK and New York: <http://www.piertownchorus.com/home.html>, <http://www.lowereastsidings.vocis.com/>, <http://www.jao.or.jp/e/>

⁶ For instance, the industry community members classified by NAICS codes 512210 and 711410. <http://www.naics.com/free-code-search/naicsdescription.php?code=512210>

⁷ See e.g. <http://www.nycclassical.com/aboutacma1.html> and restrictions on professional musicians

According to the AGB, "organized" implies that there is at least one entity mainly dedicated to the community, with documented evidence of community activities." In the excerpt above, the application refers to 42 entities that, in and of themselves, are clearly delineated and organized. These organizations, however, represent only segments of the defined community, and the list does not include an organization that represents the entire proposed community. An "organized" community, according to the AGB, is one that is represented by at least one entity that encompasses the entire community as defined by the applicant. There should, therefore, be at least one entity that encompasses and organizes individuals and organizations in the fields of creation, development, publishing, recording, advocacy, promotion, distribution, education, preservation and or nurturing of the art of music, and that entity must have documented evidence of activities. Based on information provided in the application materials and the Panel's research, there is no entity that organizes the community defined in the application, in all the breadth of categories explicitly defined.

The Panel determined that the community as defined in the application does not satisfy either of the two conditions to fulfill the requirements for organization.

Pre-existence

To fulfill the requirements for pre-existence, the community must have been active prior to September 2007 (when the new gTLD policy recommendations were completed) and must display an awareness and recognition of a community among its members.

The community as defined in the application was not active prior to September 2007. According to section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, the CPE process is conceived to identify qualified community-based applications, while preventing both "false positives" (awarding undue priority to an application that refers to a "community" construed merely to obtain a sought-after generic word as a gTLD string) and "false negatives" (not awarding priority to a qualified community application). The Panel determined that this application refers to a "community" construed to obtain a sought-after generic word as a gTLD string.

The application makes reference to the list of organizations that have supported its application, which it says are representative of the community as a whole. The organizations listed were active prior to 2007. However, the fact that each organization was active prior to 2007 does not mean that these organizations were active as a community prior to 2007, as required by the AGB guidelines. That is, since those organizations and their members do not themselves form a cohesive community as defined in the AGB, they cannot be considered to be a community that was active as such prior to 2007.

The Panel determined that the community as defined in the application does not fulfill the requirements for pre-existence.

1-B Extension

0/2 Point(s)

The Panel determined that the community as identified in the application did not meet the criterion for Extension specified in section 4.2.3 (Community Priority Evaluation Criteria) of the AGB, as the application did not fulfill the requirements for size, nor demonstrate the longevity of the community. The application received a score of 0 out of 2 points under criterion 1-B: Extension.

Size

Two conditions must be met to fulfill the requirements for size: the community must be of considerable size and must display an awareness and recognition of a community among its members.

The community as defined in the application is of considerable size. The community for .MUSIC as defined in the application is large both in terms of geographical reach and number of members. According to the applicant:

The Global Music Community (GMC) is comprised of an international range of associations and organizations and the millions of individuals these organizations represent, all of whom are involved in the creation, development, publishing, recording, advocacy, promotion, distribution, education,

preservation and or nurturing of the art of music... To date, there are forty-two (42) clearly delineated, organized and pre-existing music community organizations that have provided individual written statements of support. This unparalleled level of global music community representation is referred to as the Charter Member Organizations of the Global Music Community (GMC). Collectively they represent over 4 million individual members within more than 1,000 associations in over 150 countries.

However, as previously noted, the community as defined in the application does not show evidence of “cohesion” among its members, as required by the AGB.⁸ Therefore, it fails the second criterion for Size.

The Panel determined that the community as defined in the application only satisfies one of the two conditions to fulfill the requirements for size.

Longevity

Two conditions must be met to fulfill the requirements for longevity: the community must demonstrate longevity and must display an awareness and recognition of a community among its members.

The community as defined in the application does not demonstrate longevity. According to section 4.2.3 (Community Priority Evaluation Criteria) of the AGB, the CPE process is conceived to identify qualified community-based applications, while preventing both “false positives” (awarding undue priority to an application that refers to a “community” construed merely to a get a sought-after generic word as a gTLD string) and “false negatives” (not awarding priority to a qualified community application).

The Panel determined that this application refers to a proposed community construed to obtain a sought-after generic word as a gTLD. Moreover the applicant appears to be attempting to use the gTLD to organize the various groups noted in the application documentation, as opposed to applying on behalf of an already organized and cohesive community. As previously stated, the community as defined in the application does not have awareness and recognition among its members. Failing this kind of “cohesion,” the community defined by the application does not meet the AGB’s standards for a community. Therefore, as a construed community, the proposed community cannot meet the AGB's requirements for longevity.

The Panel determined that the community as defined in the application does not satisfy either of the two conditions to fulfill the requirements for longevity.

Criterion #2: Nexus between Proposed String and Community	0/4 Point(s)
2-A Nexus	0/3 Point(s)
<p>The Panel determined that the application did not meet the criterion for Nexus as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the AGB. The string does not identify or match the name of the community as defined in the application, nor is it a well-known short-form or abbreviation of the community. The application received a score of 0 out of 3 points under criterion 2-A: Nexus.</p> <p>To receive the maximum score for Nexus, the applied-for string must match the name of the community or be a well-known short-form or abbreviation of the community name. To receive a partial score for Nexus, the applied-for string must identify the community. “Identify” means that the applied-for string should closely describe the community or the community members, without over-reaching substantially beyond the community.</p> <p>The applied-for string (.MUSIC) does not match or identify the name of the community. The applicant limits the proposed community to individuals and entities that have a “current registration and verifiable membership in a global music community organization”. The string MUSIC, however, identifies all individuals and entities involved in the creation of music, regardless of whether or not they have verifiable membership in a music-related organization. The application itself does not provide an estimate for the</p>	

⁸As stated previously, according to the AGB, “community” implies “more of cohesion than a mere commonality of interest... There should be: (a) an awareness and recognition of a community among its members...” Failing such qualities, the AGB’s requirements for community establishment are not met.

number of musicians who have registered with one of the proposed community’s organizations (of which it lists 42 examples), but one of the largest musician’s membership organizations in the US, the American Society of Composers, Authors, and Publishers (ASCAP) has about 500,000 members⁹. The Indian equivalent of ASCAP (also a supporter of the application) has fewer than 3,000 members¹⁰. The number of amateur musicians worldwide is unknown but is estimated to be about 200 million¹¹ – far surpassing the application’s estimate of 4 million individuals registered with musical organizations. Therefore, there are many individual musicians identified by the applied-for string who do not fall within the membership of the proposed community. This difference between the proposed community and those identified by the string is substantial and is indicative of the degree to which the applied-for string substantially over-reaches beyond the community defined by the application.

The Panel determined that the applied-for string does not match or identify the name of the community as defined in the application, nor is it a well-known short-form or abbreviation of the community. It therefore does not meet the requirements for Nexus.

2-B Uniqueness **0/1 Point(s)**

The Panel determined that the application did not meet the criterion for Uniqueness as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the AGB as the string does not score a 2 or a 3 on Nexus. The application received a score of 0 out of 1 point under criterion 2-B: Uniqueness.

To fulfill the requirements for Uniqueness, the string must have no other significant meaning beyond identifying the community described in the application and it must also score a 2 or a 3 on Nexus. The string as defined in the application does not demonstrate uniqueness as the string does not score a 2 or a 3 on Nexus and is therefore ineligible for a score of 1 for Uniqueness. This is based on the Panel’s determination that the applied-for string “.MUSIC” reaches substantially beyond the community as defined in the application so does not identify it by AGB standards. Therefore, since the string does not identify the community, it cannot be said to “have no other significant meaning *beyond identifying the community*” (emphasis added, AGB). The Panel determined that the applied-for string does not satisfy the condition to fulfill the requirements for Uniqueness.

Criterion #3: Registration Policies **1/4 Point(s)**

3-A Eligibility **1/1 Point(s)**

The Panel determined that the application met the criterion for Eligibility as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the AGB, as eligibility is restricted to community members. The application received a maximum score of 1 point under criterion 3-A: Eligibility.

To fulfill the requirements for Eligibility, the registration policies must restrict the eligibility of prospective registrants to community members. The application demonstrates adherence to this requirement by restricting domain registration to individuals who are “members of or affiliated with at least one Member Organizations of the Global Music Community.” The Panel determined that the application satisfies the condition to fulfill the requirements for Eligibility.

3-B Name Selection **0/1 Point(s)**

The Panel determined that the application does not meet the criterion for Name Selection as specified in section 4.2.3 (Community Priority Evaluation Criteria). The application does not provide evidence that the name selection rules included are consistent with the articulated community-based purpose of the applied-for TLD. The application therefore received a score of 0 points under criterion 3-B: Name Selection.

To fulfill the requirements for Name Selection, the registration policies for name selection for registrants must be consistent with the articulated community-based purpose of the applied-for gTLD. The Panel determined that the application did not satisfy the condition of consistency with the articulated community-based purpose of the applied-for string. There was no evidence in the application of restrictions or guidelines

⁹ <http://www.ascap.com/about/>

¹⁰ <http://www.iprs.org/cms/IPRS/AnnualReport/DirectorsReport20112012.aspx>

¹¹ <http://thenextweb.com/apps/2012/06/06/sezion-lets-anyone-collaborate-on-a-song-could-be-the-instagram-for-amateur-musicians/>

for name selection that arose out of the community-based purpose of the application, nor was it articulated that the other name selection rules (not related to the community-based purpose) were otherwise sufficient and in accordance with the community-based purpose of the application. In section 20(c) on its community-based purpose, the applicant states,

“Registration policies will safeguard the exclusive nature of the community by requiring potential registrants to have a bona fide membership with an at least one Organization Member of Global Music Community, before they can acquire a .music address.”

This, however, is sufficient only to guarantee the CPE Eligibility requirements as in 3-A above. The application does not refer to its community-based purpose in discussion of name selection rules, despite its articulation of several community values that could come to bear on name selection.

3-C Content and Use

0/1 Point(s)

The Panel determined that the application does not meet the criterion for Content and Use as specified in section 4.2.3 (Community Priority Evaluation Criteria). The application does not provide evidence that the content and use rules included are consistent with the articulated community-based purpose of the applied-for TLD. The application therefore received a score of 0 points under criterion 3-C: Content and Use.

To fulfill the requirements for Content and Use, the registration policies for content and use must be consistent with the articulated community-based purpose of the applied-for gTLD. (Comprehensive details are provided in Section 20e of the applicant documentation). The Panel determined that the application did not satisfy the condition of consistency with the articulated community-based purpose of the applied-for string. There was no evidence in the application of requirements, restrictions or guidelines for content and use that arose out of the community-based purpose of the application, nor does the application articulate that the other content and use rules (not related to the community-based purpose) were otherwise sufficient and in accordance with the community-based purpose of the application. In section 20(c) on its community-based purpose, the applicant states,

“Registration policies will safeguard the exclusive nature of the community by requiring potential registrants to have a bona fide membership with an at least one Organization Member of Global Music Community, before they can acquire a .music address.”

This, however, is sufficient only to guarantee the CPE Eligibility requirements as in 3-A above. The application does not refer to its community-based purpose in discussion of content and use rules, despite its articulation of several community values that could come to bear on content and use.

3-D Enforcement

0/1 Point(s)

The Panel determined that the application does not meet the criterion for Enforcement as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the AGB. The application provides specific enforcement measures but does not include a coherent and appropriate appeals mechanisms. The application received a score of 0 points under criterion 3-D: Enforcement.

Two conditions must be met to fulfill the requirements for Enforcement: the registration policies must include specific enforcement measures constituting a coherent set, and there must be appropriate appeals mechanisms. The applicant outlined policies that include specific enforcement measures constituting a coherent set. The applicant outlines a comprehensive list of investigation procedures, and circumstances in which the registry is entitled to suspend domain names. The application makes reference to an appeals process that will be overseen by its Policy Advisory Board, but it does not provide a clear description of an appeals process. The Panel determined that the application satisfies only one of the two conditions to fulfill the requirements for Enforcement and therefore scores 0 points.

Criterion #4: Community Endorsement

2/4 Point(s)

4-A Support

1/2 Point(s)

The Panel determined that the application partially met the criterion for Support specified in section 4.2.3 (Community Priority Evaluation Criteria) of the AGB, as there was documented support from at least one group with relevance. The application received a score of 1 out of 2 points under criterion 4-A: Support.

To receive the maximum score for Support, the applicant is, or has documented support from, the recognized community institution(s)/member organization(s), or has otherwise documented authority to represent the community. “Recognized” means the institution(s)/organization(s) that, through membership or otherwise, are clearly recognized by the community members as representative of the community. To receive a partial score for Support, the applicant must have documented support from at least one group with relevance. “Relevance” refers to the communities explicitly and implicitly addressed.

The Panel determined that the applicant was not the recognized community institution(s)/member organization(s), nor did it have documented authority to represent the community, or documented support from the recognized community institution(s)/member organization(s). A recognized community institution or member organization is one which not only (1) represents the entirety of the community as defined by the application (in all its breadth of categories as described in Delineation), but is also (2) recognized by the same community as its representative. No such organization among the applicant’s supporters demonstrates the kind of structure required to be a “recognized” organization, as per AGB guidelines. However, the applicant possesses documented support from at least one group with relevance and this documentation contained a description of the process and rationale used in arriving at the expression of support. The Community Priority Evaluation Panel determined that the applicant partially satisfies the requirements for Support.

4-B Opposition

1/2 Point(s)

The Community Priority Evaluation panel determined that the application partially met the criterion for Opposition specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the application received opposition from one relevant organization of non-negligible size. The application received a score of 1 out of 2 points under criterion 4-B: Opposition.

To receive the maximum score for Opposition, the application must not have received any opposition of relevance. To receive a partial score for Opposition, the application must have received opposition from, at most, one relevant group of non-negligible size.

The Community Priority Evaluation panel determined that there is opposition to the application from a group of non-negligible size and from an organization within the communities explicitly addressed by the application, making it relevant. The entity has a strong reputation in the music representation and marketing fields, and a subsidiary company that is involved in distribution and promotion. These activities fall within the applicant’s proposed membership segments. The entity was founded in 2006, has several full-time employees, and has an impact in the music community that reaches thousands of people, in addition to partnerships with major international brands. The grounds of the entity’s objection do not fall under any of those excluded by the AGB (such as claims that are “spurious, unsubstantiated, made for a purpose incompatible with competition objectives, or filed for the purpose of obstruction”), but rather relate to how the community is delineated and the rules for name selection. Therefore, the Panel determined that the applicant satisfied the requirements for Opposition partially.

Disclaimer: Please note that these Community Priority Evaluation results do not necessarily determine the final result of the application. In limited cases the results might be subject to change. These results do not constitute a waiver or amendment of any provision of the AGB or the Registry Agreement. For updated application status and complete details on the program, please refer to the AGB and the ICANN New gTLDs microsite at <newgtlds.icann.org>.

Annex 2 - Music Community Letters

Victoria Sheckler, et al, to ICANN (January 5, 2011)

Victoria Sheckler, et al, to ICANN (May 13, 2013)

Music Community to ICANN, Letter of Support (July 2, 2014)

Music Community to ICANN, Letter of Opposition (September 24,

January 5, 2011

Peter Dengate-Thrush
Chairman of the Board
ICANN

Rod Beckstrom
CEO
ICANN

Dear Messrs. Dengate-Thrush and Beckstrom,

I write to you on behalf of a coalition of 15 national and international trade associations that represent songwriters, recording artists, music publishers, record labels, and performing rights societies around the world. The coalition members represent the people that write, sing, record, manufacture, distribute and/or license over 80% of the world's commercial music, and are further described in Appendix A.

This letter is to document the concerns that were raised on our behalf by Steve Metalitz in the Board's public forum session at the ICANN meeting in Cartagena, Colombia. As Steve explained, we care about music, and how it is created, used and consumed over the Internet. Our overriding concern is to ensure that any music themed gTLD is used productively and responsibly, and not as a means to facilitate copyright or trademark infringement.

In connection with this overall theme, we note the following concerns with the latest draft application guidebook (DAG):

- Ultra-high standard for community objection: The proposed final guidebook has without adequate explanation suddenly raised the bar dramatically for community objections to the point where it seems unlikely that any community objection will prevail. Under the current proposed standard, we fear that we will have no realistic ability to object if a pirate chooses to hijack a music themed gTLD to enable wide scale copyright infringement of our works. We do not believe this is appropriate, or in the interests of the global community, and respectfully request that the "material detriment" standard revert back to the prior standard, and that the requirement to show material detriment to the broader Internet community be removed.
- Lack of Transparency: We had taken comfort in the amount of application material that would be made public, so that we would have information to assess whether or not to comment or take other action in connection with applications for music themed gTLDs. By sharply curtailing the transparency requirement, ICANN has effectively blocked our ability to use this information to assess when or how to comment on the fitness of the applicant or the sufficiency of safeguards against malicious conduct, leaving us, and the rest of the public, in the dark. This seems contrary to ICANN's role and mission statement.
- Malicious conduct: As noted above, we are concerned that a music themed gTLD will be used to enable wide scale copyright and trademark infringement. This fear is justified when we look at the massive online copyright infringement battle our industries have faced over the past decade. We would like to work with ICANN and others to ensure that best practices are developed and used to ensure this type of malicious behavior does not occur.

We strongly urge you to take these concerns seriously, and expeditiously implement appropriate changes to the DAG to address these critical concerns. We prefer a practical solution to these issues, and hope to avoid the need to escalate the issue further. Please contact us if you have any comments or questions, or would like to meet to discuss the best practices to avoid malicious behavior noted above.

Regards,



Victoria Sheckler
Deputy General Counsel
Recording Industry Association of America

of behalf of:

American Association of Independent Music (A2IM)

Association of Independent Music (AIM)

American Society of Composers, Authors and Publishers (ASCAP)

Bureau International Des Societies Gerant Les Droits D'enregistrement et de Reproduction Mecanique (BIEM)

Broadcast Music, Inc. (BMI)

International Confederation of Authors and Composers Societies (CISAC)

International Federation of Musicians (FIM), International Confederation of Music Publishers (ICMP)

IMPALA - Independent Music Companies Association

International Federation of the Phonographic Industry (IFPI)

National Academy of Recording Arts and Sciences (NARAS)

National Music Publishers' Association (NMPA)

Nashville Songwriters Association International (NSAI)

Recording Industry Association of America (RIAA)

SESAC

Songwriters Guild of America (SGA)

Appendix A

American Association of Independent Music (A2IM). A2IM is a not-for-profit trade organization serving the independent music community as a unified voice representing a sector that comprises over 30% of the music industry's market share in the United States (and 38% of SoundScan digital sales). The organization represents the Independents' interests in the marketplace, in the media, on Capitol Hill, and as part of the global music community. A2IM is headquartered in New York City. Currently, the organization counts over 250 music label members and 120 associate members (companies who don't own masters but rely upon, provide services for, or otherwise support independent music labels). A2IM members share the core conviction that the independent music community plays a vital role in the continued advancement of cultural diversity and innovation in music.

Association of Independent Music (AIM). AIM is a non-profit-making trade organization for independent record companies and distributors in the UK. Its job is to help its individual members' businesses, and to support the needs of the independent sector through information, advice, seminars, mentoring, networking, legal and business affairs guidance, work experience scheme, commercial negotiation, lobbying and bargaining, and opening access to international markets.

American Society of Composers, Authors and Publishers (ASCAP). ASCAP is a membership association of more than 350,000 U.S. composers, songwriters, lyricists, and music publishers of every kind of music. Through agreements with affiliated international societies, ASCAP also represents hundreds of thousands of music creators worldwide. ASCAP is the only U.S. performing rights organization created and controlled by composers, songwriters and music publishers, with a Board of Directors elected by and from the membership. ASCAP protects the rights of its members by licensing and distributing royalties for the non-dramatic public performances of their copyrighted works. ASCAP's licensees encompass all who want to perform copyrighted music publicly. ASCAP makes giving and obtaining permission to perform music simple for both creators and users of music.

Broadcast Music, Inc. (BMI). BMI is an American performing right organization that represents more than 375,000 songwriters, composers and music publishers in all genres of music and more than 6.5 million works. The U.S. corporation collects license fees from businesses that use music, which it then distributes as royalties to the musical creators and copyright owners it represents.

Bureau International Des Societies Gerant Les Droits D'enregistrement et de Reproduction Mecanique (BIEM). BIEM is the international organization representing mechanical rights societies. Mechanical rights societies exist in most countries. They license the reproduction of songs (including musical, literary and dramatic works). Their members are composers, authors and publishers and their clients are record companies and other users of recorded music. They also license mechanical aspects of the downloading of music via the Internet.

International Confederation of Authors and Composers Societies (CISAC). CISAC works towards increased recognition and protection of creators' rights. CISAC was founded in 1926 and is a non-governmental, non-profit organisation. Its headquarters are in Paris, with regional offices in Budapest, Buenos Aires, Johannesburg and Singapore. CISAC's main activities and member services aim to: strengthen and develop the international network of copyright societies; secure a position for creators and their collective management organizations in the international scene; adopt and implement quality and technical efficiency criteria to increase copyright societies' interoperability; support societies' strategic development in each region and

in each repertoire; retain a central database allowing societies to exchange information efficiently; and participate in improving national and international copyright laws and practices.

International Confederation of Music Publishers (ICMP). ICMP is the international umbrella trade association representing the interests of the music publishing community globally. The constituent members are national, regional and international music publishers' associations from Europe, North and South America and Asia-Pacific, and the four major multinational music publishing companies. As the voice and point of reference of music publishing, ICMP's mission is to protect and promote copyright and to encourage a better environment for the music publishing business. ICMP represents industry positions at international, regional and local levels and acts as an industry forum for consolidating global positions.

IMPALA – Independent Music Companies Association. IMPALA was established in April 2000 at the initiative of prominent independent labels and national trade associations. It is an international non profit-making organisation with a scientific and artistic purpose. Impala has over 4,000 members including top independents and national trade associations.

International Federation of Musicians (FIM). FIM, founded in 1948, is the international organisation for musicians and is now counting 72 unions throughout the world. The Federation's main objective is to protect and further the economic, social and artistic interests of musicians organised in member unions.

International Federation of Phonographic Industries (IFPI). IFPI represents the recording industry worldwide, with a membership comprising some 1400 record companies in 72 countries and affiliated industry associations in 44 countries. IFPI's mission is to promote the value of recorded music, safeguard the rights of record producers and expand the commercial uses of recorded music in all markets where its members operate.

National Academy of Recording Arts and Sciences (NARAS). Established in 1957, NARAS is a U.S. organization of musicians, producers, recording engineers and other recording professionals dedicated to improving the quality of life and cultural condition for music and its makers. Over the last decade particularly, the Academy has expanded its goals from the important work of recognizing the best in music through the GRAMMY Awards to establishing itself as the preeminent arts advocacy and outreach organization in the country. The Academy's mission statement is simple, but represents the heart and soul of the organization's efforts: to positively impact the lives of musicians, industry members and our society at large.

Nashville Songwriters Association International (NSAI). NSAI consists of a body of creative minds, including songwriters from all genres of music, professional and amateur, who are committed to protecting the rights and future of the profession of songwriting, and to educate, elevate, and celebrate the songwriter and to act as a unifying force within the music community and the community at large.

National Music Publishers Association (NMPA). NMPA is the largest U.S. music publishing trade association with over 700 members. Its mission is to protect, promote, and advance the interests of music's creators. The NMPA is the voice of both small and large music publishers, the leading advocate for publishers and their songwriter partners in the nation's capital and in every area where publishers do business. The goal of NMPA is to protect its members' property rights on the legislative, litigation, and regulatory fronts. In this vein, the NMPA continues to represent its members in negotiations to shape the future of the music industry by fostering a business environment that furthers both creative and financial success. The NMPA has remained the most active and vocal proponent for the interests of music publishers in the U.S. and throughout the world, a continuing tradition of which the association is very proud.

SESAC. SESAC is a performing rights organization with headquarters in Nashville and offices in New York, Los Angeles, Atlanta, Miami and London. It is designed to represent songwriters and publishers and their right to be compensated for having their music performed in public. With an international reach and a vast repertory that spans virtually every genre of music, SESAC is the fastest growing and most technologically adept of the nation's performing rights companies.

Recording Industry Association of America (RIAA). RIAA is the trade group that represents the U.S. recording industry. Its mission is to foster a business and legal climate that supports and promotes its members' creative and financial vitality. Its members are the record companies that comprise the most vibrant national music industry in the world. RIAA members create, manufacture and/or distribute approximately 85% of all legitimate sound recordings produced and sold in the United States. In support of this mission, the RIAA works to protect intellectual property rights worldwide and the First Amendment rights of artists; conducts consumer, industry and technical research; monitors and reviews state and federal laws, regulations and policies; and certifies sales awards with its Gold and Platinum program.

Songwriters Guild of America (SGA). Since the enactment of the Copyright Act, the SGA has continued to take a stand on every issue of importance to songwriters and the music industry in general, including home taping, source licensing, derivative rights, author's moral rights, the deductibility of business expenses, compulsory license, copyright registration fees and, most recently, infringement of royalty payment due to digital/Internet piracy. Its president and board members spend considerable time and energy talking to the media, lobbying, negotiating and coordinating with other industry groups, and raising the funds needed to get the songwriter's message through. True to its history, the Guild maintains its efforts to advance, promote and benefit the profession of songwriting.

**Comments of Music Community Coalition on GAC Advice
May 13, 2013**

These comments are filed on behalf of the regional, national & international trade associations identified below. We represent songwriters, recording artists, record producers, music publishers, record labels, & performing rights societies. Our members represent the people that write, sing, record, distribute and/or license over 80% of the world's commercial music.

We appreciate the opportunity to provide comments on the advice provided by the Governmental Advisory Committee (GAC) regarding "Safeguards on New gTLDs" ("GAC Safeguards Advice"). We hope ICANN welcomes the advice and considers incorporating the advice into the new gTLD program. We acknowledge that the advice is quite detailed and has been provided after new gTLD applicants have filed their applications. Nonetheless, the advice addresses key safeguards that will improve the program and promote the public interest. Given this, the key elements should be implemented.

These safeguards promote the public interest by materially reducing the risk of abusive registrations. There are in fact for the most part merely common sense procedures that responsible operators should adopt. They will help deter registrants from engaging in illegal activity, and consequently, promote lawful uses of their domain names.

Further, several of the safeguards are not new proposals. Some are already contemplated in the proposed final Registrar Accreditation Agreement (such as verification of certain Whois data, obligating registrants to avoid abusive uses of the domain name and imposing consequences for violations, etc.) and/or have already been proposed for adoption by some gTLD applicants. In addition, we have previously publicly urged adoption of similar safeguards as proposed by the Coalition of Online Accountability, as have several other organizations.

Finally, as we have previously noted, such safeguards are particularly necessary for TLDs that target copyright dependent industries, such as .music. As noted in the Universal Declaration of Human Rights, "[e]veryone has the right to the protection of the moral & material interests resulting from any scientific, literary or artistic production of which he is the author." Unfortunately, the ability of those in the music and other copyright dependent communities to enjoy these rights has been compromised on the Internet due to heightened risks of copyright infringement & other online abuse. Such abuse has been well documented. Therefore, at minimum, the key safeguards should be implemented for new TLDs targeted at industries, such as ours, that consistently experienced widespread online infringement and/or are otherwise particularly vulnerable to a higher risk of online abuse. These include the six safeguards listed on pages 7-8 of the GAC Safeguards Advice, which will improve Whois accuracy and provide a means for enforcement against abusive registrations.

In order to effectuate adoption of the safeguards, applicants should be given the opportunity to modify their applications to incorporate and/or refine the safeguards in their applications. This could be done via the Public Interest Specification process.

Thank you for your consideration of these comments.

Sincerely,

*American Association of Independent Music
American Federation of Musicians
Association of Independent Music
American Society of Composers, Authors & Publishers
Bureau International Des Societies Gerant Les Droits D'enregistrement et de Reproduction Mecanique
Broadcast Music, Inc.
Church Music Publishers Association
International Confederation of Authors & Composers Societies
International Federation of Musicians
International Confederation of Music Publishers
IMPALA - Independent Music Companies Association
International Federation of the Phonographic Industry
National Music Council of the United States
National Music Publishers' Association
National Songwriters Association of America
The Recording Academy
Recording Industry Association of America
SESAC
Songwriters Guild of America*



To: ICANN
From: Ger Hatton, ICMP Director General
Date: July 02 2014

Below please find a letter from representative members of the Music community regarding our support for Far Further/.music LLC's application for .MUSIC (1-959-51046).

We believe it important that ICANN and the Community Priority Evaluation panellists understand the history of how and why we chose to pursue the "community" path to protect our community, its intellectual property, creative rights and its members, following ICANN's announcement of the new gTLD programme.

We would appreciate if you would publish the letter on your Correspondence page and also see that it is provided to the Community Priority evaluators.

Steve Crocker
Chairman of the Board
ICANN
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Los Angeles, CA 90094-2536
USA
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Fadi Chehadé
President and CEO
ICANN
Ocean Financial Centre
10 Collyer Quay, Level 37-06/10
Singapore 049315
fadi.chehade@icann.org

2 July 2014

Dear Dr. Crocker and Mr. Chehadé

We write to you on behalf of our respective national and international organisations, each of which is a leading member of the worldwide Music community. Our diverse organisations represent songwriters, recording artists, musicians, music producers, engineers, music publishers, record labels, performing rights societies, music educators, music distributors, managers, musical instrument manufacturers, guilds, national and international music councils that are dedicated to the community and represent more than 1,000 entities in 150 countries around the world. Our members include the people that write, sing, play, nurture, develop, perform, publish, record, manufacture, market, distribute and/or license over 80% of the world's commercial music.

While the advent of digital services has brought undeniable opportunities and access to music, many of our members have been deeply affected by the breach of intellectual property rights through widespread copyright infringement. This has led to devastating consequences for the creators of music and the Music community overall.

We therefore have a strong interest in ensuring that the .MUSIC gTLD operates in a manner that not only encourages innovation, new business models and respect for intellectual property rights, but also enables community involvement and actively works to mitigate copyright infringement.

In the knowledge that ICANN's proposed top-level domain expansion could have far reaching consequences, many members of our community attended a series of ICANN public meetings in 2008 to learn more. It was there we were informed that

we could protect our values and interests through the endorsement and support of a community applicant for the .MUSIC gTLD, an applicant whose objectives, understanding and values were in alignment with ours.

ICANN's Applicant Guidebook (AGB) states:

“...a community can consist of legal entities (for example, an association of suppliers of a particular service), of individuals (for example, a language community) or of a logical alliance of communities (for example, an international federation of national communities of a similar nature). All are viable as such, provided the requisite awareness and recognition of the community is at hand among the members.”

Accordingly, applying with the “community” designation was not only appropriate and in alignment with the AGB, but also essential for our community. Respect and support for the rights of creators along with fostering the growth and sustainability of the community itself are fundamental principles to which we all adhere and which we share in common. “Music” is our commonly known and understood activity and identity, both within our community and outside of it. In this case, “music” is an exact match. We refer again to the AGB: “‘Name’ of the community means the established name by which the community is commonly known by others. It may be, but does not need to be, the name of an organization dedicated to the community.”

None of our organisations felt it would be practical to collectively or individually serve as the registry operator, and we therefore sought to identify one or more third parties that would be deserving of our support to operate the .MUSIC domain in way that respected our values and interests. In 2011, an initial group of 20 organisations representing various sectors of the Music community worldwide came together to issue a detailed request-for-information process, including outreach to all entities that we understood intended to apply for the “music” string. Entities interested in applying for .MUSIC were given the opportunity to provide in-depth written responses regarding their proposed policies and operational plans, followed by in-person presentations and a round of follow-up questions. We also employed third-party experts to comment on and help the organisations evaluate the candidates and their responses.

After several months of review, each of our organisations independently determined that Far Further, whose executives are themselves longstanding members of the Music community, best understood our needs and would operate the .MUSIC registry in accordance with the Music community's overall interests.

Subsequently, members of the Music community were invited to individually and voluntarily provide support letters for Far Further's .MUSIC application. Since that time, more than 70 different organisations from around the world, including the

undersigned, have endorsed and provided their support to Far Further and/or its subsidiary, .Music LLC.

Our organisations support .Music LLC/Far Further because the policies contained in their application are in common with our goals of making sure that the .MUSIC gTLD is a safe namespace that respects the values of the Music community.

Most importantly, we do not believe it serves the global public interest for the name of our community to be auctioned off to the highest bidder.

We wish to make note of the recent European Commission comments of December 16, 2013 regarding community-supported applicants like ours:

The European Commission regards positively the explicit mention in the Auction Rules of the need to "resolve any applicable GAC advice" prior to the participation in the auction process, as part of the applicant's "eligibility" criteria, but regrets the lack of reference to "community applications" or applications with community support, despite the reiterated GAC advice. In this regard the European Commission seizes this opportunity to recall the following passages of recent GAC advice:

* "The GAC advises the board that in those cases where a community, which is clearly impacted by a set of new gTLD applications in contention, has expressed a collective and clear opinion on those applications, such opinion should be duly taken into account, together with all other relevant information." (Beijing Communiqué)

* "The GAC reiterates its advice from the Beijing Communiqué regarding preferential treatment for all applications which have demonstrable community support, while noting community concerns over the high costs for pursuing a Community Objection process as well as over the high threshold for passing Community Priority Evaluation". (Durban Communiqué)

The GAC's Singapore Communiqué from March 27, 2014 continue this theme:

* "The GAC reiterates its advice from the Beijing and Durban Communiqués regarding preferential treatment for all applications which have demonstrable community support. The GAC advises ICANN to continue to protect the public interest and improve outcomes for communities, and to work with the applicants in an open and transparent manner in an effort to assist those communities."

The .Music LLC/Far Further application defines us as its community, identifying our practices, characteristics and core values, setting us apart from all those that are merely interested in, or differently engaged with music.

As leading members of the Music community, the undersigned organisations strongly support community priority for the .MUSIC TLD and strongly support Music LLC/Far Further, to operate that domain as the community's representative.

Thank you for this opportunity to share our views.

Yours sincerely,

American Society of Composers, Authors and Publishers (ASCAP)
Association of Independent Music (AIM)
Associação de Editores de Obras Musicais (AEOM) Portugal
Asociación Colombiana de Editoras de Música (ACODEM) Colombia
Asociación para la Protección de los Derechos Intelectuales sobre Fonogramas y Videogramas Musicales (APDIF) Colombia
Australasian Mechanical Copyright Owners Society (AMCOS)
Australasian Music Publishers Association (AMPAL)
Australasian Performing Right Association (APRA)
Australian Recording Industry Association (ARIA)
Bureau International Des Societes Gerant Les Droits D'enregistrement et de Reproduction Mecanique (BIEM) *
Broadcast Music, Inc. (BMI)
Canadian Music Publishers Association (CMPA)
Chambre Syndicale des Éditeurs de Musique Classique (CEMF) France
Church Music Publishers Association (CMPA)
Deutsche Musikverleger-Verband (DMV)
European Music Council
Federazione Editori Musicali (FEM) Italy
Grupul Editorilor de Muzica din Romania (GEMRO)
Guitar Foundation of America (GFA)
Harry Fox Agency (HFA) US
Independent Music Companies Association (IMPALA) *
Indian Performing Rights Society (IPRS)
International Confederation of Authors and Composers Societies (CISAC) *
International Confederation of Music Publishers (ICMP) *
International Federation of Musicians (FIM) * **
International Federation of the Phonographic Industry (IFPI) *
International Music Council (IMC) **
MMGHQ Music Publishing (Cyprus)
Music Canada

Music Managers Forum (MMF) USA
Musicians Federation of India
Music Producers' Guild (MPG) UK/EU
Music Publishing Association Japan (MPAJ)
Music Publishers Association (UK)
Musicians Union UK (MU)
Musikverleger Union Österreich (MUÖ) Austria
National Association for Music Education (NAfME)
National Association of Music Merchants (NAMM)
National Music Council of the United States (NMC)
National Music Publishers Association (NMPA) USA
National Songwriters Association (NSA/NSAI)
Phonographic Performance LTD. (PPL) UK
PRS for Music (UK)
Recording Industry Association of America (RIAA)
SESAC (US)
Société d'Auteurs Belge – Belgische Auteurs Maatschappij (SABAM)
Society of Composers, Authors and Music Publishers of Canada (SOCAN)
Songwriters Guild of America (SGA)
SoundExchange (USA)
Suomen Musiikkikustantajat ry - Finnish Music Publishers Association (FMPA)
Svaz českých hudebních nakladatelů (SCHN) Music Publishers Association of the
Czech Republic (Czech Republic)
RiCom Publishing (Serbia, Montenegro, Macedonia, Bosnia and Herzegovina)
The Recording Academy (The GRAMMY Award Organization)
Uganda Musicians Union (UMU)
Worldwide Independent Network (WIN)

*Permanent Accredited International NGO Observer at the World Intellectual
Property Organization (WIPO)

**International music NGO in official partnership with UNESCO

American Society of Composers, Authors and Publishers (ASCAP)

The American Society of Composers, Authors and Publishers (ASCAP) is a membership association of more than 500,000 US composers, songwriters, lyricists and music publishers of every kind of music. Through agreements with affiliated international societies, we also represent hundreds of thousands of music creators worldwide. We are the only US performing rights organization created and controlled by composers, songwriters and music publishers, with a Board of Directors elected by and from our membership.

We protect the rights of ASCAP members by licensing and distributing royalties for the non-dramatic public performances of their copyrighted works. Our licensees encompass all who want to perform copyrighted music publicly. We make giving and obtaining permission to perform music simple for both creators and music users.

We're also committed to nurturing music makers throughout their careers. Who Is ASCAP? We are our members — creative people who write the music and lyrics that enrich lives in every corner of the world.

ASCAP is home to the greatest names in American music, past and present — from Duke Ellington to Katy Perry, from George Gershwin to Jay-Z, from Leonard Bernstein to Beyoncé, from Marc Anthony to Alan Jackson, from Henry Mancini to Hans Zimmer — as well as many thousands of writers in the earlier stages of their careers across the entire musical spectrum.

Our members are individuals who make their living writing music. We know that there are many steps between creation and compensation. A music creator is like a small business, and we exist to ensure that ASCAP members are paid promptly and fairly when their compositions are performed publicly. ASCAP is the only U.S. performing rights organization created and controlled by composers, songwriters and music publishers, with a Board of Directors elected by and from the membership.

Association of Independent Music (AIM)

The Association of Independent Music (AIM) is a non-profit-making trade organisation established in 1999 to provide a collective voice for the UK's independent music industry. AIM represents over 800 member companies, from the largest and most respected labels in the World, to small start-ups and individual artists releasing their own music for the first time. AIM promotes this exciting and diverse sector globally and provides a range of services to members, enabling member companies to grow, grasp new opportunities and break into new markets.

The UK's independent music sector produces some of the most exciting and popular music in the World, and makes a huge contribution to the country's economy. AIM's members span every musical genre and every corner of the UK. They are a vibrant, entrepreneurial and diverse bunch that has one thing in common: the music comes first.

AIM oversees a sector whose artists have claimed six of the last ten Mercury Music Prizes and regularly accounts for 30% of all UK artist album awards (silver, gold, platinum). Artists signed to member labels include: Adele, Amadou and Miriam, Arctic Monkeys, Bon Iver, Bjork, Caro Emerald, Franz Ferdinand, Friendly Fires, Grimes, Netsky, Radiohead, Roots Manuva, Royksopp, The Prodigy, Queens of the Stone Age, The Strokes, The Walkmen, The White Stripes and thousands of others.

The independent music industry is very young compared to other industries; our oldest members were formed in the 1960s and many of our members are brand new labels, established in the last 10 years as a result of the Internet opening up distribution channels. In an ever changing industry, many of our members are not traditional 'labels', but also publishers, managers, studio owners, producers, musicians... the list goes on.

Associação de Editores de Obras Musicais (AEOM) Portugal

The Music Publishers Association of Portugal aims to defend and promote the rights of our publisher members including intellectual property, copyright and related rights for thousands of works available across all musical styles.

Asociación Colombiana de Editoras de Música (ACODEM) Colombia

ACODEM, the Colombian Music Publishers Association is a non-profit entity, founded on May 24, 1990, that promotes respect for tcopyright as an essential condition for the promotion of musical creation and the consequent enrichment of musical culture. Our vision is to be a highly effective Association in the promotion and recognition of the rights of songwriters and their catalogues as well as our publishing partners.

Asociación para la Protección de los Derechos Intelectuales sobre Fonogramas y Videogramas Musicales (APDIF) Colombia

APDIF, Colombia, is a non-profit association that serves the principal phonographic music labels in the country and strives to support the production and create awareness about the cultural value of music.

Australasian Mechanical Copyright Owners Society (AMCOS)

The Australasian Mechanical Copyright Owners Society collects and distributes mechanical royalties for the reproduction of its 10,900+ members' musical works for many different purposes. These include the manufacture of CDs, music videos and DVDs, digital downloads and the sale of mobile phone ringtones, the use of production music and the making of radio and television programmes. AMCOS represents virtually all music publishers in Australia and New Zealand.

Australasian Music Publishers Association (AMPAL)

The Australasian Music Publishers Association works on behalf of its members to promote a better understanding of the value of music, both culturally and economically. AMPAL is a trade association with more than 50 music publisher members in Australia and New Zealand. Between them, its members represent over 90% of the economic value of the music publishing sector.

Their mission is to:

- Promote a better understanding of the value of music (and the copyrights in music);
- Promote and protect the economic rights of creators and administrators of copyright in music;
- Provide opportunities for the role of music publishers to be better understood;
- Represent the interests of music publishers to government, the music industry and the public;
- Work with other members of the music industry to increase the creation, use and enjoyment of music across Australia and New Zealand.

Originally formed in 1956 by seven Australian music publishers, we were established at a time of change for the industry. Television was becoming a second major user of music for broadcast purposes, and Australian music was being exported, particularly to the UK, for the first time. Their publisher members invest in songwriters across all genres of music. They nurture talent, promote the works of their writers and find avenues for their work to be heard. They are a vital part of an industry that contributes to the cultural and economic future of Australia and New Zealand.

AMPAL is the voice of Australian and New Zealand music publishers in a rapidly evolving legislative and commercial landscape. Through the support they provide, they aim to ensure that the crucial services, experience, and knowledge of publishers can continue to aid the careers of songwriters of all genres.

Australasian Performing Right Association (APRA)

Australasian Performing Right Association is a performing right collection society established in 1926 to administer the public performance and communication rights (often referred to collectively as performing rights) of its songwriter, composer and music publisher members. APRA represents over 73,000 music creators, composers, songwriters and music publishers in Australia and New Zealand alone. In addition to representing the interests of its Australasian members, APRA represents the vast majority of the world's music creators through its reciprocal agreements with similar performing right societies throughout the world.

Australian Recording Industry Association (ARIA)

The Australian Recording Industry Association (ARIA) is a national industry association proactively representing the interests of its members, comprising of more than 100 record labels across Australia, ranging from small "boutique" labels, to medium size organizations and very large companies with international affiliates. ARIA is administered by a Board of Directors comprising senior executives from record companies, both large and small.

ARIA's objective is to advance the interests of the Australian recording industry.

ARIA achieves this by:

- acting as an advocate for the recorded music industry, both domestically and internationally.
- supporting Australian music, and creating opportunities to help it be heard.
- playing an active role in protecting copyright especially in relation to music piracy .
- collecting statistical information from members and retailers and compiling numerous ARIA charts with data provided by over 1,100 retailers.
- providing, in certain cases, a reproduction licensing function for various copyright users.
- assisting those in the music industry through our support of Support Act Limited, the music industry's benevolent fund
- staging the highly prestigious annual ARIA Awards which recognizes the achievements of artists in the Australian recorded music industry.

Bureau International Des Societes Gerant Les Droits D'enregistrement et de Reproduction Mecanique (BIEM) *

BIEM, created in 1929, is an international organization gathering 52 Mechanical Rights Societies (Members) operating in 56 territories (a list of our Members is

available at www.biem.org). Our Members are administering recording and mechanical rights of protected musical works, with a view to the efficient administration of those rights. They license the reproduction of songs (including musical, literary and dramatic works). Their members are composers, authors and publishers and their clients are record companies and other users of recorded music. They also license mechanical aspects of the downloading of music via the Internet. BIEM negotiates a standard agreement with representatives of the International Federation of the Phonographic Industry (IFPI) fixing the conditions for the use of the repertoire of its Members. BIEM's role is also to assist in technical collaboration between its member societies and to help in solving problems that arise between individual members.

Broadcast Music, Inc (BMI)

BMI knows that our culture is dependent on the creation of intellectual property, specifically, the creation of music. Without copyright protection, songwriters would lose their exclusive performing right, allowing anyone to use their music freely and without payment. That means that most songwriters would not be able to continue their craft, and we would not have the impressive musical culture we have and continue to build.

BMI's award-winning repertoire includes more than 8.5 million musical works created by more than 600,000 songwriters, composers and music publishers. As the global leader in music rights management, BMI advocates for your rights and licenses your music to more than 650,000 businesses.

BMI was founded in 1939 by forward-thinkers who wanted to represent songwriters in emerging genres, like jazz, blues and country, and protect the public performances of their music. Operating on a non-profit-making basis, BMI is now the largest music rights organization in the U.S. and is still nurturing new talent and new music.

BMI's role is international in scope. The songwriters, composers and publishers we represent include individuals from the more than 90 foreign performing rights organizations with which BMI has reciprocal agreements.

Music creation takes time and practice. BMI represents performance rights while Songwriters, Composers and Music Publishers focus on their craft.

Canadian Music Publishers Association (CMPA)

The music industry is constantly changing, and with every change comes fresh challenges to the rights of the songwriters, music creators and music publishers.

Since 1949 the Canadian Music Publishers Association (CMPA) has ensured the views of music publishers working in Canada and its members are heard. It is our mission to promote the interests of music publishers and their songwriting partners through advocacy, communication, and education.

As the oldest music industry association in Canada, CMPA is committed to educating and acting as a mentor body for the next generation of music publishers and young songwriters. Our vision is to make Canada the best environment in the world for music publishers and their songwriting partners.

In 1975, CMPA founded The Canadian Musical Reproduction Rights Agency (CMRRA) to handle music licensing in Canada. Through the initiatives of CMRRA, CMPA has essentially created the publishing infrastructure in Canada. Together, we have been able to increase the licensing rate from just 2 cents per song to 8.3 cents; while working to ensure that music publishing will be both a viable and sustainable industry for years to come.

The Canadian Music Publisher Association is a voluntary, member driven association that represents and speaks on behalf of music publishers to the public, media, government and other organizations. We lobby to ensure that copyright reform legislations are modernized to protect Canada's music publishers and their songwriting partners.

Our members not only own and/or administer the majority of copyrighted works performed and reproduced within Canada, but they also participate in annual workshops and symposiums dealing directly with teaching the youth about the business of music publishing.

Chambre Syndicale des Éditeurs de Musique Classique (CEMF) France

The Chambre of the Éditeurs de Musique of France (CEMF, created 140 years ago) represents more than 25 publishers who dedicate their activities to the creation, development, promotion, safeguarding and sustainability of music.

Church Music Publishers Association (CMPA)

Founded in 1926, The Church Music Publishers Association currently represents 46 member publishers. A diverse group, our membership includes representation from the publishing houses of almost every major church denomination, the publishing companies or affiliates from every major contemporary Christian record label, the church music divisions of several major secular publishing houses, several independents, both small and large, as well as publishers who are involved primarily in educational markets just to name a few. While our membership is

comprised primarily of American-based publishing companies, we have worldwide representation from Holland, New Zealand, Australia, Korea and Canada.

The CMPA is universal in scope, with member publishers reaching all around the world to share areas of concern and importance regarding copyright law, education, information, administration and protection, to facilitate public and industry awareness in these areas and to develop continuing personal and professional relationships.

Deutsche Musikverleger-Verband (DMV)

The DMV "Deutscher Musikverleger-Verband e.V." is an association representing the interests of music publishers throughout the German Federal Republic. Representing over 400 music publishers, the association acts for about 90% of music publishers active in Germany.

The development of today's German Music Publishers' Association can be traced back to the year 1829, when 16 German music companies formed an "association of music-publishers against copying of music" in Leipzig.

Since then, there has always been a professional body of music publishers, whose name and structure has adapted to the developments of the times but whose aims have remained constant:

- To pursue the expansion of copyright law in close cooperation with state bodies and
- To provide a strong professional body representing the interests of German music publishers in matters dealing with official authorities and other groups

The DMV and its member publishers address the full diversity of musical life: It is about the composer, the lyricist, but also about performance practice, the exploitation of musical works, and not least to the integration of young people in the music. The DMV promotes music education and the education and training of young professionals and active music making and its importance in society.

European Music Council (EMC)

The European Music Council is the European network of networks for music, with a membership of national music councils as well as local, national and international music organisations that are based in Europe. In line with the International Music Council's principles, the EMC's strategies and actions honour human and cultural rights. In situations where musical integrity and commercial gain are in conflict, the EMC gives priority to musical integrity. The EMC strongly supports youth participation in decision-making processes.

The European Music Council, the regional group for Europe of the International Music Council, is the umbrella organization for musical life in Europe. It acknowledges the significant role that music and culture play in the political and societal development of a peaceful and integrative Europe. Therefore it advocates on local, national and European levels for an appropriate framework, respecting equal rights and opportunities for music, music professionals and access to music.

The European Music Council serves its members by advocating for the societal and political significance of musical diversity in Europe and, hence, plays a key role in supporting the European communities that want to celebrate their music. It provides exceptional value to its membership by building knowledge; creating networking opportunities; supporting and enhancing the visibility of projects that help sustain people's participation in music and cultural life. Being the regional group for Europe of the International Music Council, the EMC collaborates on an international level. Today the EMC consists of 78 members based in 31 European countries.

Federazione Editori Musicali (FEM) Italy

Music publishing is an integral part of the music industry and cultural life of our country. The success of Italian music in the world is proof of the immense talent of our authors and the Italian publishing industry professionalism.

FEM exists to support and encourage these talents and skills.

- FEM acts on a daily basis to protect the publishers and authors they represent.
- The Secretary General, the Treasurer and all the bodies are available to provide first-hand information and update all members on the actions and events of major importance.
- FEM engages in actively defending the copyright through either individual initiatives, as well as participating in activities of communication and institutional representation in cooperation with other creative rights associations.
- FEM is particularly committed and attentive to the digital world and the great opportunities that this world offers for the dissemination of music. We continue to watch this complex channel and work in all areas to ensure that copyright is increasingly protected and guaranteed.
- FEM adheres to FPM, the Anti-Piracy Federation, based in Milan, which is committed to the protection of the right to enforcement actions, public awareness campaigns and information activities.

Grupul Editorilor de Muzica din Romania (GEMRO)

Romanian Publishers Association represents publishers throughout Romania.

Guitar Foundation of America (GFA)

Founded in 1973, the Guitar Foundation of America (GFA) is America's leading guitar organization. The GFA provides its members the combined advantages of a guitar society, a library, a publisher, a continuing educational resource, and an arts council. Today, the GFA is the largest multinational guitar organization; providing serious guitarists worldwide a full range of educational, literary and performance resources and opportunities. The Guitar Foundation of America is a non-profit 501(c)(3) educational and literary organization and is devoted to furthering the knowledge of and interest in the guitar and its music.

Harry Fox Agency (HFA) USA

The Harry Fox Agency was established in 1927 by the National Music Publisher's Association to act as an information source, clearinghouse and monitoring service for licensing musical copyrights. Since its founding, HFA has provided efficient and convenient services for publishers, licensees, and a broad spectrum of music users.

HFA is the premier music publisher agent for mechanical licensing in the United States. A mechanical license grants the rights to reproduce and distribute copyrighted musical compositions (songs), including uses on CDs, records, tapes, and certain digital configurations. By affiliating with HFA, publishers have access to a range of licensing, collection, distribution, royalty compliance and legal services to assist them in administrating their catalog.

Due to the large number of affiliated publishers, licensees are often able to complete the majority of their mechanical licensing through HFA.

With its current level of publisher representation, HFA licenses the largest percentage of the mechanical and digital uses of music in the United States on CDs, digital services, records, tapes and imported phonorecords.

Independent Music Companies Association (IMPALA) * EUROPE

IMPALA's mission is to grow the independent music sector, promote cultural diversity and cultural entrepreneurship, improve political access and modernise the perception of the music industry. IMPALA is a not-for-profit trade organisation representing the European independent music label community in the areas of advocacy, commerce opportunities and member services, details of our activities can be found at www.impalamusic.org.

IMPALA was established in 2000 to ensure that independent music labels, all of whom are small and medium size enterprises (SME's) were properly represented in

the music community so they would not have to endure the business barriers to entry that occurred in the old music paradigm that are no longer viable in the emerging new digital economy.

IMPALA's membership is made up of more than 4,000 Independent music labels located across Europe that have banded together to form a central voice advocating for the health of the Independent music sector. Our membership includes independent music label leaders like Beggars Group, PIAS Entertainment Group, Epitaph Europe, Rough Trade Benelux, Naive and !K7 but it should be noted that our membership is not just made up of these market leaders. IMPALA membership also includes music labels of varying sizes (in terms of staffing, number of releases and revenues), and varying genres. Many of our member labels are located across Europe, in addition to the traditional London, Paris and Berlin music bases. For example we have members like CLS Music in Hungary, Playground Music in Scandinavia, Musikvertrieb in Switzerland, Pitch Black Records in Cyprus, or Anaconda Records in Poland, as well as representative national associations in Norway (FONO), Finland (Indieco), Italy (PMI), Spain (UFI), Israel (PIL) and Denmark (DUP) among others.

All of our label members have one thing in common: they are small business people with a love for music who are trying to make a living and compensate their artists and generate and maintain jobs.

Our members, as small creators whose sector comprises over 20% of European recorded music sales, are having their livelihoods challenged by unauthorized unpaid content acquisition over the Internet. Independent music labels are not luddites and the Internet has been the great equalizer for us on our ability to market, promote, monetise and introduce new music.

The Internet has opened up countless opportunities for us and we would not do anything to jeopardise this improved access. Additionally, our members have embraced new business models that allow for efficient distribution of music, such as the licensing of free-to-the user streaming services and webcasting, one price per month subscription services, bundled mobile services, etc. We honestly feel there is no other industry that has embraced new forms of economic and delivery models as completely as the music industry. Our members also, on their own terms, give away free content to reward existing fans and cultivate new fans of their label's artists.

Indian Performing Rights Society (IPRS)

The Indian Performing Right Society Limited issues Licenses to users of music and collect Royalties from them, for and on behalf of its Members i.e. the Authors, the Composers and the Publishers of Music and distribute this Royalty amongst them after deducting its administrative costs. The IPRS came into existence on 23rd August 1969. The IPRS is a representative body of Owners of Music, viz. The

Composers, Lyricists (or Authors) and the Publishers of Music and is also the sole Authorized Body to issue Licenses for usage of Musical Works & Literary Music within India by any person. Composers are those who are better known as Music Directors, Authors are better known as Lyricists, Publishers of Music are the Music Companies, or those who hold Publishing Rights of the Musical & Literary Works.

The Society is a non-profit making Organization and is a Company Limited by Guarantee and Registered under the Companies Act, 1956. It is also registered under Section 33 of the Copyright Act, 1957 as the only Copyright Society in the Country to do business of issuing Licenses for usage of Music.

IPRS is the only National Copyright Society in the India. The Council is equally represented by Publishers and Songwriters. Further, there is also an equal representation between Composers and Authors as also Region wise between North India and South India.

International Confederation of Authors and Composers Societies (CISAC) *

CISAC works towards increased recognition and protection of creators' rights. CISAC was founded in 1926 and is a non-governmental, non-profit organization. Its headquarters are in Paris, with regional offices in Europe, Asia-Pacific and South America, as well as in Africa.

CISAC numbers 232 authors' societies from 121 countries and indirectly represents around 3 million creators and music publishers within all the artistic repertoires: music, drama, literature, audio-visual, graphic and visual arts.

CISAC's main activities and member services aim to: strengthen and develop the international network of copyright societies; secure a position for creators and their collective management organizations in the international scene; adopt and implement quality and technical efficiency criteria to increase copyright societies' interoperability; support societies' strategic development in each region and in each repertoire; retain a central database allowing societies to exchange information efficiently; and participate in improving national and international copyright laws and practices.

International Confederation of Music Publishers (ICMP) *

ICMP is the world trade association representing the interests of the music publishing community internationally. The constituent members of ICMP are music publishers' associations from Europe, Middle East, North and South America, Africa and Asia-Pacific. Included are the leading independent multinational and

international companies and regional and national music publishers, mainly SMEs, throughout the world.

ICMP's mission is to increase copyright protection internationally, encourage a better environment for our business and act as an industry forum for consolidating global positions. We achieve this by being vocal advocates for our members in various political and regulatory arenas and by fostering a global community for music publishers to share best practice and experience.

Collectively, our members represent hundreds of thousands of songwriters, composers and lyricists from every corner of the globe. www.icmp-ciem.org

International Federation of Musicians (FIM) *

The International Federation of Musicians, founded in 1948, is the international organization for musicians' unions, guilds and professional associations and is now counting about 65 members in 57 countries throughout the world.

FIM has created three regional groups, for Africa (FAC, the FIM African Committee), for Latin America (GLM, Grupo Latinoamericano de Músicos) and for Europe (the European group of FIM).

The Federation's main objective is to protect and further the economic, social and artistic interests of musicians represented by its member unions.

This leads to such activities as:

- Furtherance of the organisation of musicians in all countries
- Federation of unions of musicians throughout the world, furtherance and strengthening of international collaboration
- Promoting of national and international protective legislative (or other) initiatives in the interests of musicians
- Making of agreements with other international organizations in the interests of member unions and of the profession
- Obtaining and compilation of statistical and other information referring to the music profession and provision of such information to member unions
- Moral and material support of member unions in the interests of the profession and in accordance with the objects of FIM
- Furtherance of all appropriate efforts to make good music a common property of all people
- Holding of international congresses and conferences

As a nongovernmental organisation, FIM has a permanent relationship with major intergovernmental organisations such as UNESCO, the ILO, WIPO. It is recognised and consulted by the Council of Europe, the European Commission and the European Parliament. It enables it to participate in crucial negotiations on the protection of performers where it can make the voice of musicians heard.

FIM is a member of the International Music Council (IMC). It also collaborates with all national and international organisations representing workers in the media field. It has created the International Arts and Entertainment Alliance (IAEA) with the International Federation of Actors (FIA) and UNI-Media and Entertainment International (UNI-MEI). IAEA is a member of the Council of Global Unions (CGU).

International Federation of the Phonographic Industry (IFPI) *

IFPI represents the recording industry worldwide, with a membership comprising some 1300 member companies (including major and independent labels), in 66 countries and affiliated industry associations in 45 countries. IFPI's mission is to promote the value of recorded music, safeguard the rights of record producers and expand the commercial uses of recorded music in all markets where its members operate. IFPI is a not for profit members organization registered in Switzerland. It operates a Secretariat currently based in London and has regional offices in Brussels, Hong Kong and Miami.

International Music Council (IMC) **

The International Music Council (IMC), founded in 1949 by UNESCO, is the world's largest network of organizations, institutions and individuals working in the field of music. The International Music Council promotes musical diversity, access to culture for all and unites organizations in some 150 countries worldwide in building peace and understanding among peoples of all cultures and heritage.

The International Music Council advocates access to music and has proclaimed and works towards the advancement of the five music rights:

The right for or all children and adults:

- to express themselves musically in all freedom
- to learn musical languages and skills
- to have access to musical involvement through participation, listening, creation, and information

The right for all musical artists:

- to develop their artistry and communicate through all media, with proper facilities at their disposal
- to obtain just recognition and remuneration for their work

By advocating these rights, the International Music Council contributes to the development and strengthening of friendly working relations between all the musical cultures of the world on the basis of their absolute equality, mutual respect and appreciation. Over the past sixty years, IMC has developed as a world expert organization, a forum for exchange and reflection and an observatory in the field of music. Mandated to promote all types of music, IMC is an organization habilitated to speak to governments, institutions and regions. It works through and for its members to internationally support the development and the promotion of diverse music and the role of musicians in the context of social, cultural and economic development. In the course of its existence, IMC has developed into a highly influential network. This is due in large part to its geographic extension and the variety of competence of its membership. Through its members, IMC has direct access to over 1000 organizations across the world, creating a network of knowledge and experience that touches on every aspect of music. In addition to working with its members and international partners on local, regional and international projects, IMC and its members participate in a number of UNESCO's projects and initiatives in the fields of culture, education and youth.

MMGHQ Music Publishing (Cyprus)

MMG Music Publishing was founded in Israel in 1993, and was the first company that operated exclusively in Israel in the field of copyright music featuring Israeli music.

Music Canada

Music is one of the most visible and highly recognized expressions of the Canadian experience. Therefore, we believe that it is important to promote and protect the value of music and its production.

Music Canada is a non-profit trade organization that represents the major music companies in Canada as well as their partners, the artists. Those members include EMI Music Canada, Sony Music Entertainment Canada, Universal Music Canada, and Warner Music Canada. Music Canada was formerly known as the Canadian Recording Industry Association (CRIA). It was founded in 1964.

Music Canada's members are engaged in all aspects of the recording industry, including the manufacture, production, promotion and distribution of music. Music Canada member companies actively develop and nurture Canadian talent throughout the world.

Music Canada also works closely with recording studios, live music venues, concert promoters and managers in the promotion and development of the music cluster.

In addition to the members listed above, we also provide certain membership benefits to some of Canada's leading independent record labels and distributors.

Music Canada:

- Administers the gold/platinum awards program for best selling recordings in Canada;
- Gathers and shares technical, statistical and other information about Canada's music community;
- Seeks to develop a greater understanding of Canada's recording industry among key stakeholders and the general public;
- Represents Canada's recording industry to government and public agencies on legislative and regulatory matters;
- Works with other industry organizations to help curtail piracy and counterfeiting, and to build a legitimate music market in Canada;
- Promotes the growth and development of legal digital music services in Canada;
- Develops and promotes high ethical standards in the creation, manufacture and marketing of sound recordings;
- Represents the Canadian recording industry to its international counterparts as a member of the International Federation of the Phonographic Industry (IFPI);
- Participates in charity events and educational projects on behalf of the industry;
- Participates in industry-wide initiatives to promote music; and,
- Works with organizations representing music publishers, musicians, artists, retailers of music and musical instruments, and broadcasters as well as like-minded organizations in film, television, digital gaming, book publishing and business on issues of common interest.

Music Managers Forum (MMF) USA

The Music Managers Forum provides a platform to connect, enhance, and reinforce the expertise and professionalism of music managers. Their goal is to further the interests of managers and their artists in all fields of the music industry, including live performance, recording and music publishing matters.

While many up and coming managers cannot easily have their voices heard or their views recognized, the MMF has a vital role to play in ensuring that the industry evolves fairly and profitably for all who work in the management industry and their clients. It is the goal of the MMF to make sure managers voices are heard. As the industry continues to evolve, the MMF-US endeavors to help its members to stay ahead of the curve.

The MMF-US is a founding member of Music United, an educational organization whose goal is to protect intellectual property for creators.

Musicians Federation of India

The Musicians Federation of India's (Musicians Union) main objective is to protect and further the economic, social and artistic interests of musicians throughout INDIA

Music Producers' Guild (MPG) UK/EU

The Music Producers Guild, conceived and supported by producers and engineers and is also the founding sister organisation of the P&E Wing USA, who are both passionate about all aspects of creating and recording music. We provide a professional community to share our collective experiences and collaborate and lobby for professional interests. Our Membership consists of all working producers, engineers, mixers, re-mixers, programmers, sound designers, mastering engineers, students and enthusiasts working in the field and sectors of professional audio and content delivery and all aspects of the creation of music and audio.

Music Publishing Association of Japan (MPAJ)

The Music Publishers Association of Japan (MPAJ) is the sole organization to represent the Japanese music publishing business. The association is committed to the dissemination of copyrighted music by promoting the music publishers and sound development of the use of copyrighted materials at home and abroad, and to develop and contribute to the overall development of music culture.

The Music Publishers Association of Japan (MPAJ), was founded in 1973 and was later authorized as an incorporated association from the Ministry of education.

MPAJ's members consist of nearly 300 music publishers and cover almost all major music publishers, and is the only organization representing the music publishing industry in Japan. In addition, many of the members, are copyright holder record producer's (master creators), and MPAJ is also the organization representing these master creators.

MPAJ promotes the "Sync Music Japan" project in cooperation with Japan Association of Music Enterprises, JAME, and the Federation of Music Producers Japan, FMPJ, in order to publicize Japanese music globally.

Music Publishers Association (UK)

The Music Publishers Association is the trade association for music publishers in the UK, with over 270 members, representing nearly 4,000 catalogues covering every genre of music. Their members include all three of the UK's "major" music publishers, independent pop publishers, classical publishers, production music publishers and also printed music publishers. They estimate that their members represent around 95% of publishing activity in the UK.

The Music Publishers Association exists to:

- safeguard and promote the interests of music publishers and the writers signed to them;
- represent these interests to government, the music industry, the media and the public;
- provide publishers with a forum, a collective voice and a wide range of benefits, services and training courses;
- promote an understanding of the value of music and the importance of copyright; and provide information and guidance to members of the public.

Musicians Union UK (MU)

The UK Musicians' Union is a globally-respected organisation which represents over 30,000 musicians working in all sectors of the music business.

As well as negotiating on behalf of musicians with all the major employers in the industry, the MU offers a range of services tailored for the self-employed by providing assistance for professional and student musicians of all ages.

The Musicians' Union has specialist full-time officials available to immediately tackle the issues raised by musicians working in the live arena, the recording studio, or when writing and composing. Such issues can range from copyright protection to valuable contractual advice or from the recovery of unpaid fees to crucial work in health and safety.

MU members, regardless of their genre of music, are part of one of the leading music industry bodies in Europe and the Union's democratic structures offer every opportunity for musicians to influence MU policy.

Add to this the many services that the Union provides and you have an organisation that can assist its members throughout their professional careers and beyond.

Musikverleger Union Österreich (MUÖ) Austria

The Music Publishers Union of Austria has its headquarters in Vienna and extends its activity to the whole Federal territory and in cooperation with associations with shared interests abroad. The purpose of the Association is the promotion, development and safeguarding of music creation in support of the values and economic interests of its membership.

National Association for Music Education (NAfME)

The mission of the National Association for Music Education is to advance music education by encouraging the study and making of music by all. Music allows us to celebrate and preserve our cultural heritages, and also to explore the realms of expression, imagination, and creation resulting in new knowledge. Therefore, every individual should be guaranteed the opportunity to learn music and to share in musical experiences.

National Association for Music Education, among the world's largest arts education organizations, marked its centennial in 2007 as the only association that addresses all aspects of music education. Through membership of more than 75,000 active, retired, and pre-service music teachers, and with 60,000 honor students and supporters, NAfME serves millions of students nationwide through activities at all teaching levels, from preschool to graduate school. Since 1907, NAfME has worked to ensure that every student has access to a well-balanced, comprehensive, and high-quality program of music instruction taught by qualified teachers.

NAfME's activities and resources have been largely responsible for the establishment of music education as a profession, for the promotion and guidance of music study as an integral part of the school curriculum, and for the development of the National Standards for Arts Education.

National Association of Music Merchants (NAMM)

We envision a world in which the joy of making music is a precious element of daily living for everyone; a world in which every child has a deep desire to learn music and a recognized right to be taught; and in which every adult is a passionate champion and defender of that right.

Founded in 1901, NAMM has been the engine that unifies, leads and strengthens the \$17 billion global music products industry, enabling both large and small businesses to maximize productivity and reduce the costs of doing business.

With more than 9,000 Members in the United States and 100+ other countries, NAMM is ultimately dedicated to expanding the market and giving people of all ages the opportunity to experience the proven benefits of making music.

National Music Council of the United States (NMC)

Founded in 1940 and chartered by the 84th Congress in 1956, the National Music Council represents the United States to the International Music Council/UNESCO. The Council acts as a clearinghouse for the joint opinion and decision of its members and is dedicated to strengthening the importance of music in our life and culture.

Through the cooperative work of its member organizations, the National Music Council promotes and supports music and music education as an integral part of the curricula in the schools of our nation, and in the lives of its citizens. The Council provides for the exchange of information and coordination of efforts between its member organizations and speaks with one voice for the music community whenever an authoritative expression of opinion is desirable.

National Music Publishers Association (NMPA) USA

Founded in 1917, the National Music Publishers' Association is the largest U.S. music publishing trade association with over 3000 members consisting of American music publishers and their songwriting partners. Its mission is to protect, promote, and advance the interests of music's creators. The NMPA is the voice of both small and large music publishers, the leading advocate for publishers and their songwriter partners in the nation's capital and in every area where publishers do business. The goal of NMPA is to protect its members' property rights on the legislative, litigation, and regulatory fronts. In this vein, the NMPA continues to represent its members in negotiations to shape the future of the music industry by fostering a business environment that furthers both creative and financial success. The NMPA has remained the most active and vocal proponent for the interests of music publishers in the U.S. and throughout the world, a continuing tradition of which the association is very proud.

National Songwriters Association (NSA/NSAI)

The National Songwriters Association (NSA) consists of a body of creative minds, including songwriters from all genres of music, professional and amateur, who are committed to protecting the rights and future of the profession of songwriting, and to educate, elevate, and celebrate the songwriter and to act as a unifying force within the music community and the community at large.

The National Songwriters Association includes the California Songwriters Association, The Texas Songwriters Association and The Nashville Songwriters Association International (NSAI). The Nashville Songwriters Association International is the world's largest not-for-profit songwriters trade association. Established in 1967, the membership of more than 5,000 active and pro members spans the United States and six other countries. NSAI is dedicated to protecting the rights of and serving aspiring and professional songwriters in all genres of music.

Phonographic Performance LTD. (PPL) UK

PPL licenses recorded music played in public or broadcast in the United Kingdom and then distributes the license fees to its performer and rights holder members. Established in 1934, PPL exists to ensure that those who invest their time, talent and money to make recorded music are fairly paid for their work. The UK is the second largest performance rights market in the world.

With over 8,500 members who are record companies or other recorded music rights holders and 51,500 performer members, PPL, a not for profit organisation, has a large and diverse membership. Members include major record labels and globally successful performers, as well as many independent labels, sole traders and session musicians ranging from orchestral players to percussionists and singers - all of whom are entitled to be fairly paid for the use of their recordings and performances. Between them, PPL's members control the rights in the overwhelming majority of recorded music.

PRS for Music (UK)

PRS for Music is a music licensing society which represents the rights of over 100,000 member songwriters, composers and music publishers in the UK. They license organisations to play, perform or make available copyright music on behalf of their members and those of overseas societies, distributing the royalties to them fairly and efficiently. They promote and protect the value of copyright. Their songwriter and composer members span every musical genre and range from some of the world's biggest musical acts, exporting their music round the globe, to those who provide music for Britain's advertising, TV, film, fashion and video games industries.

Their publisher members range from multinational corporations right down to small private companies representing just one or two songwriters. Publishers deal with songs and musical compositions rather than recordings of them, holding a unique position in the music business. They play an important role in seeking out and supporting talent, and help maximize the use, and royalty income, from the music they publish on behalf of their clients.

PRS for Music provides business and community groups with easy access to over 10m songs through its music licenses. In an industry worth £3.8bn, PRS for Music is uniquely placed to be a voice for music and music creators. Collecting £665.7m in 2013, PRS for Music is one of the world's most efficient combined rights organisations. With over 100 representation agreements in place globally, PRS for Music's network represents over two million music creators.

Recording Industry Association of America (RIAA)

The Recording Industry Association of America (RIAA) is the trade organization that supports and promotes the creative and financial vitality of the major music companies. Its members are the music labels that comprise the most vibrant record industry in the world. RIAA® members create, manufacture and/or distribute approximately 85% of all legitimate recorded music produced and sold in the United States.

In support of this mission, the RIAA works to protect the intellectual property and First Amendment rights of artists and music labels; conduct consumer, industry and technical research; and monitor and review state and federal laws, regulations and policies. The RIAA® also certifies Gold®, Platinum®, Multi-Platinum™ and Diamond sales awards as well as Los Premios De Oro y Platino™, an award celebrating Latin music sales.

SESAC

SESAC is a performing rights organization with corporate headquarters in the heart of Nashville's Music Row that house all of the company's divisions, from creative to licensing to administration. The company also has offices in New York, London, Los Angeles, Atlanta and Miami. It is designed to represent songwriters and publishers and their right to be compensated for having their music performed in public. With an international reach and a vast repertoire that spans virtually every genre of music, SESAC is the fastest growing and most technologically adept of the nation's performing rights companies.

Société d'Auteurs Belge – Belgische Auteurs Maatschappij (SABAM)

SABAM is the Belgian Society of Authors, Composers and Publishers. Its object is the receipt, the redistribution, the administration and the management (in the widest sense of the word) of all copyrights in Belgium and in other countries where reciprocity agreements are entered into (with their sister societies, that is to say, with the collective management societies throughout the world). SABAM is a private collective management society whose legal form is an SCRL. In no event is it a ministry or para-governmental undertaking. Founded in 1922 upon the initiative

of authors. SABAM currently has thousands of authors in all disciplines. SABAM is proud of its multidisciplinary nature and jointly represents composers, lyricists, publishers, dramatic authors, choreographers, directors, screenwriters, dialogue writers, radiophonic creators, sub-title authors, translators, novelists, poets, comic strip authors, illustrators, journalists, sculptors, painters, videographers, artists, photographers, graphic designers, etc. This singularity makes their Society an almost unique case in the world.

Society of Composers, Authors and Music Publishers of Canada (SOCAN)

SOCAN is a not-for-profit member-based organization that represents the Canadian performing rights of over three million Canadian and international music creators and publishers. We play a leading role in supporting the long-term success of our more than 100,000 Canadian members, as well as the Canadian music industry. We collect license fees from over 45,000 businesses across Canada and distribute royalties to our members and other music rights organizations around the world. We also distribute royalties to our members for the use of their music internationally in collaboration with other peer societies.

In addition, SOCAN plays a leadership role in mentoring emerging creators on various aspects of the craft and business of music. We also advocate on behalf of our members to ensure that copyright is respected and that creators are appropriately remunerated for the use of their work.

SOCAN's business purpose is a framework for organizing and communicating the basic identity and intention of our organization: SOCAN serves and champions the needs of music creators and publishers. We advocate and protect their rights, license access to the world's music, and collect and distribute royalties in Canada and around the world.

SOCAN is an enabler for licensees to earn more money as they rely on music to enhance their businesses; for members to write and perform music, and build their careers; and for employees to achieve their career objectives. We have a global reach through our partner MROs in more than 80 countries.

SOCAN was formed in 1990, but our predecessors have been around in some form or another in Canada since 1925. SOCAN was created as a result of the merger of two former Canadian performing rights societies: The Composers, Authors and Publishers Association of Canada (CAPAC) and the Performing Rights Organization of Canada (PROCAN). In 1925, the Performing Rights Society (PRS) of the United Kingdom formed the Canadian Performing Rights Society (CPRS). Over the years, CAPAC worked to protect the rights of our members, especially in the face of opposition from the well-established radio and television industries. In 1990, CAPAC and PROCAN merged to form SOCAN.

Songwriters Guild of America

Since the enactment of the Copyright Act, the SGA has continued to take a stand on every issue of importance to songwriters and the music industry in general, including home taping, source licensing, derivative rights, author's moral rights, the deductibility of business expenses, compulsory license, copyright registration fees and, most recently, infringement of royalty payment due to digital/Internet piracy. Its president and board members spend considerable time and energy talking to the media, lobbying, negotiating and coordinating with other industry groups, and raising the funds needed to get the songwriter's message through.

True to its history, the Guild maintains its efforts to advance, promote and benefit the profession of songwriting.

SoundExchange

SoundExchange helps the music and creative community thrive in the digital age. SoundExchange is the independent nonprofit performance rights organization that collects and distributes digital performance royalties to featured artists and copyright holders.

We represent recording artists – from unsigned a cappella to acid rock to multi-platinum stars and master rights owners including major and independent record labels. It's our job to ensure that these artists and copyright holders are compensated when their work is broadcast by non-interactive digital radio.

SoundExchange is comprised of music aficionados, technology and data buffs – many of them budding musicians themselves.

SoundExchange has international partnerships in place that allow us to collect and pay artist and right holders royalties even when their music is played outside the U.S.

The Copyright Royalty Board, which is appointed by The U.S. Library of Congress, has entrusted SoundExchange as the sole entity in the United States to collect and distribute these digital performance royalties on behalf of featured recording artists, master rights owners (like record labels), and independent artists who record and own their masters.

Suomen Musiikkikustantajat ry - Finnish Music Publishers Association (FMPA)

The Finnish Music Publishers Association was founded in 1976 as an umbrella organization for representing the Interests of Finnish music publishers. The

Association has 37 publisher members. It is a non-profit-making organization with no business aims of its own.

Aims of the association:

- To raise standards and improve conditions in music publishing and draw attention to its importance and role in the field of the arts.
- To keep its members abreast of developments and changes in legislation at home and internationally.
- To represent our members in dealings with government and other representative bodies, organisations and associations, by taking appropriate initiatives and suggesting policy.
- To prevent the illegal use of copyright musical material in printed form.
- To collate and make statistical assessments regarding the turnover of its members and the distribution of turnover between different income sources.
- Provide information on the licensing of musical rights and grant licences for the use of its members' published works in printed form.
- Organise courses and training for its members, offer consultancy on legal matters and provide information on relevant events in the field of music.

Svaz českých hudebních nakladatelů (SČHN) The Music Publishers Association of the Czech Republic (Czech Republic)

SČHN, or the Association of Czech Music Publishers, is a nonprofit organization that brings together the publishers operating in the Czech Republic and is a Protective Association representing copyrights.

SČHN is active in the following areas: Negotiations with trade organizations, government institutions, etc. relating to the protection of authors' rights, which represent individual members. SČKN informs the interested public about publishing issues and existing statutes for Czech music publishers.

RICom Publishing (Serbia, Montenegro, Macedonia, Bosnia and Herzegovina)

RICom Publishing is a music publisher which deals in control and protection of musical and authorial rights. RICoM Publishing is a licensed partner of Universal Music Publishing and it protects the Rights of their Catalog together with the most popular authors for the area of Serbia, Montenegro, Bosnia Herzegovina and Macedonia. RICom publishing also represents the MMG catalog, the Aquarius Publishing catalog, the Menart publishing catalog, as well as local Serbian repertoire.

The Recording Academy (The GRAMMY Award Organization)

Established in 1957, the National Academy of Recording Arts & Sciences, Inc., also known as The Recording Academy, is an organization of musicians, producers, engineers, and recording professionals that is dedicated to improving the cultural condition and quality of life for music and its makers. Internationally known for the GRAMMY Awards, The Recording Academy is responsible for groundbreaking professional development, cultural enrichment, advocacy, education and human services programs — including the creation of the national public education campaign What's The Download®.

Celebrating music through the GRAMMY Awards for more than 50 years, The Recording Academy continues its rich legacy and ongoing growth as the premier outlet for honoring achievements in the recording arts and supporting the music community. Over the last decade particularly, The Recording Academy has expanded its goals from the important work of recognizing the best in music through the GRAMMY Awards to establishing itself as the preeminent arts advocacy and outreach organization in the country.

The Recording Academy is responsible for groundbreaking professional development, cultural enrichment, advocacy, education and human services programs. The Academy continues to focus on its mission of recognizing musical excellence, advocating for the well-being of music makers and ensuring music remains an indelible part of our culture.

Uganda Musicians Union (UMU)

Uganda Musicians' Union (UMU), established in 1998, is a registered National Collective Musicians Umbrella Union under the Ministry of Gender, Labour and Social Development Department of Culture; promoting issues of social protection, equity, human rights, copyright management, decent working conditions and employment for the unemployed and upcoming performing musicians in Uganda. UMU has four regional branches Mbale (Eastern Uganda) Lira (Northern Uganda) Mbarara (Western Uganda) with our headquarters in Kampala –Central.

UMU, with a current membership of 864 musicians, is an affiliate member to the International Federation of Musicians (FIM), based in Paris, and to FIM/African Committee (FAC) since 2001.

Worldwide Independent Network (WIN)

The Worldwide Independent Music Industry Network (WIN) is a global forum for the professional independent music industry. It was launched in 2006 in response to business, creative and market access issues faced by the independent sector

everywhere. For independent music companies and their national trade associations worldwide, WIN is a collective voice. It also acts as an advocate, instigator and facilitator for its membership.

The membership of WIN is made up of 21 independent music trade associations around the world. The WIN Council consists of 20 directors of influential independent music companies in all key markets around the world who guide WIN's overall direction. WIN's entire membership stretches across every continent, with trade associations in all the well-developed legitimate music markets taking a particularly active role.

WIN exists to support the independent music community through interaction with representative trade organisations and groups, and working directly with international music industry bodies on issues of global significance.

Examples of key issues on WIN's agenda are:

- Monitoring the policies and effectiveness of collective rights management and licensing organisations for independent rights holders
- Working directly with collecting societies to ensure independent rights holders' interests are properly represented internationally
- Providing legal and commercial support to independent trade associations
- Development of independent trade associations and representative groups in countries where they do not yet exist
- Supporting member trade associations in national copyright, legislative and related issues
- Future protection and development of independent music companies in a rapidly changing market.

* Permanent Accredited International NGO Observer at the World Intellectual Property Organization (WIPO)

** International music NGO in official partnership with UNESCO

9/24/2014

Dear ICANN,

Attached please find a Letter of Opposition to DotMusic Limited application 1-1115-14110 for .MUSIC.

Please post the letter to your Correspondence page.

Thank you.

Rick Carnes

President,

Songwriters Guild of America

www.songwritersguild.com

Contact
Information
Redacted

To: Internet Corporation for Assigned Names and Numbers
Steve Crocker, Chairman of the Board (steve.crocker@icann.org)
Fadi Chehadé, President and CEO (fadi.chehade@icann.org)
Akram Atallah, President, Global Domains Division (akram.atallah@icann.org)
Re: New gTLD application 1-1115-14110 (DotMusic Limited)

24 September 2014

Dear ICANN:

To safeguard the creative rights and values that are shared by everyone in the Music community, we are writing to voice our opposition to the eligibility policies and the business tactics of an applicant for the new gTLD .MUSIC – DotMusic Limited (formerly CGR E-Commerce).

The Music community -- which includes songwriters, artists, musicians and organizations that actively participate in the creation and development of music, its advocacy and promotion, its professional support, the protection and preservation of its creative and intellectual property rights, as well as the nurturing of the art through music education -- has witnessed a seismic shift in the way music is distributed and consumed.

Given the impact the .MUSIC string will have on the Music community, it is critically important for it to be operated by and for members of the community. In previous correspondence¹ the Music community described the comprehensive RFI process that was undertaken in 2011 to evaluate potential applicants for the .MUSIC gTLD.

Upon the completion of this process the applicant that was selected was Far Further/.music LLC. They are trusted members of the community and their application best represented the interests, goals and concerns of the Music community.

DotMusic Limited, led by Constantine Roussos, was one of the entities that sought endorsement and participated in the evaluation process. Despite not being selected, DotMusic Limited nonetheless submitted a “community” application for .MUSIC.

We are opposed to the DotMusic Limited application for several reasons. First and foremost, we strongly believe that .MUSIC registrations should be restricted to members of the Music community, as defined in .music LLC’s application.² The DotMusic Limited application uses a “broad Music Community definition,” one that is

¹ <https://www.icann.org/en/system/files/correspondence/hatton-to-icann-02jul14-en.pdf>

² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1659> (see application 1-959-51046, Q20(a))

“all inclusive.” In fact, from its description of the community,³ it is impossible to determine who is a member of the community and who is not.

In effect, DotMusic Limited proposes that anyone can apply to register if they have a “music-related” name and use the name for legal “music-related” purposes. Plainly speaking, this is not a community application because the community, as defined, includes almost everyone in the world. This equates to an “open” application, which we believe is harmful to the community and unwise as it would permit applicants with no connection to the Music community to apply for and start using second-level names under .MUSIC. This circumvention of the fundamental rationale for a community-based application opens the door to abuse of the creative community’s intellectual property rights and is unacceptable.

Regarding business tactics, DotMusic Limited has aggressively attacked Far Further’s application, repeatedly misrepresenting it in formal objections, Requests for Reconsideration, public comments and official correspondence to ICANN. For example, it routinely characterizes .music LLC’s application as “exclusive access” when it clearly is not. In its denial of DotMusic Limited’s most recent Request for Reconsideration, ICANN’s Board Governance Committee made it clear that DotMusic Limited’s “exclusive access” assertion is incorrect:

The Requester appears to argue that the .music LLC .MUSIC Application does in fact indicate that .music LLC intends to operate its applied-for string as an exclusive access registry. (Request, § 6, Pgs. 9-10.) In fact, the .music LLC .MUSIC Application indicates that the registry will be open to all those who are “members of or affiliated with at least one Member Organization of the Global Music Community.”⁴

In 2013, DotMusic Limited filed Legal Rights Objections with WIPO and Community Objections with the ICC against all of the .MUSIC applicants, including Far Further. All of the objections failed, indicating their specious nature. Defending them was a waste of resources, distracting and detrimental to our efforts to establish a community-based TLD for .MUSIC.

Given that the overwhelming majority of the Music community supports the Far Further/.music LLC application, it is difficult for us to characterize DotMusic Limited’s actions as anything less than openly hostile not only to Far Further but also to our community and its shared values.

For the reasons outlined above, the undersigned organizations oppose application 1-1115-14110 filed by DotMusic Limited/CGR E-Commerce.

Thank you for this opportunity to share our views.

³ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392> (see application 1-1115-14110, Q20(a))

⁴ <https://www.icann.org/en/system/files/files/determination-dotmusic-24jul14-en.pdf> (footnote 12)

Yours sincerely,

American Society of Composers, Authors and Publishers (ASCAP)

Australasian Mechanical Copyright Owners Society (AMCOS)

Australasian Performing Right Association (APRA)

Harry Fox Agency (HFA)

International Confederation of Authors and Composers Societies (CISAC)

International Confederation of Music Publishers (ICMP)

International Council of Music Authors (CIAM)

European Composer and Songwriter Alliance (ECSA)

Alliance of Latin American Creators of Music (ALCAM)

Pan-African Composer and Songwriter Alliance (PACSA)

International Federation of Musicians (FIM)

Music Creators of North America (MCNA)

The Songwriters Guild of America

The Songwriters Guild Foundation

Songwriters Association of Canada

Screen Composers Guild of Canada

Société professionnelle des auteurs et des compositeurs du Québec

Society of Composers and Lyricists

Music Producers Guild (UK)

Nashville Songwriters Association International (NSAI)

National Music Publishers Association (NMPA)

SESAC

American Society of Composers, Authors and Publishers (ASCAP)

www.ascap.com

The American Society of Composers, Authors and Publishers (ASCAP) is a membership association of more than 500,000 US composers, songwriters, lyricists and music publishers of every kind of music. Through agreements with affiliated international societies, we also represent hundreds of thousands of music creators worldwide.

We protect the rights of ASCAP members by licensing and distributing royalties for the non-dramatic public performances of their copyrighted works. Our licensees encompass all who want to perform copyrighted music publicly. We make giving and obtaining permission to perform music simple for both creators and music users.

We're also committed to nurturing music makers throughout their careers. Who Is ASCAP? We are our members — creative people who write the music and lyrics that enrich lives in every corner of the world.

Australasian Mechanical Copyright Owners Society (AMCOS)

www.apraamcos.com.au

The Australasian Mechanical Copyright Owners Society collects and distributes mechanical royalties for the reproduction of its 10,900+ members' musical works for many different purposes. These include the manufacture of CDs, music videos and DVDs, digital downloads and the sale of mobile phone ringtones, the use of production music and the making of radio and television programmes. AMCOS represents virtually all music publishers in Australia and New Zealand.

Australasian Performing Right Association (APRA)

www.apraamcos.com.au

Australasian Performing Right Association is a performing right collection society established in 1926 to administer the public performance and communication rights (often referred to collectively as performing rights) of its songwriter, composer and music publisher members. APRA represents over 73,000 music creators, composers, songwriters and music publishers in Australia and New Zealand alone. In addition to representing the interests of its Australasian members, APRA represents the vast majority of the world's music creators through its reciprocal agreements with similar performing right societies throughout the world.

Harry Fox Agency (HFA)

www.harryfox.com

The Harry Fox Agency was established in 1927 by the National Music Publisher's Association to act as an information source, clearinghouse and monitoring service for licensing musical copyrights. Since its founding, HFA has provided efficient and convenient services for publishers, licensees, and a broad spectrum of music users.

HFA is the premier music publisher agent for mechanical licensing in the United States. A mechanical license grants the rights to reproduce and distribute copyrighted musical

compositions (songs), including uses on CDs, records, tapes, and certain digital configurations. By affiliating with HFA, publishers have access to a range of licensing, collection, distribution, royalty compliance and legal services to assist them in administrating their catalog.

International Confederation of Authors and Composers Societies (CISAC)

www.cisac.org

CISAC works towards increased recognition and protection of creators' rights. CISAC was founded in 1926 and is a non-governmental, non-profit organization. Its headquarters are in Paris, with regional offices in Europe, Asia-Pacific and South America, as well as in Africa.

CISAC numbers 232 authors' societies from 121 countries and indirectly represents around 3 million creators and music publishers within all the artistic repertoires: music, drama, literature, audio-visual, graphic and visual arts.

CISAC's main activities and member services aim to: strengthen and develop the international network of copyright societies; secure a position for creators and their collective management organizations in the international scene; adopt and implement quality and technical efficiency criteria to increase copyright societies' interoperability; support societies' strategic development in each region and in each repertoire; retain a central database allowing societies to exchange information efficiently; and participate in improving national and international copyright laws and practices.

International Confederation of Music Publishers (ICMP)

www.icmp-ciem.org

ICMP is the world trade association representing the interests of the music publishing community internationally. Our mission is to protect and promote copyright and to represent industry positions at international, regional and local levels. ICMP's members include national, regional and international music publishing associations from Europe, Middle-East, North and South America and Asia-Pacific, and the four major multinational music publishing companies.

International Council of Music Authors (CIAM)

ciamcreators.org

Created in 1966, the essential mission of CIAM is to unify the voice of music creators of all repertoires and to be the worldwide umbrella organisation for composers and creators of music. Within this are three core objectives:

1. Coordinate and represent the voice of music creators at worldwide level
2. Identify common interests, exchange information and provide training when needed
3. Promote effective protection and efficient management of copyright to encourage artist creativity and contribution

The European Composer and Songwriter Alliance (ECSA)

www.composeralliance.org

ECSCA represents over 23,000 professional composers and songwriters in 22 European countries. With 43 member organisations all across Europe, the Alliance represents the interests of music writers of art & classical music, film & audiovisual music and popular music. ECSCA's principle mission is to defend and promote the rights of music writers at a European and international level by legal means and to also advocate for equitable commercial conditions for composers and songwriters. With the ultimate aim being to improve the social and economic conditions of music writers in Europe, ECSCA acts as a focal point and pacesetter for EU and international institutions.

The Pan-African Composers and Songwriters Alliance (PACSA)

The Alliance of Latin American Creators of Music (ALCAM)

www.alcamusica.com

ALCAM is a Latin American alliance of authors and composers of music intended to encourage and promote the legitimate moral law and equity for any artist's work and to promote fair remuneration for their works by recognizing the value of music creators in the community to which they belong.

International Federation of Musicians (FIM)

www.fim-musicians.org

The International Federation of Musicians, founded in 1948, is the international organization for musicians' unions, guilds and professional associations and is now counting about 65 member organisations in 57 countries throughout the world.

FIM has created three regional groups, for Africa (FAC, the FIM African Committee), for Latin America (GLM, Grupo Latinoamericano de Músicos) and for Europe (the European group of FIM).

The Federation's main objective is to protect and further the economic, social and artistic interests of musicians represented by its member unions.

Music Creators of North America (MCNA)

www.musiccreatorsalliance.com

The purpose of Music Creators North America (MCNA) is to provide a voice for music creators in the on going discussions that will reshape national and international copyright law and policy. In addition, we wish to draw attention to the issues that matter, not only to us, but also to all those who love music and hope for a fair and vibrant marketplace for this essential cultural and economic endeavor.

The Songwriters Guild of America

www.songwritersguild.com

Since the enactment of the Copyright Act, the SGA has continued to take a stand on every issue of importance to songwriters and the music industry in general, including home taping, source licensing, derivative rights, author's moral rights, the deductibility of business expenses, compulsory license, copyright registration fees and, most recently, infringement of royalty payment due to digital/Internet piracy. Its president and board members spend considerable time and energy talking to the

media, lobbying, negotiating and coordinating with other industry groups, and raising the funds needed to get the songwriter's message through.

True to its history, the Guild maintains its efforts to advance, promote and benefit the profession of songwriting.

The Songwriters Guild Foundation

www.songwritersguildfoundation.com

Our mission is to educate inspire and assist music creators and copyright owners and to preserve and demonstrate the value of songs and musical creativity to the greater community as a source of culture education and quality of life.

Songwriters Association of Canada

www.songwriters.ca

The Songwriters Association of Canada is a friendly community of songwriters here to support each other in the creative journey. We also advocate on behalf of songwriters to protect the value of our work.

The Songwriters Association of Canada exists to nurture, develop and protect the creative, business, and legal interests of music creators in Canada and around the world.

Screen Composers Guild of Canada

www.screencomposers.ca

The Screen Composers Guild of Canada is a national, not-for-profit, professional trade association of music composers and producers of music for audio visual productions that are viewed on screens in cinemas, on television, on computer monitors, in video games, and on mobile pads and phones.

The Screen Composers Guild of Canada aims to:

- a) Promote the music, status and rights of film, television and media composers in Canada
- b) Improve the status of screen music composers through promotion, education and advocacy;
- c) Improve the quality of Canadian screen music through professional development of its members; and,
- d) Represent the rights and interests of our members with industrial organizations, governments, and consumers of audio-visual content.
- e) Collaborate with creator collectives and industry associations to develop and maintain professional standards, protect composers' rights, and promote the interests of Canadian screen composers.

Société professionnelle des auteurs et des compositeurs du Québec

www.spacq.gc.ca/fr

The professional Society of Authors and Composers of Quebec is an association which represents the moral interests, economic and professional song writers francophones across Canada and to all composers of music in Quebec. It now comprises more than 700 members who benefit from daily of the many services offered by our society. The SPACQ main mission is to study, promote, protect and develop in all ways the economic, social and professional interests of its members. The SPACQ subscribes to the Universal Declaration of Human Rights as well as the ideals expressed in the Quebec and Canadian charters of rights and freedoms of the person. The SPACQ is autonomous and independent.

Society of Composers and Lyricists

thescl.com

The Society of Composers & Lyricists is committed to advancing the interests of the film and television music community. Toward this end, the **SCL**:

- Disseminates information concerning the creative and business aspects of writing music and lyrics for film and television;
- Presents educational seminars to provide the **SCL** membership with the latest technological information affecting our industry;
- Seeks to enhance the workplace and working conditions in order to maintain the highest level of quality in our crafts;
- Encourages a sense of community and the sharing of experience and knowledge among our membership and related organizations worldwide;
- Provides opportunities for dialog and the exchange of information between our membership and filmmakers;
- Establishes forums where issues confronting the film music industry can be openly examined and debated.

The creation of scores and songs for motion pictures, television, and other media involves unique skills and presents special challenges. The **SCL** assumes a central role in helping composers and lyricists achieve their full career potential in a demanding and ever-changing field.

Music Producers' Guild (MPG) UK/EU

www.mpg.org.uk

The Music Producers Guild, conceived and supported by producers and engineers and is also the founding sister organisation of the P&E Wing USA, who are both passionate about all aspects of creating and recording music. We provide a professional community to share our collective experiences and collaborate and lobby for professional interests. Our Membership consists of all working producers, engineers, mixers, re-mixers, programmers, sound designers, mastering engineers, students and enthusiasts working in the field and sectors of professional audio and content delivery and all aspects of the creation of music and audio.

Nashville Songwriters Association International (NSAI)

nashvillesongwriters.com

The Nashville Songwriters Association International (NSAI) is the world's largest not-for-profit songwriters trade association. Established in 1967, the membership of more than 5,000 active and pro members spans the United States and six other countries. NSAI is dedicated to protecting the rights of and serving aspiring and professional songwriters in all genres of music.

National Music Publishers Association (NMPA) USA

www.nmpa.org

Founded in 1917, the National Music Publishers' Association is the largest U.S. music publishing trade association with over 3000 members consisting of American music publishers and their songwriting partners. Its mission is to protect, promote, and advance the interests of music's creators. The NMPA is the voice of both small and large music publishers, the leading advocate for publishers and their songwriter partners in the nation's capital and in every area where publishers do business. The goal of NMPA is to protect its members' property rights on the legislative, litigation, and regulatory fronts. In this vein, the NMPA continues to represent its members in negotiations to shape the future of the music industry by fostering a business environment that furthers both creative and financial success. The NMPA has remained the most active and vocal proponent for the interests of music publishers in the U.S. and throughout the world, a continuing tradition of which the association is very proud.

SESAC

www.sesac.com

SESAC is a performing rights organization with corporate headquarters in the heart of Nashville's Music Row that house all of the company's divisions, from creative to licensing to administration. The company also has offices in New York, London, Los Angeles, Atlanta and Miami. It is designed to represent songwriters and publishers and their right to be compensated for having their music performed in public. With an international reach and a vast repertory that spans virtually every genre of music, SESAC is the fastest growing and most technologically adept of the nation's performing rights companies.

Annex 3 – Application Support

Letter from John Frankenheimer to ICANN (July 3, 2014)

Far Further/.Music LLC's .MUSIC Application and Community Priority Evaluation Overview

Sub Annex 1 – .Music LLC/Far Further supporting Music community organizations

Sub Annex 2 - International Agreements With Foreign Performing Rights Organizations

Sub Annex 3 - Example of Music Community Interaction and Interdependency Awareness and Cohesion

Sub Annex 4 - Examples of common use and recognition of Music community

Sub Annex 5 – Music community Letters of Support for .Music LLC/Far Further



JOHN FRANKENHEIMER
Partner and Chairman
Emeritus

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July 3, 2014

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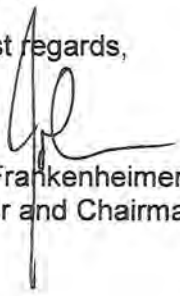
Dear Dr. Crocker and Mr. Chehadé:

I serve as General Counsel for Far Further/.music LLC, applicant for the string .MUSIC (1-959-51046).

Attached please find our comments regarding the forthcoming Community Priority Evaluation for this application.

We would appreciate it if ICANN would post these comments and the supporting Annexes to the gTLD Correspondence page and also bring them to the attention of the Community Priority evaluators.

Kindest regards,


John Frankenheimer
Partner and Chairman Emeritus

July 3, 2014

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Dear Sirs,

Re: Far Further/.Music LLC's .MUSIC Application and Community Priority Evaluation

Introduction

1. This is a public comment¹ filed by .Music LLC, in support of its community-based application for the new gTLD .MUSIC (the “application”). That application claims Community Priority (“CP”), and is about to undergo Community Priority Evaluation (“CPE”).
2. This comment should be drawn to the attention of the CP evaluators, and considered during, and as part of, their evaluation of the .Music LLC application, in accordance with the process set out by ICANN in its CPE FAQ.²

Overview of Community aspects of the Application

3. The AGB states: “...a community can consist of legal entities (for example, an association of suppliers of a particular service), of individuals (for example, a language community) or of a logical alliance of communities (for example, an international federation of national communities of a similar nature). All are viable as such, provided the requisite awareness and recognition of the community is at hand among the members.”³

The Name of the Community

4. The community at the heart of this application is a community that “is identified and united by a single word: ‘music’.”⁴ It is, accordingly named the “Music community” – a name that is used 12 times in the Answer to Q 18. Although the term “global music community” is used also, for avoidance of doubt any terminology in the application other than “Music” as the community name is purely for descriptive purposes and is not a reference to the actual community name.

¹ Public comment and its purpose in relation to new gTLDs is described in AGB 1.1.2.3, and in relation to CPE, at paragraphs 1.1.2.3, and 4.2.3.

² See: newgtlds.icann.org/en/applicants/cpe/faqs-31oct13-en.pdf

³ See AGB: 4.2.3

⁴ See para.1, Answer to Q 20(a)

5. This community “has been at the forefront of the creation, development, distribution, support, preservation, education and nurturing of music for more than a century...”⁵ Further, this community is comprised of “an international range of associations and organizations and the millions of individuals these organizations represent, all of whom are involved in the creation, development, publishing, recording, advocacy, promotion, distribution, education, preservation and or nurturing of the art of music”.⁶
6. Membership in this community is restricted to people and organizations that meet two precise community membership eligibility conditions⁷:
 - (1) Active participation in the creation and development of music, its advocacy and promotion, its professional support, the protection and preservation of the Music community’s creative rights, or the nurturing of the art through music education;
 - and
 - (2) Current affiliation and/or verifiable membership in a Music community organization ~~that was organized and in existence prior to 2007 (as per ICANN guidelines)~~⁸ who are active participants in the support and representation of the creation and development of music, its advocacy and promotion, its professional support, the protection and preservation of the Music community’s creative rights, or the nurturing of the art through music education.⁹
7. The applicant is the representative of this community. It was selected from among several other entities interested in serving in that role, by means of an RFP process conducted by leading members of the Music community described above. Since its appointment as a result of that process, the applicant has garnered unprecedented support from members of that community around the world, which represent the vast majority of the Music community.
8. The mission and purpose of the .MUSIC TLD is to serve the interests of the Music community as its members engage in “...the creation, development, distribution, and promotion of music, as well as the education of musicians and audiences alike.”¹⁰ It will “enable a unique but encompassing identifier for the collective community of artists, musicians, songwriters, teachers, and the professionals who support them with a shared commitment to fostering musical creativity and the protection of intellectual property rights”.¹¹

Nexus

9. There is a complete match between the name of the community and the string itself. The string is identical with the name of the well defined, long-standing community the TLD application serves. The string, when used as an adjective with the word “community” (i.e. “Music community”) is the obvious and only way to identify the community behind this application. It is known as the Music community, which name serves to differentiate it from other art-based communities, sport-based communities and all other groupings. A Google search of the term “music community” lists hundreds of thousands of exact match examples of the use of the name “music community”. It is commonly

⁵ See Answer to Q 20 (a)

⁶ Ibid

⁷ See page 3 of Answer 20

⁸ Strike through text to be deleted, as it was a drafting error; it is the community, not registrants or endorsing organizations that must pre-date 2007. That text concerned “community pre-existence” in Q 20(a) and is not a registration policy. The fact that each supporting organization listed in the application existed prior to 2007 was intended only to show evidence of community pre-existence.

⁹ Clause (1) describes the delineating characteristics of organizational members of the Music community, and Clause (2) describes the delineating characteristics of individual members of the Music community.

¹⁰ Answer to Q 20(c)

¹¹ Ibid

used by its members to describe the community to which they belong.

.MUSIC Registration policies.

10. Eligibility for a .MUSIC domain name is restricted to those who can establish their membership in a member organization of the Music community. Registration Policies are consistent with the articulated community-based purpose of the applied-for gTLD, as are the rules for content and use, and a variety of enforcement procedures are available (including appeals) to support the community objectives.

Community Support

11. The application has received extensive global support from worldwide Community members and no relevant opposition.

Community Priority Rules, interpretation and CPE practice

12. The Applicant Guidebook (“AGB”) criteria on CPE are contained in Article 4.2.3. These have been explained and augmented somewhat by the guidelines published by The Economist Intelligence Unit (“EIU”) in its “Community Priority Evaluation (CPE) Guidelines” (“EIUG”) ¹². Several evaluations of applications’ claims to Community Priority have now been published¹³; this letter notes the approach taken by the Evaluators in interpreting the Rules and the Guidelines. .Music LLC now looks at each of the CPE criteria, and explains how the application meets the criteria. In relation to some criteria, further information is provided.

Criterion 1: Community Establishment (0-4 points available)

13. Criterion 1 has two major components dealing with the nature of the applicable community: A- “delineation” and B- “extension”. Delineation has 3 sub-components – that the community be: (1) “clearly delineated”, (2) “organized”, and (3) that it be “in existence” prior to September 2007.” Extension has 2 sub-components – (1) that it is of “considerable size” and (2) proof of “longevity”.

1.A.1 Clear Delineation

14. The AGB states: “‘Delineation’ relates to the membership of a community, where a clear and straight-forward membership definition scores high, while an unclear, dispersed or unbound definition scores low.” On this basis, the application scores full marks. It has clearly defined membership criteria, as set out in its answer to Application Question 20(a). The definition of membership includes that member organizations themselves have to be clearly delineated, and organized. Further, they have to be “... involved in the creation, development, publishing, recording, advocacy, promotion, distribution, education, preservation and or nurturing of the art of music.”
15. The application further characterizes¹⁴ these organizations as belonging (not exclusively) to one of 4 groupings:
 - (a) Music community organizations and associations whose principal focus is representing music creators, artists, songwriters, composers, publishers, record companies, and whose activities include product creation and development, promotion, distribution and the advocacy and protection of creative rights;
 - (b) Music community organizations and associations whose principal focus is the licensing, collection and distribution of fees for performance and mechanical rights;

¹² <http://newgtlds.icann.org/en/announcements-and-media/announcement-27sep13-en>

¹³ <http://newgtlds.icann.org/en/applicants/cpe#invitations>

¹⁴ At pages 1 and 2 of Answer 20

(c) Music community organizations and associations, guilds, agencies and forums that provide a broad spectrum of professional support dedicated to, and from within, the Music community; and
(d) Music community institutions, organizations, councils and associations who engage in the education, preservation, nurturing and advocacy of the Music community that includes artistic, cultural and governmental institutions, national and international music councils and community outreach and advocacy organizations.

16. The community this application serves is very large, geographically spread, and without limitation on the actual kind of music it relates to. It is characterized by having as its members selected organizations that actively participate in the creation and development of music, its advocacy and promotion, its professional support, the protection and preservation of the Music community's creative rights, as well as the nurturing of the art through music education. Its members are those organizations, and also the individuals who are the members of those organizations. It is referred to in this letter and in the application as the "Music community".
17. The application names the 42 charter member organizations of the Music community that provided support for the application as of the date of application, and indicates which group each falls into. These organizations represent approximately 4 million members, in over 1,000 associations in more than 150 countries.
18. The values to which Music community members subscribe are set out in the Answer to Q. 20(c). They include:
 - (a) Support and encouragement for equal access to musical education;
 - (b) Support and respect for all who express themselves musically;
 - (c) Support for the right for universal participation;
 - (d) Support for musical artists to develop their artistry and communicate through all media, and all distribution channels at their disposal;
 - (e) Preservation of the global musical heritage;
 - (f) Support the right for music creators to obtain fair recognition and remuneration for their work;
 - (g) Commitment to universal protection of creative and intellectual property rights.
19. The definitions provided clearly delineate the community in an objective way, such that it is possible to accurately classify any organization or individual in question as being a member of the community or not. There must be a member organization that participates in the activities described above. In doing so, it must subscribe to the core values listed. As the Answer to Q. 20 explains, the Policy Advisory Board ("PAB") will set the policies for Community membership accreditation. It is quite clear as to which organizations are members of the Music community. Individuals must be verifiable members of such organizations. The Music community served by this application is large, diverse, varied, and distributed, so it is not a simple matter to define, as it might be for a profession, sport or ethno-linguistic group, but the definitions provided mean that the Music community served by this application is clear, and bounded by the conditions and rules described above. This is a "clear and straightforward membership definition".

1.A.2 Organization

20. The AGB requirements for organization require that there be "at least one entity mainly dedicated to the community, with documented evidence of community activities". The Music community has scores of such entities; for simplicity, attention is directed first at the International Music Council to demonstrate the age of the community, its global spread, and its binding features. Then, we shall look at one illustrative member from each of the four categories identified above in paragraph 16.

“The International Music Council (IMC), founded in 1949 by UNESCO, is the world's largest network of organizations and institutions working in the field of music. The International Music Council promotes access to music for all and the value of music in the lives of all peoples. Through its members and their networks, IMC has direct access to over 1,000 organizations in some 150 countries”.

Mandated to promote all types of music, the International Music Council is an organization habilitated to speak to governments, institutions and regions. It works through and for its members to internationally support the development and the promotion of diverse music and the role of musicians in the context of social, cultural and economic development. The International Music Council is a supporter of this application. (<http://www.imc-cim.org>)

Group 1: Music community organizations and associations whose principal focus is representing music creators, artists, songwriters, composers, publishers, record companies, and whose activities include product creation and development, promotion, distribution and the advocacy and protection of creative rights:

21. This group includes the Worldwide Independent Music Industry Network (“WIN”), which has a website at <http://winformusic.org>. The membership of WIN is made up of 21 independent music trade associations around the world. The WIN Council consists of 20 directors of influential independent music companies in all key markets around the world who guide WIN’s overall direction. WIN’s entire membership stretches across every continent, with trade associations in all the well-developed legitimate music markets taking a particularly active role. The website further describes who the members are, what the mission of the organization is, what the membership services and resources include, and announces its current activities.

Group 2: Organizations focusing on Licensing, collection and distribution of fees for the Music community.

22. This group includes the American Society of Composers, Authors and Publishers (“ASCAP”), which has a website at www.ascap.com which notes that ASCAP has over 500,000 members, representing over nine million copyrighted works. Work done by ASCAP on behalf of its members is set out, including work done in collaboration with other members of the community. See: <http://www.ascap.com/eventsawards/events/expo/news/2014/04/songwriters-publishers-magic-connection.aspx>

Group 3: Organizations that provide professional support to the Music community

23. This group includes the National Songwriters Association (NSA), is comprised of the California Songwriters Association, The Texas Songwriters Association and the Nashville Songwriters Association International (“NSAI”), which has a website at <http://nashvillesongwriters.com> “The NSAI consists of a body of creative minds, including songwriters from all genres of music, professional and amateur, who are committed to protecting the rights and future of the profession of songwriting, and to educate, elevate, and celebrate the songwriter and to act as a unifying force within the Music community and the community at large.” It is the world’s largest not-for-profit songwriters trade association. Established in 1967, the membership spans the United States and six other countries.

Group 4: Organizations that provide education, preservation, nurturing and advocacy

24. This group includes The Recording Academy (The GRAMMY Organization) which has a website at <http://www.grammy.org/recording-academy>, from which “The Recording Academy continues its rich legacy and ongoing growth as the premier outlet for honoring achievements in the recording arts

and supporting the music community.” Further, “Over the last decade particularly, The Academy has expanded its goals from the important work of recognizing the best in music through the GRAMMY Awards to establishing itself as the preeminent arts advocacy and outreach organization in the country.”

25. Accordingly, there are many entities dedicated to supporting aspects of the work of this globally distributed community.

1.A.3 Existence prior to September 2007

26. The AGB requires that the community have been in existence prior to the settling of the rules for filing community applications for new gTLDs. Organizational members of the Music Community trace their origins back at least as far as the 19th century. As the answer to Q 20(a) notes: The earliest formed “Member Organization is the Société des Auteurs et Compositeurs de Musique, founded in 1860. In 1895, the Music Publishers Association of the United States was founded followed by the formation of the American Federation of Musicians in 1896. The 20th century witnessed the formation of the bulk of the organized Music Community. The 21st century ushered in the formation of the IMPALA in 2000, SoundExchange in 2003 and the American Association of Independent Music in 2005.” Clearly, the community in question has a long-standing existence commencing prior to 2007.

1 B.1 Considerable size

27. The estimate of the size of the membership of the community members originally supporting the application is over 4 million. It involved 42 major organizations, with members coming from more than 150 countries. Not only were the numbers of organization and individuals supporting the application large in themselves, they were also large in the context of the total numbers of organizations involved in these activities in relation to music around the world. Since the time the application was filed, nearly 30 additional member organizations of the Music Community have filed written support of this application. The comprehensive list of these supporting organizations to date is listed in Annex 1. They represent membership involved in all of the community aspects described above, including cultural, educational and advocacy aspects. Together, the supporters of this community application now represent nearly all the commercial, organized music activity in the world.

1.B.2 Longevity

28. As the AGB explains, “‘Longevity’ means that the pursuits of a community are of a lasting, non-transient nature”. The goals of the community as set out in paragraph 19 above are continuous and will continue into the future. The previous history, nature, size, geographic spread, programs, range of members of these institutions and their members, and the activities under way, all confirm the longevity of this community. It is manifestly not a short-lived congregation, formed around a single event.
29. The AGB also requires that “awareness and recognition of the community is at hand among the members” and the EIUG asks: “Are community members aware of the existence of the community as defined by the applicant? Do community members recognize the community as defined by the applicant? Is there clear evidence of such awareness and recognition?”
30. This application itself is an example of the Music community showing self-awareness and self-recognition. The community’s action in forming the group and issuing the RFP to choose a .MUSIC TLD applicant that best reflected its values, is an act of self-awareness and cohesion on the part of the community. (Since

then, support for the applicant and its application has been reinforced from virtually every corner of this community.)

31. A further example of self-awareness, self-recognition and cohesion can be seen in the cooperation within subsets of the Music community to assist each other with the common goal of returning value to music creators. Broadcast Music Inc., (“BMI”) specializes in collecting money due to artists from broadcasts of their musical works. It claims to act for 600,000 artists, in relation to over 2 million works. Attached in Annex 2 is a schedule of the reciprocal Agreements BMI has reached with over 90 foreign Performing Rights Organizations. This web of relationships confers value on the member associations, and returns value to the artists.
32. The Music community recognizes itself as a community. It should be repeated that it is a complex, large and geographically distributed community. It has many expert entities assisting with specialized topics. It may help to think of the “chain” of activities associated with the steps involved between the initial creation of a musical work to its delivery to an audience, as a way of visualizing the many components of the community. The community consists of the creators themselves, the songwriters, artists and musicians. It is comprised of individual agents, professionals and organizations dedicated to assisting creators in getting their works from initial creation or original performance to a written or other permanent format and published. It consists of the publishing and distribution organizations that disseminate the written record of the music, through all forms of promotion and licensing. It includes the individuals and agencies involved in performances of the music, by individuals and groups, for concerts, and for recording and distribution and licensing of the resulting musical works. Distribution takes many forms, including via physical and digital distribution, live concert, broadcast via film, television, radio and the Internet. There are many specialized professional support services involved in management, license administration, intellectual property rights management, accounting, obtaining payments for artists and performers, and much more. There are members who focus on creating community awareness and promotion through local, national and international marketing campaigns as well as specific awards events such as the Grammys that incent and recognize outstanding contributions by members. Attached as Annex 3 is a chart produced by one of our community members, providing an example of some of these activities diagrammatically, and showing the many interrelationships between the various components of the Music community. This was produced in part to help new entrants to the community understand the various interconnections that go to make up the community. As such, it demonstrates community self-awareness, but also illustrates aspects of self-help and member nurturing that are part of the definition of a community.

Criterion 2: Nexus between Proposed String and Community (0-4 points)

33. Criterion 2 has 2 components; Nexus (3 points) and Uniqueness (1 point).

2.1 Nexus

34. The AGB provides that 3 points will be awarded where “The string matches the name of the community or is a well known short-form or abbreviation of the community”.
35. This community is known as the “Music community”; the string matches the community name completely, and the application accordingly qualifies for 3 points. It is understood that the word “music” is a generic word. However, nothing in the AGB rules requires that the string match the name of the community *exclusively*. That is, it does not have to amount to a virtual brand, used only by the applicant Music community, in order to score the maximum 3 points. The string must simply “match” the name of the community. In this case it matches exactly the name of the community; there is no other word that describes the community members and their activities other than “music”, and they are known as the Music community. There is accordingly no grey area of “identifying” or “closely identifying” the community, nor any need to decide whether the description “over reaches” in making that identification. It is not strictly relevant if there are other meanings for the word, if the word is the exact match of the

community name. The string is an exact match for the name of the community, which is the strongest “nexus” there can be between a string and a community.

36. When the words “Music community” are used together, it only refers to the activities of a member of the applicant community, or groups of members acting in concert, to bring music from creation to enjoyment by a global audience. It means the creators, developers, distributors, promoters and educators – members of the Music community referred to above. It includes their professional advisors, the collection societies, and the music rights enforcement agents – all are part of this global “Music community”. Turning the proposition around, it would be deceptive to use any other term or terms to describe this well-known community other than as the “Music community”. It would be equally deceptive for any other group not connected with the applicant community to describe itself as the “Music community” – which it could not do without deceiving consumers. This is exactly the kind of nexus with a community in fact that the AGB seeks to identify, and protect by ensuring that only this community is allocated the TLD that is so closely linked to its name, business and way of life. This community is the “Music community”. In fact, it is known as such, and it would be damaging to allow any other community to use the string.
37. The non-exclusiveness point is confirmed by the AGB, which contemplates two (or more) community applications having the same string, both achieving community priority, and having to go to Auction to determine a winner.
38. Another point the AGB makes is that it cannot be simply a case of self-assertion or self-appropriation of the name – others must use it for the community: “With respect to “Nexus” for a score of 3, the essential aspect is that the applied for string is commonly known by others as the identification name of the community”.
39. A Google search of the term “music community” lists hundreds of thousands of exact match examples of the use of the name “music community”. The search reveals many, many uses, none being used in any way that contradicts the applicant’s description and definition of “music community”; for example references please see Annex 4.
40. This is a community that thinks of itself as a community, and is thought of by others as a community: both think of it and call it the “Music community”. It is important to recall what the AGB described as the essential test of the Nexus issue, namely: “With respect to “Nexus,” for a score of 3, the essential aspect is that the applied-for string is commonly known by others as the identification / name of the community¹⁵”.

2.2 Uniqueness

41. The AGB comment on Uniqueness is helpful to understand how to interpret this element of the score. The AGB says¹⁶: “It should be noted that “Uniqueness” is only about the meaning of the string; since the evaluation takes place to resolve contention there will obviously be other applications, community-based and/or standard, with identical or confusingly similar strings in the contention set to resolve, so the string will clearly not be “unique” in the sense of “alone.”
42. The AGB acknowledges that uniqueness is not diminished by there being several claimants for the same string, with differing communities claiming to be represented. The applicant says that only its Music community is able to claim to be uniquely described by the string. Only the large, well delineated community described in the application, can claim to be, and is described as the Music community. Anyone actually or potentially using the string will be using it in relation to some aspect of the applicant community.

¹⁵ AGB at page 4-13

¹⁶ AGB at page 4-14

43. The AGB also links Uniqueness to Nexus; the guidelines set out in Section 4.2.3 of the Guidebook state that a “score of 1 for ‘uniqueness’ implies a requirement that the string does identify a community, i.e. scores 2 or 3 for ‘Nexus,’ in order to be eligible for a score of 1 for ‘Uniqueness’. The applicant qualifies under both headings – there is a strong nexus between the Music community and the string (an exact match) and the string uniquely defines and describes the applicant community, and no other.
44. A different point was decided by the CP evaluators in the .Tennis application. There, the community was in fact a subset (the Australian component) of the global Tennis Community. It appears the applicant community was actually known as “Tennis Australia”, so there was not a match between the string and the name of the community as required. In the present case, there is a global community known as the “Music community”, which the applicant represents, and whose name matches the gTLD string sought. Members of that global community have been strong supporters, and in large numbers of this application. The equivalent case with the .Tennis case would be if there were a (for example only) US Music Community, known as the “US Music” community, but which had applied for simply “Music” not its name of “US Music” as a string. In the present case, there is a community, and it has applied for its exact match as a string.

Criterion 3: Registration Policies (0-4 points)

45. A maximum of four points is possible on the Registration Policies, one each for Eligibility, Name Selection, Content and Use, and Enforcement.
46. An initial point to note is that the AGB did not ask for the attachment to the Answer to Q 20 of completed Registration policies. Instead, it asks applicants to “Provide a complete description of the applicant’s intended registration policies. It would have been unrealistic to complete policies at the filing stage of the application. Application rules for character limits on individual questions would have precluded including or attaching them to the application in many cases. This applicant has bound itself to working with a community-based Policy Advisory Board (“PAB”) to develop those policies. Until it has completed string contention, it is premature to complete the detail of such policies. That said, the applicant has given very complete descriptions of its intended policies, and explained how they link together as a coherent framework to support the goals of the Music community.

3.1 Eligibility

47. Under the AGB rules, 1 point (the maximum) is available when “Eligibility (is) restricted to community members”. In the application, eligibility is expressly restricted to registrants who are members of the community: “Potential domain registrants must be members of or affiliated with at least one Member Organization of the Music community. Domain registrations may be accepted, but will not resolve until the registrant’s membership credentials have been verified. This will require verification of relevant membership data during the registration process”.¹⁷

3.2 Name Selection

48. The AGB requires that “Policies include name selection rules consistent with the articulated community-based purpose of the applied for gTLD.” This is further interpreted by the EIUG as tested by the following questions;

- (1) “Do the applicant’s policies include name selection rules?”
- (2) Are name selection rules consistent with the articulated community-based purpose of the

¹⁷ See Answer to Q 20 (e) as amended.

applied-for gTLD?

(3) Are the name selection rules consistent with the entity's mission statement?"

49. The applicant has a number of existing policies dealing with name selection, and has made provision to develop further policies prior to launch via the PAB mentioned above, with members of the community contributing insights. The PAB will consist of 21 members representing the Music community. The applicant believes it is premature, if not inappropriate, to set out in detail all of its launch policies until the PAB has been fully constituted and done its work in this area. It is premature to constitute the PAB and to ask it to begin work until the applicant has confidence the application is going to proceed to contract with ICANN. Once constituted, the PAB will specifically address accreditation and registration policies and procedures, and naming policies.
50. That said, there are several name selection policies in place. Aside from the requirement that eligible applicants must own the appropriate rights to the "name or online brand/identity" (Q 18 [b]), they wish to register, the applicant has set out a name selection policy that does not seek to confine names to any particular feature or characteristic of the Music community. It may seem logical to have a name selection policy that requires domain names under .MUSIC to be "music-related," such as the name of a band, business, musician, organization or an acronym of such, but "music-related" names are not always readily identifiable as such. Many names of artists, bands and organizations would not qualify under this policy, making such restrictions unworkable, as well as stifling to innovation and creativity.
51. Further, constraints can have unintended consequences; the applicant mentions that formatting flexibility might help overcome bandwidth constraints in the developing world and that "Accordingly, the dotMusic Registry will not mandate any particular formatting or usage". Apart from that policy, there are a number of constraints that will operate to the benefit of the registrant and the Music community.
52. The applicant has said that it will comply (i.e. without re-negotiation with ICANN) with all the name reservation provisions of Specification 5 to the ICANN registry contract. In summary, this requires the registry operator to reserve (i.e. not delegate to any third party) a wide range of names, including technical words associated with the DNS and ICANN, and all country names found in the ISO 3166-1 list of country names and territories and two other UN-created lists, various Olympic and Red Cross/Crescent names as specified.
53. Further, a set of Premium names will be produced, which applicants will be able to tender for, with allocation to applicants based on an assessment of the "demonstrable benefits" likely to flow to the community.
54. In order to ensure that the articulated goals of the TLD are met, strict rules will prohibit all employees of the .MUSIC registry from having any ownership or interest in Premium names.
55. Rather than developing prescriptive naming policies seeking to prevent registration of inappropriate or abusive names, the applicant has developed a strong Acceptable Use Policy ("AUP"), by which names wrongly selected and/or used may be taken down. Details of the AUP are contained in the Answer to Q 28. In particular, names used for Phishing or Pharming will be subject to the AUP, with the potential for very rapid takedown.
56. All names registered will also be subject to challenge via the URS and UDRP to ensure that names selected by registrants do not infringe the existing IP rights of others. In addition, the applicant will develop and implement a Music Eligibility Dispute Resolution Requirements Procedure, under which members of the Music community may challenge registrations for breaching the name selection rules.
57. Therefore, the application policies include name selection rules that are consistent with the articulated community purpose, and which are consistent with the application's mission statement.

3.3 Content and Use

58. The AGB requires that an applicant demonstrate that its “Policies include rules for content and use consistent with the articulated community-based purpose of the applied for gTLD” in order to obtain the available point. The EIUG test this by asking:
- (1) Do the applicant’s policies include content and use rules?
 - (2) If yes, are content and use rules consistent with the articulated community-based purpose of the applied-for gTLD?
 - (3) Are the content and use rules consistent with the applicant’s mission statement?
59. The applicant has content and use rules, and repeats the point above: further elements of use and content policies to control inappropriate use and content may well be developed by the PAB in consultation with the registry operator and the community. The applicant has described its use and content rules. In summary they are relatively permissive, but coupled with frequent tests and subject to performance requirements. The applicant has described above its Acceptable Use Policy, which addresses many instances of content and use abuse, including creative rights infringement, IP violations, spam, fast flux hosting as well as malware distribution. Those policies include providing a single point of contact at the registry for dealing with abuse issues. Further, the eligibility restrictions create conditions under which content and use are more likely to be music-related.
60. The Registrant Agreement will also require registrants *inter alia* to certify on an annual basis that they are in compliance with all accreditation and other rules, including those relating to use and content. The applicant describes its proposed use of scanning tools to monitor for potential misuse. Further terms are included in the answer to Q 28. All applicants are required to hold valid rights to all content displayed on or distributed through a site linked to a .music domain. Respect for creative rights and Intellectual Property is a fundamental shared value among the Music community. Thus the requirement to hold valid rights to all content displayed is consistent with the community-based purpose of the TLD.
61. The applicant’s policies include content and use rules, consistent with the articulated community-based purpose, and consistent with the mission statement for the .music gTLD.

3.4 Enforcement

62. The AGB requires that “Policies include specific enforcement measures (e.g. investigation practices, penalties, takedown procedures) constituting a coherent set with appropriate appeal mechanisms.” The EIUG tests this by asking the following questions:
- (1) “Do the policies include specific enforcement measures constituting a coherent set¹⁸ with appropriate appeal mechanisms?
 - (2) Do the enforcement measures include:
 - (a) Investigation practices
 - (b) Penalties
 - (c) Takedown procedures (e.g., removing the string)
 - (d) Whether such measures are aligned with the community-based purpose of the TLD
 - (e) Whether such measures demonstrate continuing accountability to the community named in the application.

¹⁸ “‘Coherent set’ refers to enforcement measures that ensure continued accountability to the named community, and can include investigation practices, penalties, and takedown procedures with appropriate appeal mechanisms. This includes screening procedures for registrants, and provisions to prevent and remedy any breaches of its terms by registrants.”

63. The applicant has described above aspects of its registration policies, and referred to various aspects of their enforcement. Noting the role that the PAB will play in future in refining and amending these policies over time, it is apparent now that they form a coherent set of policies supporting the principle of the community they are designed to protect. They begin with the eligibility rules – only members of the carefully delineated Music community may apply for domain names in .MUSIC. Names applied for are subject to existing use and content rules, and their use is subject to a comprehensive AUP. The Registrar and Registrant agreements will contain comprehensive enforcement provisions, details of which are set out in the answer to Q28. Actual monitoring to secure performance is described. In addition to the URS, UDRP and other ICANN-mandated dispute resolution policies, the application describes its intent to especially protect IP rights in relation to music.
64. The PAB is charged with developing procedures and processes including those relating to enforcement, and appeals. In its answer to Q 20(b) those policies are described, and include accreditation, naming conventions, permitted activities (“use”) and registrant warranties. The policy talks of audits, (to check compliance), suspension (a temporary penalty) and termination (a final penalty), but also of various appeal rights after audit, verification and enforcement steps have been taken.
65. Appeal processes for registrars that have been sanctioned are also discussed. Briefings of the PAB by the registry company are required to include reports on appeals by registrants and registrars.
66. An additional dispute resolution procedure is described, namely the MEDRP – a music eligibility dispute resolution procedure. The procedure, also called “CEDP,”¹⁹ is a policy described as “a dispute process for members of the .MUSIC community to dispute .MUSIC domain activity that violates the RRA, RA, published acceptable use policy and/or community eligibility requirements for .MUSIC community membership.”
67. These mechanisms form a coherent program, consistent with and designed to advance the goals of the community, to which there is continuing accountability. Community accountability is enhanced by the nature of the PAB, with its members drawn from the community members, and representing that community. There are already detailed reporting requirements by the Registry to the PAB, and an arbitration process to resolve any disputes that arise. There is to be developed a process by which community processes are “reviewed modified or amended”.

Criterion 4: Community Endorsement (0-4 points)

68. The AGB provides that there are two categories; Support (2 points) and Opposition (2 points)

4.1 Support

69. In relation to support, the AGB provides: “To get 2 points: Applicant is, or has documented support from, the recognized community institution(s)/ member organization(s) or has otherwise documented authority to represent the community. Also with respect to “Support,” the plurals in brackets for a score of 2, relate to cases of multiple institutions/organizations. In such cases there must be documented support from institutions/organizations representing a majority of the overall community addressed in order to score 2.”
70. The applicant has received, and filed with its answer to Q 20F, letters of support from the 42 members of the community described above. These constitute the majority of organizational members of the Music community. Attached in Annex 5 are more than 60 letters from Music community members supporting this community-based application.

¹⁹ A correction has been filed to remove this dual naming, renaming CEDP as MEDRP

4.2 Opposition

The AGB requires “relevant” opposition and says that “Sources of opposition that are clearly spurious, unsubstantiated, made for a purpose incompatible with competition objectives, or filed for the purpose of obstruction will not be considered relevant.”

71. The application was the subject of “unsubstantiated” (i.e. unsuccessful) Objections²⁰ brought by a competitor. Notwithstanding the failure of those Objections, that competitor has continued to make the same erroneous and misleading arguments defeated in the Objections in public comments and various other fora, and has procured others to make similar statements clearly deriving their content from the competitor. Opposition to this application emanates almost entirely from this single source. In terms of the size of the Music community, and the level of support shown by the Music community for the application, the level of opposition is negligible.
72. There is no relevant opposition from any community or communities. There is no opposition from a part of the community that is unaddressed, or from the addressed community itself.

Conclusion

73. The applicant represents a well-delineated, long-standing and important community. It has applied for a string that matches the name of that community. It has outlined registration policies that will protect and enhance the interests of that community, and described community-based processes for developing and maintaining further such policies. It has the support of that community, and no relevant opposition, either from within that community, or from other communities with a possible interest in the string.
74. The application meets the requirements of the AGB community priority rules and should prevail in Community Priority Evaluation.
75. As a final matter, we refer to the repeated statements made by ICANN’s Governmental Advisory Committee, (GAC) in successive Communiqués, about the need to promote those community applications that have genuine community support. The GAC said:

“The GAC advises the board that in those cases where a community, which is clearly impacted by a set of new gTLD applications in contention, has expressed a collective and clear opinion on those applications, such opinion should be duly taken into account, together with all other relevant information.” (Beijing Communiqué).

“The GAC reiterates its advice from the Beijing Communiqué regarding preferential treatment for all applications which have demonstrable community support, while noting community concerns over the high costs for pursuing a Community Objection process as well as over the high threshold for passing Community Priority Evaluation”. (Durban Communiqué)

“The GAC reiterates its advice from the Beijing and Durban Communiqués regarding preferential treatment for all applications which have demonstrable community support.

(1) The GAC advises ICANN to continue to protect the public interest and improve outcomes for

²⁰ See <http://newgtlds.icann.org/sites/default/files/drsp/24feb14/determination-1-1-959-51046-en.pdf> and <http://newgtlds.icann.org/sites/default/files/drsp/25sep13/determination-2-1-959-51046-en.pdf> for decisions in unsuccessful Community and Legal Rights Objections respectively.

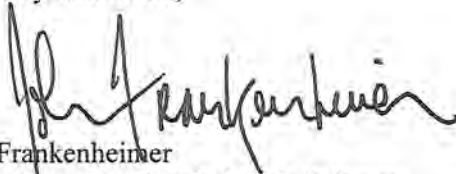
communities, and to work with the applicants in an open and transparent manner in an effort to assist those communities” (Singapore Communiqué)

76. The European Commission noted in its public comments filed February 2014:

“In this regard the European Commission (consistent with its position in the GAC) fully endorses the GAC view that community applications and applications with community support should be given preferential treatment in the new gTLD string contention resolution process, and remind the clear above mentioned GAC Beijing and Durban Communiqués.”

77. The applicant endorses those and other similar comments made by many submitters to ICANN. The present application is filed by a community, for a string which matches exactly the names of that community, and which has overwhelming support from an extraordinary proportion of the community targeted, and with no relevant opposition. This is a worthy community application.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "John T. Frankenheimer". The signature is fluid and cursive, with a large initial "J" and "F".

John T. Frankenheimer
Chairman Emeritus; Chair, Music Industry
Loeb and Loeb
Los Angeles, California

Annex 1 List of .Music LLC/Far Further supporting Music community organizations to date:

1. Alliance of Artists and Recording Companies (AARC)
2. American Association of Independent Music (A2IM)
3. American Federation of Musicians in the U.S. and Canada (AFM)
4. American Society of Composers, Authors and Publishers (ASCAP)
5. Associação de Editores de Obras Musicais (AEOM) Portugal
6. Asociación Colombiana de Editoras de Música (ACODEM)
7. Asociación para la Protección de los Derechos Intelectuales sobre Fonogramas (APDIF) Colombia
8. Association of Independent Music (AIM)
9. Australasian Mechanical Copyright Owners Society (AMCOS)
10. Australasian Music Publishers Association (AMPAL)
11. Australasian Performing Right Association (APRA)
12. Australian Recording Industry Association (ARIA)
13. Broadcast Music, Inc. (BMI)
14. Bureau International Des Societes Gerant Les Droits D'enregistrement et de Reproduction Mecanique (
15. Chambre Syndicale des Éditeurs de Musique Classique – (CEMF) France
16. Canadian Music Publishers Association (CMPA)
17. Church Music Publishers Association (CMPA)
18. Deutsche Musikverleger]Verband (DMV) Germany
19. Deutsche Orchestervereinigung – (DOV) Germany
20. European Music Council (EMC)
21. Fachgruppe Musik (ver.di) Germany
22. Federazione Editori Musicali (FEM) Italy
23. Grupul Editorilor de Muzica din Romania (GEMRO)
24. Guitar Foundation of America (GFA)
25. Harry Fox Agency
26. Independent Music Companies Association (IMPALA)
27. Indian Music Industry (IMI)
28. Indian Performing Rights Society (IPRS)
29. International Bluegrass Music Association (IBMA)
30. International Confederation of Authors and Composers Societies (CISAC)
31. International Confederation of Music Publishers (ICMP)
32. International Federation of Musicians (FIM)
33. International Federation of the Phonographic Industry (IFPI)
34. International Music Council (IMC)
35. MMGHQ Music Publishing (Cyprus)
36. MPA SCHN Svaz českých hudebních nakladatelů (Czech Republic)
37. Music Business Association [formerly known as National Association of Recording Merchandisers (NAR
38. Music Canada
39. Music Managers Forum (MMF) UK
40. Music Managers Forum (MMF) US

41. Music Producers' Guild (MPG) UK/EU
42. Music Publishers Association (UK)
43. Music Publishing Association Japan (MPAJ) Japan
44. Music Publishers Association of the United States (MPA)
45. Musicians Federation of India
46. Musicians Union UK
47. Musikverleger Union Österreich (MUÖ) Austria
48. National Association For Music Education (NAfME)
49. National Association of Music Merchants (NAMM)
50. National Music Council of the United States (NMC)
51. National Music Publishers Association (NMPA)
52. National Songwriters Association (NSA/NSAI)
53. Organización Profesional de Editores de Música (OPEM) Spain
54. Phonographic Performance LTD. (PPL) India
55. Phonographic Performance LTD. (PPL) UK
56. Professional Music Publishers' Association (PMPA) (APEM) Canada
57. PRS for Music (UK)
58. Recording Industry Association of America (RIAA)
59. RCom Publishing (Serbia, Montenegro, Macedonia, Bosnia and Herzegovina)
60. SESAC
61. Sociedad de Productores Fonográficos y Videográficos de Chile (PROFOVI)
62. Société d'Auteurs Belge – Belgische Auteurs Maatschappij (SABAM)
63. Société des Auteurs et Compositeurs de Musique (SACEM)
64. Society of Composers, Authors and Music Publishers of Canada (SOCAN) Canada
65. Songwriters Guild of America (SGA)
66. SoundExchange (US)
67. Suomen Musiikkikustantajat ry] The Finnish Music Publishers Association (FMPPA)
68. The Recording Academy (The GRAMMY Award Organization)
69. Uganda Musicians' Union (UMU)
70. Worldwide Independent Network (WIN)

			Dependency, Solomon Islands, Tokelau (Union) Islands, Tuvalu, Vanuatu and Western Samoa
Austria	AKM	Autoren, Komponisten Und Musikverleger	Austria
Barbados	COSCAP	Copyright Society of Composers, Authors and Publishers Inc.	Barbados
Belgium	SABAM	Societe Belge des Auteurs Compositeurs et Editeurs	Belgium
Belize	BSCAP	Belizean Society for Composers Authors & Publishers	Belize
Bolivia	SOBODAYCOM	Sociedad Boliviana de Autores y Compositores de Musica	Bolivia
Bosnia/ Herzegovina	SQN	Sine Qua Non	Bosnia and Herzegovina
Brazil	ABRAMUS*	Copyright Society of Composers, Authors and Publishers Inc.	Brazil
Brazil	AMAR*	Associação de Músicos Arranjadores e Regentes	Brazil
Brazil	AMAR*		Brazil

		Associação de Músicos Arranjadores e Regentes	
Brazil	SADEMBRA*	Sociedade Administradora De Direitos De Execução Musical Do Brasil	Brazil
Brazil	SOCINPRO*	Sociedade Brasileira de Administração e Proteção de Direitos Intelectuais	Brazil
Brazil	UBC	União Brasileira de Compositores	Brazil
Brunei	BeAT	Bruneian Authors and Composers Association	Brunei
Bulgaria	MUSICAUTOR	Bulgarian Society of Authors and Composers for Performing and Mechanical Rights	Bulgaria
Burkina Faso	BBDA	Bureau Burkinabe du Droit d'Auteur	Burkina Faso
Canada	SOCAN	Society of Composers, Authors and Music Publishers of Canada	Canada
Chile	SCD	Sociedad Chilena del Derecho de Autor	Chile
China	MCSC	Music Copyright Society of China	People's Republic of China

Colombia	SAYCO	Sociedad de Autores y Compositores de Colombia	Colombia
Congo, Democratic Republic of the	SONECA	Societe Nationale des Editeurs, Compositeurs et Auteurs	Democratic Republic of the Congo (Zaire)
Costa Rica	ACAM	Asociacion de Compositores y Autores Musicales de Costa Rica	Costa Rica
Croatia	HDS	Hrvatsko Drustvo Skladatelja Croatian Composers' Society	Croatia
Czech Republic	OSA	Ochranny Svaz Autorsky	Czech Republic
Denmark	KODA	Selskabet Til Forvaltning Af Internationale Komponistret-Tigheder I Danmark	Denmark, Faroe Islands, Greenland
Dominican Republic	SGACEDOM	Sociedad General de Autores, Compositores y Editores Dominicanos de Musica, Inc.	Dominican Republic
Ecuador	SAYCE	Sociedad de Autores y Compositores Ecuatorianos	Ecuador

Eastern Caribbean	ECCO	Eastern Caribbean Collective Organisation for Music Rights	Anguilla, Antigua & Barbuda, British Virgin Islands, Dominica, Grenada, Montserrat, St. Kitts & Nevis, St. Lucia, St. Vincent & the Grenadines
El Salvador	SACIM	Sociedad de Autores, Compositores e Interpretes Musicales de El Salvador	El Salvador
Estonia	EAU	Eesti Aatoritie Uhing	Estonia
Finland	TEOSTO	Saveltajain Tekijanoikeustoi-Misto	Finland
France	SACEM	Societe des Auteurs, Compositeurs et Editeurs de Musique	Algeria, Andorra, Benin (Dahomey), Cambodia, Cameroon, Central African Republic, Chad, Comoro Islands, Côte d'Ivoire, Djibouti (French Somaliland), Egypt, France, French Guiana, French Polynesia (via SPACEM), Gabon, Guadeloupe, Guinea (via BGDA), Laos, Lebanon, Luxembourg (via SACEML), Madagascar, Mali, Martinique, Mauritania, Monaco, Morocco (via BMDA), New Caledonia and Dependencies (via SACENC), Niger, Republic of the Congo (Brazzaville), Reunion, Saint Pierre and Miquelon, Senegal, Syria, Togo, Tunisia, Western Sahara
Georgia	GCA	Georgian Society of Authors and Composers	Georgia
Germany	GEMA	Gesellschaft Für Musikalische Aufführungs-Und Mechanische Vervielfältigungsrechte	Germany

Greece	AEPI	Societe Hellenique Pour La Protection de la Propriete Intellectuelle S.A.	Greece
Guatemala	AEI	Asociacion de Autores, Editores e Interpretes	Guatemala
Honduras	AACIMH	Asociacion de Autores, Compositores, Interpretes y Musicos de Honduras	Honduras
Hong Kong	CASH	Composers and Authors Society of Hong Kong Ltd.	Hong Kong
Hungary	ARTISJUS	Society Artisjus Hungarian Bureau for the Protection of Authors' Rights	Hungary
Iceland	STEF	Samband Tonskalda Og Eigenda Flutningsrettar	Iceland
India	IPRS	Indian Performing Right Society	India
Indonesia	WAMI	Wahana Musik Indonesia	Indonesia
Ireland	IMRO	Irish Music Rights Organisation Limited	Ireland

Israel	ACUM	Societe des Auteurs, Compositeurs et Editeurs de Musique en Israel	Israel
Italy	SIAE	Società Italiana Degli Autori Ed Editori	Italy, Republic of San Marino, Vatican City
Jamaica	JACAP	Jamaica Association of Composers, Authors and Publishers Ltd	Jamaica
Japan	JASRAC	Japanese Society for Rights of Authors, Composers and Publishers	Japan
Kazakhstan	KazAK	The Kazakh Authors' Society	Kazakhstan Republic
Kenya	MCSK	Music Copyright Society of Kenya Limited	Kenya
Korea	KOMCA	Korea Music Copyright Association	Republic of Korea (South Korea)
Latvia	AKKA/LAA	Copyright and Communication Consulting Agency/Latvian Copyright Agency	Latvia
Lithuania	LATGA-A	Agency of Lithuanian Copyright Protection Association	Republic of Lithuania

Macau	MACA	Macau Association of Composers, Authors & Publishers	Macau
Macedonia	ZAMP	Musical Copyright Society (ZAMP)	Republic of Macedonia
Malawi	COSOMA	Copyright Society of Malawi	Malawi
Malaysia	MACP	Music Authors' Copyright Protection (MACP) Berhad	Malaysia
Mauritius	MASA	Mauritius Society of Authors	Mauritius
Mexico	SACM	Sociedad de Autores y Compositores de México, S. de G.C. de I.P	Mexico
Moldova	ASDAC	Asociatia Drepturi de Autor si Conexe din Republica Moldova	Republic of Moldova
Montenegro	PAM CG	Society for Protection of Author's Musical Rights from Montenegro	Montenegro
Netherlands	BUMA	Vereniging Buma	Netherlands, Netherlands Antilles: Aruba, Bonaire, Curaçao, Saba, St. Eustatius, St. Martin
Nepal	MRCSN	Music Royalty Collection Society Of Nepal	Nepal

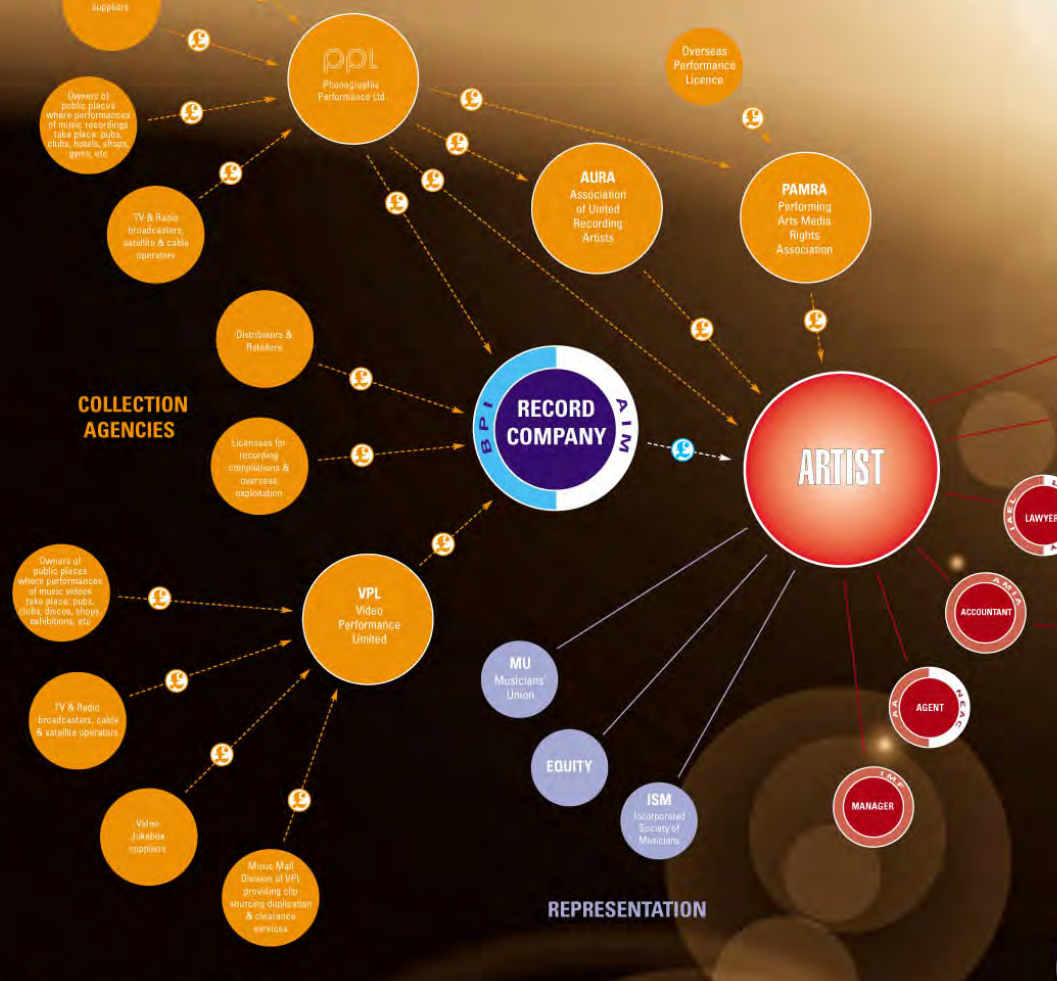
Nicaragua	NICAUTOR	Sociedad de Gestion Colectiva de Derechos de Autor y Derechos Conexos de Nicaragua	Nicaragua
Nigeria	MCSN	Musical Copyright Society Nigeria Ltd.	Nigeria
Norway	TONO	Norsk Komponistforenings Internasjonale Musikkbyra	Bear Islands, Hope Island, Jan Mayen Island, Norway, Spitsbergen
Panama	SPAC	Sociedad Panameña de Autores y Compositores	Panama
Paraguay	APA	Autores Paraguayos Asociados	Paraguay
Peru	APDAYC	Asociacion Peruana de Autores y Compositores	Peru
Philippines	FILSCAP	Filipino Society of Composers, Authors and Publishers, Inc.	Philippine Republic
Poland	ZAIKS	Stowarzyszenie Autorow	Poland
Portugal	SPA	Sociedade Portuguesa de Autores	Azores, Madeira, Portugal
Romania	UCMR-ADA	Union of Composers and Musicologists in Romania/ Authors' Right Department	Romania

Russia	RAO	Russian Authors Society	Russian Federation
Serbia	SOKOJ	Savez Organizacija Kompozitora Jugoslavije	Serbia
Singapore	COMPASS	Composers and Authors Society of Singapore Ltd.	Singapore
Slovak Republic	SOZA	Slovensky Ochranny Zvaz Autorsky	Slovak Republic
Slovenia	SAZAS	Société des Compositeurs, Auteurs et Éditeurs de Slovenie	Slovenia
South Africa	SAMRO	Southern African Music Rights Organisation Limited	Botswana, Lesotho, Republic of South Africa (Including Bophuthatswana And Transkei) South-West Africa, Swaziland
Spain	SGAE	Sociedad General de Autores y Editores	Spain
Suriname	SASUR	Stichting Auteursrechten Suriname	Suriname
Sweden	STIM	Svenska Tonsattaes Internationalla Musikbyra	Sweden
Switzerland	SUISA	Societe Suisse pour les Droits d'Auteurs d'Oeuvres Musicales	Liechtenstein, Switzerland
Taiwan	MUST	Music Copyright Society of Chinese Taipei	Taiwan, R.O.C.

Thailand	MCT	Music Copyright (Thailand) Limited	Thailand
Trinidad and Tobago	COTT	Copyright Music Organisation of Trinidad and Tobago	Trinidad and Tobago
Turkey	MESAM	Turkiye Musiki Eseri Sahipleri Meslek Birliđi	Turkey
Turkey	MSG	Musiki Eseri Sahipleri Grubu Meslek Birliđi	Turkey
Ukraine	UACRR	Ukrainian Agency of Copyright and Related Rights	Ukraine
United Kingdom	PRS	The Performing Right Society Limited	Ascension Island, Bahamas, State of Bahrain, Bermuda, British Antarctic Territory, British Indian Ocean Territory, Cayman Islands, Channel Islands, Cyprus, Diego Garcia, Falkland Islands, Ghana, Gibraltar, State of Kuwait, Malta, Isle of Man, Pitcairn Islands, State of Qatar, Kingdom of Saudi Arabia, Seychelles, South Georgia, South Sandwich Islands, Sultanate of Oman, Tanzania, Tristan da Cunha, Turks and Caicos Islands, United Arab Emirates, United Kingdom
Uganda	UPRS	Uganda Performing Right Society	Uganda
Uruguay	AGADU	Asociacion General de Autores del Uruguay	Uruguay
Uzbekistan	GAI UZ		Uzbekistan

THE MUSIC UNIVERSE

We have produced this chart to try and help you navigate your way around the music business. If you have any comments or would like additional copies, please contact Graham Davies, PRS Membership Representatives. Tel: 0207-306-4300 Fax: 0207-631-8991



ARTIST CONTACTS

- AA - AGENTS ASSOCIATION (GREAT BRITAIN)**, 54 Keyes House, Dolphin Square, London SW1V 3NA. Tel: 0207-834-0515 Fax: 0207-821-0291. An organisation formed to represent and enhance the interests of entertainment agents.
- AIM - ASSOCIATION OF MUSIC INDUSTRY ACCOUNTANTS**, c/o Kelly Greaves, Unity House, 205 Easton Road, London NW1 2AY. Tel: 0207-303-8200 Fax: 0207-382-9201.
- APRA - ASSOCIATION OF PROFESSIONAL RECORDING SERVICES**, 2 Windsor Square, Silver Street, Reading, Berkshire RG1 2TH. Tel: 0118-976-6210 Fax: 0118-976-8210 Web: www.apra.co.uk. Sets an industry standard on behalf of its members: recording studios, producers, engineers, etc.
- CPA - CONCERT PROMOTERS ASSOCIATION**, 8 St Mark's Road, Highbury-Thames, Brims R03 H.U. Tel: 01491-575000 Fax: 01491-414002.
- IAEL - INTERNATIONAL ASSOCIATION OF ENTERTAINMENT LAWYERS**, 45-51 Whitefield Street, London W1P 6AA. Tel: 0207-407-1850 Fax: 0207-406-2744 Web: www.iael.org. Representing music industry solicitors/lawyers internationally.
- IMM - INTERNATIONAL MANAGERS FORUM**, 194 Lobs Road, London SW10 0RU. Tel: 0207-392-4684 Fax: 0207-351-3117 Web: www.imf-uk.org. Represents the interests of artist managers.
- LAW SOCIETY (OF ENGLAND & WALES) - 113 Chancery Lane, London WC2A 1PL. Tel: 0207-242-1222 Fax: 0207-831-0344 Web: www.lawsociety.org.uk. Sets professional standards and improves the law. Keeps records on every solicitor and practice.**
- MEAC - NATIONAL ENTERTAINMENT AGENTS COUNCIL**, PG Box 112, Sleaford, East Sussex BN25 2DQ. Tel: 01223-492-498 Fax: 01223-492-254 Web: www.meac.org.uk. Providing guidance and a code of conduct for agents.
- AIM - ASSOCIATION OF INDEPENDENT MUSIC**, Lamb House, Church Street, Chiswick, London W4 2PQ. Tel: 0208-894-5599 Fax: 0208-894-5222 Web: www.musicindia.com. The first industry trade body set up to specifically represent, promote and protect the interests of all independent music companies.
- BPI - BRITISH PHONOGRAPHIC INDUSTRY**, 25 Savile Row, London W1X 1AA. Tel: 0207-207-4422 Fax: 0207-724-2015 Web: www.bpi.co.uk. Association of UK record companies.
- EBRY - BRITISH ACTORS EQUITY ASSOCIATION**, Guild House, Upper St Martin's Lane, London WC2A 1ES. Tel: 0207-279-9980 Fax: 0207-279-7800 Web: www.equity.org.uk. Association protecting the rights of actors in the UK.
- ISM - INCORPORATED SOCIETY OF MUSICIANS**, 10 St Andrews Place, London W1M 4AE. Tel: 0207-529-4413 Fax: 0207-408-1538 Web: www.ism.org. Professional association for performers, composers & teachers.
- MU - MUSICIANS' UNION**, 60-62 Clapham Road, London SW9 4JL. Tel: 0207-582-5566 Fax: 0207-582-9805 Web: www.musicianunion.org.uk. Negotiates & provides a variety of agreements and services for musicians and composers.
- AURA - ASSOCIATION OF UNITED RECORDING ARTISTS**, Peter Hurrey, 11 Stony Common, Stanstead, Essex CM24 8NF. Tel: 01279-847-201 Fax: 01279-847-205. Represents professional recording artists & studio producers. Collects & distributes performance income on behalf of its members.
- PAMRA - PERFORMING ARTS MEDIA RIGHTS ASSOCIATION**, 161 Borough High Street, London SE1 1HR. Tel: 0207-940-0400 Fax: 0207-407-2008. Collects & distributes performance income to its members.
- PPL - PHONOGRAPHIC PERFORMANCE LTD**, 1 Upper James Street, London W1R 3HG. Tel: 0207-634-1000 Fax: 0207-631-1111. Collecting society licensing broadcast & public performance of sound recording in the UK.
- VPL - VIDEO PERFORMANCE LIMITED**, 1 Upper James Street, London W1R 3HG. Tel: 0207-534-1400 Fax: 0207-534-1414. UK collection agency licensing the broadcast & public performance of music videos.

SONGWRITER / COMPOSER CONTACTS

- BACCS - BRITISH ACADEMY OF COMPOSERS & SONGWRITERS**, The Penthouse, 4 Brook Street, Mayfair, London W1Y 1AA. Tel: 0207-629-0952 Fax: 0207-629-0953. Europe's largest composer body.
- MU - MUSICIANS' UNION**, 60-62 Clapham Road, London SW9 4JL. Tel: 0207-582-5566 Fax: 0207-582-9805 Web: www.musicianunion.org.uk. Negotiates & provides a variety of agreements and services.
- MBM - BRITISH MUSIC RIGHTS, British Music House, 26 Berners Street, London W1P 4AA. Tel: 0207-306-4446 Fax: 0207-306-4448. An umbrella organisation which lobbies on behalf of MPA, MCPS, PRS, & BACCS.**
- ASCAP - AMERICAN SOCIETY OF COMPOSERS, AUTHORS & PUBLISHERS**, 8 Conk Street, London W1Y 1PB. Tel: 0207-49-0809 Fax: 0207-434-0702 Web: www.ascap.com. American performing rights society.
- IMI - BROADCAST MUSIC INC**, 84 Harley House, Marylebone Road, London NW1 5HN. Tel: 0207-486-2036 Fax: 0207-224-1046 Web: www.imi.com. American performing rights organisation.
- MCPS - MECHANICAL COPYRIGHT PROTECTION SOCIETY**, 2832 Berners Street, London W1P 4AA. Tel: 0207-580-5544 Fax: 0207-306-4855 Web: www.mcps.co.uk. Collecting royalties on behalf of writers & publishers whenever their works are recorded.
- MPA - MUSIC PUBLISHERS ASSOCIATION**, 3rd Floor, Strandgate, 18-20 York Buildings, London WC2N 6JU. Tel: 0207-839-7779 Fax: 0207-439-7776. Promoting and protecting the interests of music publishers.
- PRS - PERFORMING RIGHT SOCIETY**, 2933 Berners Street, London W1P 4AA. Tel: 0207-580-5544 Fax: 0207-306-4250 Web: www.prs.co.uk. Collecting royalties on behalf of music creators & publishers for public performance & broadcast.
- SESAC - SOCIETY OF EUROPEAN SONGWRITERS & COMPOSERS**, Graham House, 53 Clarendon Road, Watford, Hertfordshire WD1 1LA. Tel: 01923-228-470 Fax: 01923-228-472. American performing right collection society.
- AMIA - ASSOCIATION OF MUSIC INDUSTRY ACCOUNTANTS**, c/o Kelly Greaves, Unity House, 205 Easton Road, London NW1 2AY. Tel: 0207-303-8200 Fax: 0207-382-9201. An association that represents the music industry accounting profession.
- IAEL - INTERNATIONAL ASSOCIATION OF ENTERTAINMENT LAWYERS**, 45-51 Whitefield Street, London W1P 6AA. Tel: 0207-407-1850 Fax: 0207-406-2744 Web: www.iael.org. Representing music industry solicitors/lawyers internationally.
- LAW SOCIETY (OF ENGLAND & WALES) - 113 Chancery Lane, London WC2A 1PL. Tel: 0207-242-1222 Fax: 0207-831-0344 Web: www.lawsociety.org.uk. Sets professional standards and improves the law. Keeps records on every solicitor and practice.**

BUSINESS SERVICES



Annex 4 - Examples of common use and recognition of Music community

MusiCares

“Through the MusiCares MAP Fund, The Recording Academy is able to provide members of the music community access to addiction recovery treatment regardless of their financial situation. But none of this would be possible without support from music fans and the music community¹.

(<http://www.grammy.com/blogs/what-is-the-musicares-map-fund>)

SoundExchange: An Ally for the Independent Music Community

“At SoundExchange, it doesn’t matter if you earn \$10 or more than \$50,000 each month. Large or small, superstar or rising star, every record label and each artist is treated with equal importance. We fight for the rights of all record labels and recording artists and constantly work to support, protect, and propel the music industry forward.” (<http://www.soundexchange.com/artist-copyright-owner/independent-music-community>)

“CUMBERLAND - Members of Rhode Island's music community, including musicians, sound engineers, roadies, and technical staff, are encouraged to attend an informational health insurance forum on Sunday, March 23, at 4 p.m., at Blackstone River Theatre, 549 Broad St.”

(<http://www.valleybreeze.com/2014-03-19/cumberland-lincoln-area/music-community-invited-health-insurance-forum#.U2iIfV5GKzc>)

Nashville Music Community

“The music industry has a \$9.65 billion annual economic impact on the Nashville region, according to a study conducted by the Nashville Area Chamber of Commerce and released in July 2013. The 27,000 jobs directly supported by the industry and the additional 29,000 with indirect ties to it account for more than \$3.2 billion in income. Metro Nashville students have aspirations to fill many of these jobs in the future—performers, songwriters, audio engineers, producers, arrangers and hundreds more. And the Nashville Music Community has a history of supporting the next generation of music makers through a culture of generosity. Featured in this section are the individuals and businesses that are giving back and creating an impact in the lives of students.”

(<http://musicmakesus.org/get-involved/nashville-music-community>)

Music Community Calls for Swift Action To Enhance Global IP Protection As Part of Special 301 Process

“WASHINGTON -- Representing diverse sectors of the music community, the American Association of Independent Music (A2IM), the American Federation of Musicians (AFM), the American Federation of Television and Radio Artists (AFTRA), the National Music Publishers Association (NMPA), the Recording Academy and the Recording Industry Association of America (RIAA) today issued a joint statement in response to an annual report by the International Intellectual Property Alliance (IIPA) under a section of trade law known as Special 301.”

(<http://www.riaa.com/newsitem.php?id=d37d0751-46aa-a65d-fc6c-a408def9d72c>)

Pulitzer Prize music community outreach letter

¹ This example is interesting as it differentiates between the Music community, and music fans, as the applicant does.

The Pulitzer Prizes

OFFICE OF THE ADMINISTRATOR

December 2013

To: Members of the Music Community

Once again, the Pulitzer Prize for Music seeks your assistance in our nationwide search for new musical works of distinction.

Last year, we introduced an online entry system (please go to [www.pulitzer.org/how to enter](http://www.pulitzer.org/how_to_enter)).

Entrants must use this system to provide entry information, upload entrant photographs and pay the \$50 entry fee for each entry by credit card. Actual entry material – recordings and scores (if available) -- must still be sent in hard-copy form to The Pulitzer Prize office via postal or other physical delivery.

The new entry system comes atop changes in recent years that broaden the Prize and reflect the Pulitzer Prize Board's desire to consider the full range of distinguished American music, from contemporary symphonic work to jazz, opera, choral, musical theater, movie scores and other forms of musical excellence. Among the most notable changes:

- Public release of a recording in the United States is accepted as the equivalent of a premier performance of a work. In such cases, the recording must be released during the 2013 calendar year and must be performed and recorded not earlier than two years prior to the public release date. While submission of a score is strongly urged, it is not required – a change providing greater latitude for improvised music.
- Public release of a recording in the United States can include a music file downloaded from a Web site, including that of a composer's, as long as the downloaded file is available for purchase by the general public.
- The eligibility period is now the calendar year, thus entries for the 2014 Music Prize will cover work that has had its American premiere between Jan. 1, 2013 and Dec. 31, 2013.

In our pursuit of new high-quality works, we are sending this announcement to a wide range of sources. We enclose a bulletin that contains the current regulations. Following the review process and announcement of the prize in April, we will endeavor to return scores and recordings to the sender or they may be picked up at the Pulitzer Office.

Entries must be postmarked by the Dec. 31, 2013 deadline, but works premiering earlier in the year should be submitted in advance of this date, if possible. That is especially true of operas and other works of significant length. Your cooperation is greatly appreciated.

Sig Gissler
Administrator
Pulitzer Prizes

Terry Pender
Secretary, Pulitzer Prize
Nominating Jury in Music

Economic Impact of the Music Community in the United States

“The American music community comprises various local performers, musicians, managers, labels, and many other participants. The following numbers are based on 2009 iMapData Inc. Nationally, there are 40,071 businesses involved in the music community that employ 146,493 people.”

“iMapData Inc. Note: The 2009 business and employee data are based upon businesses that have registered with Dun & Bradstreet and should be regarded as a conservative count of the local music community, which includes music groups, orchestras, composing & arranging, recorded music sales, studios, and concert management.” (<http://76.74.24.142/F53126EF-A04B-EEC4-BA3D-398C68909018.pdf>)

Helsinki Music Centre - a nationwide home for the music community

The event constituted a forum for an interdisciplinary debate, beginning with the UK experience. The key speakers were Anthony Sargent from the [Sage Gateshead](#), Gillian Moore from the Southbank Centre, and Sean Gregory from the Guildhall School of Music and Drama.

([http://creativitycities.britishcouncil.org/knowledge-and-ideas-bank/element/234/helsinki music centre - a nationwide home for the music community](http://creativitycities.britishcouncil.org/knowledge-and-ideas-bank/element/234/helsinki-music-centre-a-nationwide-home-for-the-music-community))

The world's music community met in Tunisia

Paris, November 2, 2009. At the closing of the 3rd World Forum on Music (Tunis, October 17-22 2009), the 150 participants from 59 nations were unanimous: This third edition had offered an outstanding knowledge-building and knowledge-sharing platform while contributing to setting the stage for the free celebration of music in the world!

(<http://www.imc-cim.org/news-imc/imc-news/287-the-worlds-music-community-met-in-tunisia.html>)

Washington Post March 27, 2007

"One of the good things about globalization is it has created a single international music community, and I feel very much part of it," **U2's the Edge** http://www.washingtonpost.com/wp-dyn/content/article/2007/03/26/AR2007032600496_pf.html

Global Music Institute

“We believe in the power of music to transcend linguistic, economic, cultural and intellectual barriers and envision a local-to-global music community in which all people, genres, cultures, instruments and sounds are in a state of dynamic collaboration and learning.”

[file://localhost/\(http://globalmusicinstitute.in/about\)](file://localhost/(http://globalmusicinstitute.in/about))



Contact Information Redacted

Contact Information Redacted

www.aarcroyalties.com

To Whom It May Concern:

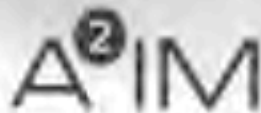
We are writing this letter in support of Far Further/.music LLC's application for a .music TLD.

Our organization, The Alliance of Artists and Recording Companies, Inc. (AARC) is the leading organization representing featured artists and recording companies, both domestically and abroad, in the areas of hometaping/private copy royalties and rental royalties. AARC, a non-profit organization, was formed to collect and distribute Audio Home Recording Act of 1992 (AHRA) royalties to featured recording artists and sound recording copyright owners (usually record companies.) However, based on its success in administering the AHRA royalties, AARC's mandate was expanded to include foreign hometaping/private copy and rental royalties. AARC represents over 100,000 artists and record labels worldwide, which represents a considerable share of all music currently sold and broadcasted.

We feel a .music TLD would be instrumental in the emerging digital market, and the way our world is heading in terms of digital communications. The existence of a .music TLD being approved for official companies and distribution channels who represent music is important for furthering technology and protecting intellectual property.

Sincerely,

Linda R. Bocchi
Executive Director and General Counsel



American Association
of Independent Music

March 23, 2012

Re: Music Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music Focused gTLD under the string ".music"

To Whom It May Concern:

The American Association of Independent Music ("A2IM") would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

The American Association of Independent Music ("A2IM"), is the not-for-profit 501(C) (6) trade organization representing the U.S. independent music label community in the areas of advocacy, commerce opportunities and member services including education, www.a2im.org. A2IM started to form in late 2004 to ensure that independent music labels, all of whom are small and medium size enterprises (SME's) were properly represented in the music community so they would not have to endure the business barriers to entry that occurred in the old music in the emerging new digital economy. A2IM received its IRS tax status determination letter granting A2IM tax exempt status effective June 29, 2005.

A2IM's membership is made up of 296 independent music labels located across the country stretching from Hawaii to Florida, that have banded together to form a central voice advocating for the health of the independent music sector. Our membership includes independent music label leaders like Beggars Group, Blg Machine, Concord Music Group, Curb Records, Epitaph, Razor & Tie, Windup, etc. but it should be noted that our membership is not just made up of these market leaders. A2IM membership also includes music labels of varying sizes (in terms of staffing, number of releases and revenues), and varying genres, many owned by artists like Grammy winner Alison Brown and Garry West of Compass Records in Nashville, Brett Gurewitz of Epitaph/Anti/Hellcat in L.A., the Hanson brothers of 3CG in Tulsa, Joan Jett's Blackheart Records in NYC, Moe's Fatboy label in Buffalo and the Skaggs Family and Gillian Welch's Acony records in Nashville, and many more. Many of our member labels are located across America, in addition to the traditional New York, Nashville and Southern California music bases. For example we have members like Mountain Apple in Hawaii, Barsuk in Seattle, Six Degrees in San Francisco, Basin Street in New Orleans, Saddle Creek in Omaha, RhymeSayers in Minneapolis, Red House in St. Paul, Ghostly in Ann Arbor, Alligator in Chicago, Righteous Babe in Buffalo, YepRoc in Haw River, North Carolina and Tropisounds in Miami. None of our members have U.S. revenues of over \$100 million from recorded music sales; most have revenues as low as \$2-5 million annually. **All of our label members have one thing in common: that they are small business people with a love for music who are trying to make a living and compensate their artists and employ their staffs.**

Our members, as small creators whose sector comprises over 30% of U.S. recorded music sales, are having their livelihoods challenged by unauthorized unpaid content acquisition over the Internet. Independent music labels are not luddites and the Internet has been the great equalizer for us on our ability to market, promote, monetize and introduce new music. The Internet has opened up countless opportunities for us and we would not do anything to jeopardize this improved access. Additionally, our

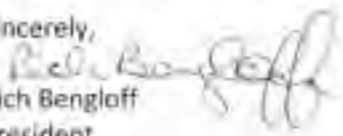
members have embraced new business models that allow for efficient distribution of music, such as the licensing of free-to-the user streaming services and webcasting, one price per month subscription services, bundled mobile services, etc. We honestly feel there is no other industry that has embraced new forms of economic and delivery models as completely as the music industry. Our members also, on their own terms, give away free content to reward existing fans and cultivate new fans of their label's artists. However against this backdrop widespread copyright infringement has been to the detriment of our members specifically and to the music economy generally. Therefore, we have a focused interest in ensuring that any music themed or focused gTLD operates in a manner that only allows authorized dissemination of music and provides for the financial and legal resources to run the .music gTLD within fair enforcement provision guidelines that protect intellectual property creators.

In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with many other music related trade associations, representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its proposed registrar requirements, its financial and technical capabilities to operate the gTLD operations and many other areas. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions.

Based on the above, the music creator community group involved decided to endorse the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music creator community under the string ".music" for the benefit of the music community and A2IM is supporting the group's consensus decision as a member of the music creator community. We are hopeful that Far Further will operate the gTLD in a manner that respects and protects artists' and owner's rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions please contact me at the below address.

Sincerely,


Rich Bengloff
President

American Association of Independent Music ("A2IM")

Contact Information Redacted

cc: John Styll, Far Further
Dr. Stephen Crocker, ICANN

American Association of Independent Music - Contact Information Redacted

Hal Ponder

Director

Contact Information Redacted



AFL-CIO/CLC Affiliated

www.afm.org

April 12, 2012

To Whom It May Concern:

Re: Community Support for Far Further's (or its subsidiary .music LLC) Application For a Music Focused gTLD under the string ".music"

The American Federation of Musicians in the United States and Canada (AFM) would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

We are the largest organization in the world representing the interests of professional musicians. Whether negotiating fair agreements, protecting ownership of recorded music, securing benefits such as health care and pension, or lobbying our legislators, the AFM is committed to raising industry standards and placing the professional musician in the foreground of the cultural landscape.

Our members have been deeply affected by the growth of the Internet and the World Wide Web, often to their detriment. A music-focused gTLD is an opportunity for AFM and the musicians we represent, in terms of enhanced visibility, increased cultural diversity and of an environment that is supportive of copyright and related rights.

In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with several other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.

Based on the above, the AFM supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community under the string ".music" for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC) led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects artists' and owners' rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions about this letter, please contact me at [Contact Information Redacted](#)

Sincerely,

Hal Ponder
Director of Government Relations



JOAN M. MCGIVERN, ESQ.
General Counsel &
Senior Vice President

March 29, 2012

Re: Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music Focused gTLD under the string ".music"

To Whom It May Concern:

The American Society of Composers, Authors and Publishers (ASCAP) would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

Formed in 1914, ASCAP is the first and largest performing rights organization (PRO) in the United States. It is an unincorporated member-owned association of composers, songwriters, lyricists, and publishers of copyrighted music. ASCAP's over 427,000 members grant to ASCAP a non-exclusive right to license non-dramatic public performances of their copyrighted musical works. ASCAP licensees include local television and radio stations, broadcast and cable/satellite networks, cable system operators and direct broadcast satellite services, Internet and wireless service providers and websites, and thousands of other businesses throughout the United States that perform music publicly. After deducting its operating expenses, ASCAP distributes all license fees it collects to its members as royalties.

ASCAP members include the owners of the smallest of American businesses, namely songwriters and composers whose livelihoods depend on public performance royalties and who have been deeply affected by the digital revolution and the growth of the Internet. The Internet has transformed how music is created and consumed, presenting both growth opportunities in the form of varied digital channels for music as well as significant challenges in ensuring that ASCAP members are fairly compensated for the public performance of their musical works. Therefore, ASCAP on behalf of its members has a vested interest in ensuring that any music themed or focused gTLD operates in a manner that: (1) respects intellectual property rights; (2) supports fair compensation to the creators and copyright owners of musical works; and (3) provides a fair and transparent mechanism by which domain names are first available to those entitled to them.

In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, ASCAP, along with several other music related associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its whois commitments, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.

AMERICAN SOCIETY OF COMPOSERS, AUTHORS & PUBLISHERS
Contact Information Redacted

Web Site: <http://www.ascap.com>

Based on the above, ASCAP supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community. We believe its application will show that Far Further (or its subsidiary .music LLC), led by executives who have deep knowledge of, and experience in, the music community, will operate a gTLD in a manner that respects and protects songwriters, composers, lyricists and publishers of music and promotes the legitimate enjoyment of music by consumers.

Should you have any questions about this letter, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joann McGivern', with a long horizontal flourish extending to the right.

cc: John Styll, Far Further
Dr. Stephen Crocker, ICANN

Bogotá, Enero 24 de 2013

Sr. Iván Sánchez
Experto Comisionado
Comisión de Regulación de Comunicaciones
Colombia
Email: Contact Information Redacted

Mr. William German Torres Lopez
Asesor, Ministro de Tecnologías de la Información y Telecomunicaciones, MinTIC
Colombia
Email: Contact Information Redacted

Respetados Señores

Estamos escribiendo esta carta como miembros del sector musical en Colombia, y particularmente de la Asociación Colombiana de Editoras de Musica ACODEM, Entidad sin ánimo de Lucro, cuyo objeto es, entre otros, hacer respetar en Colombia los derechos de autor que asisten a sus Editoras Asociadas, a saber, PEER MUSIC DE COLOMBIA S.A., SONY ATV MUSIC PUBLISHING, UNIVERSAL MUSIC PUBLISHING COLOMBIA , G&C PULISHERS LTDA, FONDO MUSICAL LTDA, DISCOS FUENTES, EDIMUSICA S.A. PRODEMUS COLOMBIA SAS, EDICIONES MUSICALES MVO LTDA, EDITORA COLOMBIANA DE DISCOS, DISCOS DAGO, REDITEM, PILES LTINOAMERICA SAS, EDITORA MANO DE OBRA LTDA, DISCOS EL DORADO LTDA, LITHOMERCANTIL, BALBOA VANDER DE COLOMBIA S.A., COMPANIA COLOMBIANA DE DISCOS-CODISCOS, INDUSTRIAS FONOGRAFICAS EL DORADO LTDA.

Tenemos entendido que varias entidades han aplicado ante la ICANN para desarrollar el proyecto gTLD ".music". Nosotros creemos que este proyecto debe ser desarrollado por una entidad aspirante que tenga el apoyo global de la comunidad musical, y no se le debe dejar simplemente en manos del mejor postor. Es por esto que hemos escrito esta carta, para dar nuestro apoyo a la aplicación de Far Further/.music, para que sea esta entidad quien desarrolle el proyecto.

Far Further/.music ha trabajado varios años con varios miembros del sector musical a nivel global para desarrollar políticas que protejan los derechos de autor.

Far further también tiene el apoyo de mas de 40 organizaciones reconocidas a nivel global que representan a importantes autores, cantantes, editoras, etc alrededor del mundo)

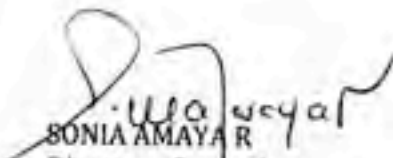
Sabemos que el proyecto de gTLD va a generar nuevas oportunidades para distribuir obras, pero también tiene el potencial de traer serios riesgos y consecuencias para los creadores de música.

Los gobiernos alrededor del mundo han reconocido la existencia de una comunidad musical y han promulgado tratados y leyes para proteger los derechos de autor y garantizar que los artistas, compositores y músicos sean justamente compensados por el uso e interpretación de sus obras. A pesar de estos esfuerzos ha sido supremamente difícil cumplir con este fin en la era del internet.

Esperamos que Colombia tome partido en beneficio de la música de su país con respecto a temas musicales TLDs.

De acuerdo con el principio de servir al interes publico, ICANN va elegir al aspirante que mejor represente los intereses de su respectiva comunidad. Solicitamos gentilmente a ustedes como miembros del Comité Asesor gubernamental de Colombia, que aconsejen a la junta directiva de ICANN en el sentido de dar preferencia a la comunidad musical, con un representante que otorgue seguridad juridica y efectiva gobernabilidad de los derechos que representan los intereses de la comunidad creativa de la cual hacemos parte.

Saludos



SONIA AMAYA R
Directora General

CC. Junta Directiva Acodem

Subject: ICANN - Far Further's application for .music

Date: March 8, 2013 12:32:02 PM EST

To: steve.crocker@icann.org

Cc: Gustavo Palacio Contact Information Redacted



Steve Crocker

c/o ICANN

12025 Waterfront Drive, Suite 300

Los Angeles, CA 90094-2536

USA

steve.crocker@icann.org

Dear Dr. Crocker:

We are sending this letter in support of Far Further/.music LLC's application for the .music Top-Level Domain

APDIF Colombia, is a non-profit association that includes the main phonographic producers in the country and strive to support the production and create awareness about the cultural value of music.

With this in mind, it is of utmost importance that the .music Top-Level Domain be operated in the best interests of the music community. We believe that the .music gTLD should

be granted to Far Further's .music LLC, which already has the support of the global music community, as evidenced by the unparalleled endorsement from the recognized and established national and international, community-based music organizations.

We want to do our part to ensure that the .music TLD is operated in the best interests of the legitimate music community and not simply auctioned off to the highest bidder. The principals behind Far Further have deep knowledge of, and experience in, the music community, and will operate the gTLD in a manner that respects and protects authors and owners' rights in copyrighted music and promotes the legitimate distribution and enjoyment of music for everyone. We have carefully reviewed their programs and we are confident in their experience and expertise regarding all aspects of operating this particular domain.

Therefore, APDIF Colombia supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate the .music gTLD for the music community under the string ".music" for the benefit of the music community.

Sincerely,

Gustavo Adolfo Palacio

Director Ejecutivo

APDIF Colombia

Contact Information Redacted

www.apdifcolombia.com

Contact Information Redacted



Re: Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music- Focused gTLD under the string ".music"

To Whom It May Concern:

The Association of Independent Music (AIM) would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music-focused gTLD under the string ".music"

AIM is a trade body established in 1999 to provide a collective voice for the UK's independent music industry. AIM represents over 800 member companies, from the largest and most respected labels in the World, to small start-ups and individual artists releasing their own music for the first time. AIM promotes this exciting and diverse sector globally and provides a range of services to members, enabling member companies to grow, grasp new opportunities and break into new markets.

The UK's independent music sector produces some of the most exciting and popular music in the World, and makes a huge contribution to the country's economy. AIM's 800+ members span every musical genre and every corner of the UK. They are a vibrant, entrepreneurial and diverse bunch that has one thing in common: the music comes first.

AIM oversees a sector whose artists have claimed five of the last seven Mercury Music Prizes and regularly accounts for 30% of all UK artist album awards (silver, gold, platinum). AIM's Board is elected democratically by members and regularly rotated, to ensure there is always a fresh and knowledgeable group of experienced industry professionals driving AIM forward.

We are pleased to note that Board members come from large and small companies, many different parts of the UK and all musical genres.

In the months prior to the application window, several entities with an interest in operating a music- themed gTLD reached out to various music-related trade associations to seek their support and endorsement.

Separate due diligence and analysis was carried out on the respondents and their proposed plans.

Based on the above, AIM supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music-themed gTLD for the music community under the string ".music" for the benefit of the music community.

Should you have any questions about this letter or our position, please feel free to contact me.

Yours faithfully,

Alison Wenham
Chair and CEO



3 May 2012

TO WHOM IT MAY CONCERN:

This letter is in support of the Far Further's application to operate a music themed gTLD ('.music').

Australasian Performing Right Association (APRA) is a performing right collection society established in 1926 to administer the public performance and communication rights (often referred to collectively as performing rights) of its songwriter, composer and music publisher members. APRA represents over 69,000 music creators in Australia and New Zealand alone. In addition to representing the interests of its Australasian members, APRA represents the vast majority of the world's music creators through its reciprocal agreements with similar performing right societies throughout the world.

In addition, APRA manages the reproduction rights business of its sister collecting society, AMCOS (Australasian Mechanical Copyright Owners' Society). AMCOS represents virtually all music publishers in Australia and New Zealand and, through reciprocal arrangements, the vast majority of the world's composers, writers and music publishers. On behalf of its members, AMCOS grants licences for the reproduction of musical works in certain circumstances. This involves collecting royalties from digital service providers, independent record companies, filmSmakers, educational institutions and others who record or reproduce music in some form.

Widespread online copyright infringement has had a severe impact the Australian music industry. We agree it is the industry's interest to have the '.music' gTLD allocated to an organisation that will operate in a manner that will proactively assist in attempts to curtail the flood of unlicensed musical content on the internet.

Given the level of positive engagement Far Further has undertaken internationally with our colleagues in the broader music industry, APRA/AMCOS is happy to endorse their application for this music themed gTLD.

A handwritten signature in black ink, appearing to read "Brett Cottle".

BRETT COTTLE
CHIEF EXECUTIVE

From: Jeremy Fabinyi Contact Information Redacted

Subject: Re: ICANN Governmental Advisory Committee

Date: January 14, 2013 5:43:29 AM CST

To: Contact Information Redacted

Cc: Katharina Obermeier Contact Information Redacted

Ms Catherine

Gerrard Contact Information Redacted

Attention: Peter Nettlefold

Department of Broadband, Communications and the Digital Economy

Manager – Internet Governance, IPND and Numbering Team

By Email: Contact Information Redacted

Dear Mr. Nettlefold

We are writing in our capacity as a member of the music community in Australia. AMPAL is the trade association for music publishers in Australia and New Zealand.

We understand that there are several entities that have applied to ICANN for the gTLD “.music.” It is our position that “.music” should be awarded to an applicant that has the global support of the music community, and not indiscriminately auctioned off to the highest bidder. Therefore, we are writing in support of Far Further/.music LLC’s community-based application.

Far Further/.music LLC has spent years working with key stakeholders from the worldwide music community to develop policies for creative rights protection and membership requirements.

Far Further/.music LLC also has the endorsement of more than 40 internationally-recognised organisations that represent most professional songwriters, music publishers, artists, musicians and record labels across the world.

While ICANN’s new gTLD programme will no doubt create many new opportunities for distributing creative works, it has the potential to also pose serious risks for creators.

Governments around the world have consistently recognised the

existence of a global music community and enacted treaties and legislation to protect musical works from copyright infringement and to ensure that artists, songwriters and musicians are fairly compensated for the use and performance of their work. Despite these efforts, it has been extremely difficult to have these rights properly secured in the Internet age.

We hope that Australia will take a stand on behalf of our country's music community with respect to music-themed TLDs.

In accordance with its principle of serving the public interest, ICANN should award TLDs to the applicant that best represents the interests of its respective community. We want to encourage you to support the notion that, in general, a community application in a contention set is the "natural" applicant for a string. We hereby request the GAC to issue "advice" to the ICANN Board to give communities preference based on this principle rather than relying solely on a point system construct that may deny logical and rightful community stakeholders their need for safeguards and governance.

Best regards,

Jeremy Fabinyi
General Manager

AMPAL

Contact Information Redacted

Web Site; www.ampal.com.au





Australian Recording Industry Association Ltd.
ABN 72 002 692 944 ACN 002 692 944

Contact Information
Redacted

Website: www.aria.com.au

1st May 2012

To Whom It May Concern;

Re: Community Support For Far Further's (or its subsidiary .music LLC) Application for a Music Focused gTLD under the string ".music"

The Australian Recording Industry Association (ARIA) would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music-focused gTLD under the string ".music"

The Australian Recording Industry Association (ARIA) is a national industry association proactively representing the interests of its members, comprising of more than 100 record labels across Australia, ranging from small "boutique" labels, to medium size organisations and very large companies with international affiliates.

ARIA is administered by a Board of Directors comprising senior executives from record companies, both large and small.

ARIA's objective is to advance the interests of the Australian recording industry. ARIA achieves this by:

- acting as an advocate for the recorded music industry, both domestically and internationally
- supporting Australian music, and creating opportunities to help it be heard
- playing an active role in protecting copyright especially in relation to music piracy
- collecting statistical information from members and retailers and compiling numerous ARIA charts with data provided by over 1,100 retailers
- providing, in certain cases, a reproduction licensing function for various copyright users
- assisting those in the music industry through our support of Support Act Limited, the music industry's benevolent fund
- staging the highly prestigious annual ARIA Awards which recognises the achievements of artists in the Australian recorded music industry.

In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our international peak body (IFPI), along with several other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for an operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its whois commitments, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in



writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.

Based on the above, ARIA supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music-themed gTLD for the music community under the string “.music” for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC) will operate the gTLD in a manner that respects the creator’s and owner’s rights in their music and promotes the legitimate distribution and consumption of music using executives that have deep knowledge of, and experience in, the music community.

Should you have any questions about this letter or our position, please feel free to contact me.

Yours sincerely,

A handwritten signature in black ink, consisting of a circular loop followed by a horizontal line extending to the right.

DAN ROSEN
Chief Executive Officer



Richard Conlon
Senior Vice President
Corporate Strategy, Communications & New Media

March 30, 2012

Re: Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music Focused gTLD under the string "music"

To Whom It May Concern:

BMI would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

Broadcast Music, Inc.® (BMI®), a global leader in music rights management, is an American performing rights organization that represents more than 500,000 songwriters, composers and music publishers in all genres of music and more than 7.5 million musical works. BMI has represented the most popular and beloved music from around the world for more than 70 years. The company provides licenses for businesses that perform music, and distributes the fees it generates as royalties to the musical creators and copyright owners it represents.

Our members' businesses and livelihoods have been deeply affected by the growth of the internet and the World Wide Web. It has transformed how music is created and how recorded music is consumed. It presents both growth opportunities in the form of varied digital distribution channels for music as well as significant threats in the form of rampant online copyright infringement of copyrighted music. This widespread infringement has been to the detriment of our members specifically and to the music economy generally. Therefore, we have a vested interest in ensuring that any music themed or focused gTLD operates in a manner that encourages the broad distribution and enjoyment of music in a manner that respects intellectual property rights and discourages infringement.

In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with several other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its whois commitments, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.


Contact Information Redacted



Based on the above, BMI supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community under the string ".music" for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC), led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects artists' and owner's rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions about this letter, please contact Richard Conlon, Senior Vice President, Corporate Strategy Communications and New Media, 212-220-3010, rconlon@bmi.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Conlon". The signature is fluid and cursive, with a prominent initial "R".

cc: John Styll, Far Further
Dr. Stephen Crocker, ICANN



Secrétaire Général

27 March 2012

Re: Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music Focused gTLD under the string ".music"

To Whom It May Concern:

BIEM, the International Bureau of Mechanical Right Societies, would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

BIEM, created in 1929, is an international organisation gathering 52 Mechanical Rights Societies (Members) operating in 56 territories (a list of our Members is available at www.biem.org). Our Members are administering recording and mechanical rights of protected musical works, with a view to the efficient administration of those rights. They license the reproduction of songs (including musical, literary and dramatic works). Their members are composers, authors and publishers and their clients are record companies and other users of recorded music. They also license mechanical aspects of the downloading of music via the Internet.

BIEM negotiates a standard agreement with representatives of the International Federation of the Phonographic Industry (IFPI) fixing the conditions for the use of the repertoire of its Members. BIEM's role is also to assist in technical collaboration between its member societies and to help in solving problems that arise between individual members.

Our members' businesses and livelihoods have been deeply affected by the growth of the Internet and the World Wide Web. It has transformed how music is created and how recorded music is consumed. It presents both growth opportunities in the form of varied digital distribution channels for music as well as significant threats in the form of rampant online copyright infringement of copyrighted music. This widespread infringement has been to the detriment of our members specifically and to the music economy generally. Therefore, we have a vested interest in ensuring that any music themed or focused gTLD operates in a manner that encourages the broad distribution and enjoyment of music in a manner that respects intellectual property rights and discourages infringement.

In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with several other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to

...

Contact Information Redacted



apply for and operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its whois commitments, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.

Based on the above, BIEM supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community under the string ".music" for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC), led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects artists' and owner's rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions about this letter, please contact Mr Ronald MOOD, BIEM Secretary General, 20/26 boulevard du Parc, 92200 Neuilly-sur-Seine, France- +33 1 55 62 08 40, Ronald.mood@biem.org.

Sincerely,

Ronald MOOD

cc: John Styll, Far Further
Dr. Stephen Crocker, ICANN

BIEM No. 1220



Chambre syndicale des Éditeurs de Musique de France

Laurent Ferrali
Chargé de mission Gouvernance de l'Internet et satellites
DGCIS – Service des Technologies de l'Information
et de la communication
Contact Information Redacted

Paris, le 23 janvier 2013

Objet : gTLD ".music"

Monsieur,

Nous vous écrivons en tant qu'acteurs de la filière musicale française. La Chambre syndicale des Éditeurs de Musique de France (la CEMF, créée il y a 140 ans) regroupe des éditeurs qui consacrent leurs activités à la musique classique et contemporaine ainsi qu'à la pédagogie musicale. Notre activité repose principalement sur l'exploitation de supports graphiques (partitions et matériels d'orchestre).

Nous avons appris que plusieurs structures sont candidates auprès de l'ICANN pour l'attribution du gTLD ".music" et nous espérons que ". music" sera attribué à un candidat unanimement soutenu par la filière musicale, et non pas indifféremment au plus offrant.

C'est pourquoi, nous souhaitons témoigner par la présente de notre soutien à la candidature de la société FarFurther/.music LLC, plébiscitée par notre communauté musicale.

FarFurther/.music LLC a travaillé des années avec des intervenants clés du secteur musical du monde entier pour élaborer des politiques de protection des droits.

FarFurther/.music LLC est également soutenu par plus de 40 organisations internationalement reconnues qui représentent les auteurs, éditeurs de musique, les artistes, les musiciens et les maisons de disques à travers le monde.

Le programme de nouveaux gTLD de l'ICANN va sans aucun doute créer de nouvelles opportunités pour la distribution d'œuvres de création, mais il pourrait également présenter des risques graves pour les créateurs.

1/2

Président
Pierre Lemoine

Vice-Présidents
François Leblond
Claude Truiver

TRESORIER
Eric Chouhah

Secrétaire Générale
Nelly Quéval

COMMISSIONS
Commerciale : Pierre Lemoine
Juridique : Claude Truiver
Location / François Decaux
Technologies : Jean Davoust

0338 3049341 M 33070 44000004

Les gouvernements du monde entier ont toujours reconnu l'existence d'une communauté mondiale de la musique et ont adopté des traités et des législations pour protéger les œuvres musicales contre les violations du droit d'auteur et pour s'assurer que les artistes, les auteurs-compositeurs et les musiciens soient rémunérés équitablement pour l'utilisation et la représentation de leur travail.

Malgré ces efforts, il a été extrêmement difficile de garantir ces droits dans le secteur d'Internet et nous espérons que la France prendra position au nom de la filière musicale de notre pays en ce qui concerne les TLD.

Conformément à son principe de servir l'intérêt public, l'ICANN doit accorder le TLD au candidat qui représente le mieux les intérêts de la communauté concernée. Dans un contexte compétitif comme celui-ci, une candidature collective nous semble la plus pertinente.

Nous demandons au GAC d'émettre un avis aux administrateurs de l'ICANN afin de préférer les candidatures collectives fondées sur ce principe plutôt que de se baser uniquement sur un système de points qui pourrait aller à l'encontre des besoins de garanties et de gouvernance des acteurs d'une communauté logique et légitime.

Je vous prie de croire, Monsieur, en l'expression de mes sincères salutations.



Pierre Lemoine
Président



CHURCH MUSIC PUBLISHERS ASSOCIATION
Contact Information Redacted

DIANE S. COBB, EXECUTIVE SECRETARY
J. RUSH HICKS, JR., LEGAL COUNSEL

April 6, 2012

ICANN

Attn. Stephen Crocker
4676 Admiralty Way, Suite 330
Marina del Rey, CA 90292-6601
USA

Re: Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music Focused gTLD under the string ".music"

To Whom It May Concern:

The Church Music Publishers' Association would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

The Church Music Publishers' Association (CMPA) is an organization of religious music publishers founded in 1926 that works to support and promote worldwide copyright protection and education. Among CMPA's 55 member companies are nondenominational independent publishers, as well as the major denominational publishing companies for various churches. The wide range of sacred, gospel and contemporary Christian music products created and licensed by CMPA companies include hymnal and praise songs, and choral, instrumental, handbell, keyboard and children's music.

Our members' businesses and livelihoods have been deeply affected by the growth of the Internet and the World Wide Web. It has transformed how musical compositions and recorded music is created and consumed. It presents both growth opportunities in the form of varied digital distribution channels for music as well as significant threats in the form of rampant online copyright infringement of copyrighted music. This widespread infringement has been to the detriment of our members specifically and to the music community and economy generally. Therefore, we have a vested interest in ensuring that any music themed or focused gTLD operates in a manner that encourages the broad distribution and enjoyment of music in a manner that respects intellectual property rights and discourages infringement.

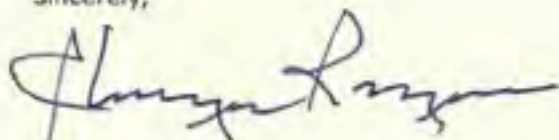
ABINGDON PRESS • ALBERT E. BRUNLEY & SONS, INC. • ALFRED PUBLISHING COMPANY, INC. • AUGSBURG FORTRESS • BECKENHORST PRESS, INC. • FRED BOCK MUSIC COMPANY • BRENTWOOD-BENSON MUSIC PUBLISHING, INC. • BRIER PATCH MUSIC • CARL FISCHER LLC • CHRISSTERS GUILD • CONCORDIA PUBLISHING HOUSE • DAYWIND MUSIC PUBLISHING • EM CHRISTIAN MUSIC GROUP • GAITHER MUSIC COMPANY • GENIUS MUSIC • GENEVOX MUSIC GROUP • G.I.A. PUBLICATIONS, INC. • GLORY MUSIC, INC. • HILLSONG PUBLISHING • HINSHAW MUSIC, INC. • HOPE PUBLISHING COMPANY • INTEGRITY MEDIA, INC. • JEFFERS HANDBELL SUPPLY, INC. • KOREA CHURCH MUSIC PUBLISHING COMPANY • KINGSDOM COMMUNICATIONS, LTD. • NEIL A. KUOS MUSIC COMPANY • HAL LEONARD CORPORATION • ELLENAS PUBLISHING COMPANY • THE LORENZ CORPORATION • MANNA MUSIC, INC. • MARAMATHA MUSIC • MERCY VINEYARD PUBLISHING • NORWEGIAN STAR MUSIC PUBLISHERS • OCP PUBLICATIONS • PRAISE-GATHERING MUSIC GROUP • THEODORE PRESSER COMPANY • REVIEW & HERALD PUBLISHING ASSOCIATION • SHAWNEE PRESS, INC. • DAVID E. SMITH PUBLICATIONS, L.L.C. • SPIRIT SOUND MUSIC GROUP • SUNMAN MUSIC • TROUBADOUR FOR THE LORD • UNISON MUSIC PUBLISHERS B.V. • UNIVERSAL CHRISTIAN MUSIC PUBLISHING GROUP • WARNER BROS. PUBLICATIONS, INC. • WORDMUSIC • WORLD LIBRARY PUBLICATIONS

In the months prior to the application window, several entities with an interest in operating a music-themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with several other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music-themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.

Based on the above, CMPA supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music-themed gTLD for the music community under the string ".music" for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC) led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects artists' and owners' rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions about this letter, please contact me at eraymer@comcast.net.

Sincerely,



Elwyn Raymer
President/CEO
CMPA Action Fund

cc: John Styll, Far Further
Rush Hicks, CMPA counsel
Steve Shorney, CMPA President

From: Heinz Stroh Contact Information Redacted
Subject: **Top-Level- Domain ".music"**
Date: January 23, 2013 8:57:48 AM CST
To: Contact Information Redacted

Sehr geehrter Herr Schöttner,

der Deutsche Musikverleger-Verband ist die berufsständische Organisation der Musikverlage in Deutschland. Mit dieser Mail wenden wir uns als deutsches Mitglied der ICMP an Sie. ICMP (International Confederation of Music Publishers) ist die weltweite Organisation der Musikverlegerverbände.

Konkret geht es um die internationale Top-Level- Domain „music“. Wie uns mitgeteilt wurde, haben verschiedene Organisationen bei der ICANN diese Endung beantragt. Wir sind der Auffassung, dass die Endung „music“ für diejenigen zur Verfügung gestellt werden sollte, der weltweit die Musikbranche repräsentiert und nicht an ein Unternehmen, das den höchsten Betrag bietet. Deswegen möchten wir mit diesem Schreiben ausdrücklich die Firma Far Further/.music LLC unterstützen, die einen entsprechenden Antrag auf die Vergabe der Domain-Endung „music“ gestellt hat.

Far Further/.music LLC arbeitet seit vielen Jahren weltweit mit allen Rechteinhabern aus dem Bereich der Musik zusammen, um eine Strategie zu entwickeln, mit der die kreativen Leistungen der Musiker und Urheber geschützt werden sollen. Das Unternehmen wird von mehr als 40 international anerkannten Organisationen, die die Urheber, Künstler, Musiker, Musikverleger und Plattenfirmen weltweit vertreten, unterstützt.

Das Projekt der ICANN, neue Domain-Endungen zu vergeben, bietet sicherlich viele neue Möglichkeiten, urheberrechtlich geschützte Werke zu verbreiten, allerdings bestehen dabei jedoch auch für die Urheber und deren Partner große Risiken. International haben viele Regierungen auch durch Gesetzgebung und entsprechende Verträge anerkannt, wie wichtig es für einen globalen Musikmarkt ist, Urheberrechte zu schützen und dafür Sorge zu tragen, dass die Autoren und Musiker für die Nutzung ihrer Werke angemessen vergütet werden. Trotz dieser internationalen Bemühungen hat

sich jedoch gezeigt, dass es im Internet-Zeitalter in der Praxis sehr schwierig ist, die Urheberrechte durchzusetzen.

Wir hoffen, dass Sie als Vertreter Deutschlands die Musikbranche in dem Bestreben unterstützen, die Domain-Endung „music“ für die Musikbranche zu sichern.

Gerade vor dem Hintergrund, dass die ICANN ihre Tätigkeit im öffentlichen Interesse ausüben sollte, plädieren wir dafür, dass derjenige die entsprechenden Top-Level- Domains organisiert, der die Interessen der entsprechenden Branche vertritt. Wir würden uns deshalb sehr freuen, wenn Sie unser Anliegen in den Verhandlungen des Governmental Advisory Committee (GAC) unterstützen und Ihren Einfluss entsprechend geltend machen könnten.

Sollten von Ihrer Seite aus noch Fragen bestehen, stehen wir Ihnen gern zur Verfügung.

Für eine Stellungnahme zu unserem Vorschlag bzw. unserer Bitte wären wir sehr dankbar.

Mit freundlichen Grüßen

Deutscher Musikverleger-Verband e.V.
Geschäftsführung

Dr. Heinz Stroh

Contact Information Redacted

www.dmv-online.com

Deutsche Orchestervereinigung e.V.

Der Geschäftsführer



Deutsche Orchestervereinigung e. V. · PF 02 12 75 · 10124 Berlin

Bundesministerium für Wirtschaft und Technologie
Contact Information Redacted

AZ: Gen 300a /go

29. Januar 2013

Dear Mr. Schöttner,

we are writing as a concerned member of the music community in Germany.

The German Orchestra Union [Deutsche Orchestervereinigung (DOV)] is the professional association and union of members of professional orchestras, radio choirs and radio big bands in Germany. Nearly all of the musicians in some 150 professional ensembles are members of the DOV.

We understand that there are several entities that have applied to ICANN for the gTLD “.music.” It is our position that “.music” should be awarded to an applicant that has the global support of the music community, and not indiscriminately auctioned off to the highest bidder. Therefore, we are writing in support of Far Further/.music LLC’s community-based application.

Prior to submitting its application, Far Further/.music LLC spent years working with the representative stakeholders from within the worldwide music community to develop policies for creative rights protections and membership requirements that not only serve the common interest of the global music community and meet or exceed ICANN’s guidelines, but also are balanced with the needs of the Internet user and music lover.

In addition to the support of the global noncommercial sector represented by the International Federation of Musicians and others, Far Further/.music LLC also has the endorsement of more than 40 internationally-recognized organizations that represent virtually every professional songwriter, music publisher, artist, musician and record label in the world. This is an unprecedented demonstration of unity and support from the global music community.

Music is a protected and regulated sector in most countries throughout the world, where the royalty rates are controlled by government statute. While ICANN’s new gTLD program will no doubt create many new opportunities for distributing creative works, it has the potential to also pose serious risks for creators.

Governments around the world have consistently recognized the existence of a global music community and enacted treaties and legislation to protect musical works from copyright

infringement and to preserve music creators' livelihoods by insuring that artists, songwriters and musicians are fairly compensated for the use and performance of their work.

Despite these internationally recognized laws and regulations, it has been extremely difficult to have these rights properly secured in the Internet age.

It would be our hope that Germany will take a stand on behalf of our country's music community with respect to music-themed TLDs.

In accordance with its principle of serving the public interest, ICANN should award TLDs to the applicant that best represents the interests of its respective community. We want to encourage you to support the notion that, in general, a community application in a contention set is the "natural" applicant for a string.

We hereby request the GAC to issue "advice" to the ICANN Board to truly give communities preference based on this principle rather than relying solely on a point system construct that may deny logical and rightful community stakeholders their critical need for safeguards and governance.

We appreciate the opportunity to share our thoughts with you.

Best Regards,



Gerald Mertens
CEO

European Music Council, Contact Information Redacted

To whom it may concern

Letter of Support

We are sending this letter in support of Far Further/.music LLC's application for the .music Top-Level Domain.

The **European Music Council (EMC)** is a non-profit organisation dedicated to the development and promotion of all kinds of music in Europe. It is a network for representatives of both national music councils and European organisations involved in the fields of music education, creation, performance and heritage. It was founded in 1972 as the European regional group of the International Music Council (IMC). The EMC contributes to a better mutual understanding amongst people and their different cultures, and promotes the right for their musical cultures to coexist. It acknowledges the significant role that music and culture play in the political and societal development of a peaceful and integrative Europe. Therefore it advocates on local, national and European levels for an appropriate framework, respecting equal rights and opportunities for music, music professionals and access to music. The European Music Council serves its members by advocating for the societal and political significance of musical diversity in Europe and, hence, plays a key role in supporting the European communities that want to celebrate their music.

The EMC is a membership organisation, acting as a stakeholder for the European music sector including all kinds of musical genres on different levels. The 81 member organisations are based in 29 European countries, as such, the EMC reaches out directly and indirectly to more than 40 million music lovers across Europe.

In line with the IMC's 5 Musical Rights, the EMC's strategies and actions honour human and cultural rights such as:

- the right for all children and adults to express themselves musically in full freedom;
- the right for all children and adults to learn musical languages and skills;
- the right for all children and adults to have access to musical involvement through participation, listening, creation and information;
- the right for musical artists to develop their artistry and communicate through all media, with appropriate facilities at their disposal;
- the right for musical artists to obtain fair recognition and remuneration for their work.

EMC – European Music Council
Contact Information Redacted

www.emc-imc.org

In line with these five music rights, it is of utmost importance that the music-themed generic top-level domains are operated in accordance with these rights. We would like to emphasise the importance that online content that is non-profit, community-based, and musically diverse has access to this domain. We understand that Far Further intends to apply for the .music TLD and we trust that Far Further will operate .music with the highest degree of integrity, while promoting and protecting the diversity of musical expressions worldwide. We have carefully reviewed their programs and we are confident in their experience and expertise regarding all aspects of operating this particular domain.

A handwritten signature in black ink, appearing to read 'Simone Dudt', written in a cursive style.

Simone Dudt,
Secretary General
European Music Council



**Ressort 3
Medien – Kunst – Industrie
Fachgruppe Musik**

**Vereinte
Dienstleistungs-
gewerkschaft**

Bundesverwaltung

ver.di • Fachgruppe Musik • Postfach • 10112 Berlin
Bundesministerium
für Wirtschaft und Technologie
Herrn Hubert Schöttner
Deutscher Vertreter
im Regierungsbeirat GAC bei der ICANN
Contact Information Redacted

Contact Information
Redacted

Dirk von Kugelgen
Fachgruppenleiter

Contact Information Redacted

<http://musik.verdi.de>

Datum

28. Januar 2013

Ihre Zeichen

Unsere Zeichen

vKü

gTLD ».music.«

Sehr geehrter Herr Schöttner,
Dear Mr. Schöttner,

We are writing as a concerned member of the music community in Germany. Our mission supports the development sustainable music sectors worldwide, to create awareness about the value of music, to make music matter in all social fabric.

We understand that there are several entities that have applied to ICANN for the gTLD ».music.« It is our position that ».music« should be awarded to an applicant that has the global support of the music community, and not indiscriminately auctioned off to the highest bidder. Therefore, we are writing in support of Far Further/.music LLC's community-based application.

Prior to submitting its application, Far Further/.music LLC spent years working with the representative stakeholders from within the worldwide music community to develop policies for creative rights protections and membership requirements that not only serve the common interest of the global music community and meet or exceed ICANN's guidelines, but also are balanced with the needs of the Internet user and music lover.

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Music is a protected and regulated sector in most countries throughout the world, where the royalty rates are controlled by government statute. While ICANN's new gTLD program will no doubt create many new opportunities for distributing creative works, it has the potential to also pose serious risks for creators.

Contact Information
Redacted



Ressort 3
Medien – Kunst – Industrie
Fachgruppe Musik

Vereinte
Dienstleistungs-
gewerkschaft

Bundesverwaltung

Governments around the world have consistently recognized the existence of a global music community and enacted treaties and legislation to protect musical works from copyright infringement and to preserve music creators' livelihoods by insuring that artists, songwriters and musicians are fairly compensated for the use and performance of their work.

Despite these internationally recognized laws and regulations, it has been extremely difficult to have these rights properly secured in the Internet age.

It would be our hope that Germany will take a stand on behalf of our country's music community with respect to music-themed TLDs.

In accordance with its principle of serving the public interest, ICANN should award TLDs to the applicant that best represents the interests of its respective community. We want to encourage you to support the notion that, in general, a community application in a contention set is the »natural« applicant for a string.

We hereby request the GAC to issue »advice« to the ICANN Board to truly give communities preference based on this principle rather than relying solely on a point system construct that may deny logical and rightful community stakeholders their critical need for safeguards and governance.

We appreciate the opportunity to share our thoughts with you.

Best Regards,
mit freundlichen Grüßen

Dirk von Kugelgen
Fachgruppenleiter



Contact Information Redacted

www.guitarfoundation.org

February 1, 2012

Board of Trustees:

Brian Head, Chair
Mary Akerman
Michael Andriaccio
Jeff Cogan
Nick Goluses
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Bruce Holzman
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Executive Committee:

Martha Masters (President)
Brian Head (Artistic Director)
Jeff Cogan (VP)
Carol Sanders (Treasurer)
Robert Lane (Secretary)

Executive Director:

Galen Wixson

To Whom It May Concern:

On behalf of our members, we are sending this letter in support of Far Further/.music LLC's application for the .music Top-Level Domain.

Our organization, the Guitar Foundation of America, was founded in 1973 with the mission of "inspiring artistry, building community, and promoting the classical guitar internationally through excellence in performance, literature, education and research." We represent classical guitarists from not only the United States but internationally as well. Our membership stands at approximately 2,000 and includes professional performers, teachers, composers, students, and accomplished amateurs.

The protection of intellectual property rights is vitally important to our members. For that reason, we wish to be involved in the formation of a top-level .music domain so that our members are ensured that their own creative output is recognized by the legitimate music community. We understand that Far Further intends to apply for the .music TLD. The leadership team of Far Further is well-known in the music community, and so our confidence in their ability to administer the .music domain with integrity is high. We therefore grant our endorsement to Far Further/.music of their application to operate the .music domain.

Sincerely,

Galen Wixson
Executive Director



Christos P. Badavas
Deputy General Counsel, Legal and Regulatory Affairs

Contact Information Redacted

March 6, 2014

To Whom It May Concern:

The Harry Fox Agency, Inc. (HFA) would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

HFA was established in 1927 by the National Music Publishers' Association (NMPA) to act as an information source, clearinghouse and monitoring service for licensing musical copyrights. HFA is now the nation's leading provider of rights management, licensing and royalty services for the music industry. HFA represents over 48,000 affiliated publishers for the use of music in both physical and digital distribution formats, and on their behalf, issues the largest number of mechanical licenses in the U.S.

The digital revolution and explosive growth of the Internet has had a profound impact on the music industry. It offers a vast opportunity for new and innovative methods of music consumption and delivery to emerge. However, as these methods proliferate so has the amount of unlicensed, downloadable music available to music consumers. Online copyright infringement is widespread and is a detriment to our publishers, as well as to the greater music community. In the last decade, as a result of this widespread infringement, music sales have declined year-over-year. This decline has a direct financial impact on our publishers and we therefore support the creation of a .music gTLD that will support the protection of artist's and owner's intellectual property rights.

Based on the recommendation of our parent organization, the NMPA, and of our knowledge of Far Further's leadership, HFA supports and endorses Far Further's application to operate a music themed gTLD ".music".

If you have any questions, please contact the undersigned at [Contact Information Redacted](#)

Very truly yours,

A handwritten signature in black ink, appearing to read "CP Badavas", is written over a light blue horizontal line.

Christos P. Badavas

Brussels, 10th April 2012

To whom it may concern

Re: Music Community Support for Far Further's (or its subsidiary .music LLC)
Application for a Music Focused gTLD under the string ".music"

IMPALA, the Independent Music Companies Association, would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

IMPALA is a not-for-profit trade organisation representing the European independent music label community in the areas of advocacy, commerce opportunities and member services, more details of our activities can be found on www.impalamusic.org. IMPALA was established in 2000 to ensure that independent music labels, all of whom are small and medium size enterprises (SME's) were properly represented in the music community so they would not have to endure the business barriers to entry that occurred in the old music in the emerging new digital economy.

IMPALA's membership is made up of more than 4,000 Independent music labels located across Europe that have banded together to form a central voice advocating for the health of the Independent music sector. Our membership includes independent music label leaders like Beggars Group, PIAS Entertainment Group, Epitaph Europe, Rough Trade Benelux, Naïve and !K7 but it should be noted that our membership is not just made up of these market leaders. IMPALA membership also includes music labels of varying sizes (in terms of staffing, number of releases and revenues), and varying genres. Many of our member labels are located across Europe, in addition to the traditional London, Paris and Berlin music bases. For example we have members like CLS Music in Hungary, Playground Music in Scandinavia, Musikvertrieb in Switzerland, Pitch Black Records in Cyprus, or Anaconda Records in Poland, as well as representative national associations in Norway (FONO), Finland (Indieco), Italy (PMI), Spain (UFI), Israel (PIL) and Denmark (DUP) among others.

All of our label members have one thing in common: they are small business people with a love for music who are trying to make a living and compensate their artists and generate and maintain jobs.

Our members, as small creators whose sector comprises over 20% of European recorded music sales, are having their livelihoods challenged by unauthorized unpaid content acquisition over the Internet. Independent music labels are not luddites and the Internet has been the great equalizer for us on our ability to market, promote, monetise and introduce new music. The Internet has opened up countless opportunities for us and we would not do anything to jeopardise this improved access. Additionally, our members have embraced new business models that allow for efficient distribution of music, such as the licensing of free-to-the user streaming services and webcasting, one price per month subscription services, bundled mobile services, etc. We honestly feel there is no other industry that has embraced new forms of economic and delivery models as completely as the music industry. Our members also, on their own terms, give away free content to reward existing fans and cultivate new fans of their label's artists. However against this backdrop widespread copyright infringement has been to

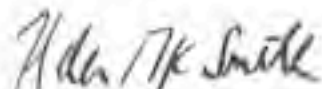
the detriment of our members specifically and to the music economy generally. Therefore, we have a focused interest in ensuring that any music themed or focused gTLD operates in a manner that only allows authorised dissemination of music and provides for the financial and legal resources to run the .music gTLD within fair enforcement provision guidelines that protect intellectual property creators.

In the months prior to the application window, several entities with an interest in operating a music themed gTLD reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organisation, along with many other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its proposed registrar requirements, its financial and technical capabilities to operate the gTLD operations and many other areas. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions.

Based on the above, the music creator community group involved decided to endorse the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music creator community under the string ".music" for the benefit of the music community and IMPALA is supporting the group's consensus decision as a member of the music creator community. We are hopeful that Far Further will operate the gTLD in a manner that respects and protects artists' and owner's rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions please contact me at the below address.

Sincerely,



Helen Smith
Executive Chair
IMPALA
Contact Information Redacted

www.impalamusic.org

cc: John Styll, Far Further
Dr. Stephen Crocker, ICANN



V. J. Lazarus
President

11th April 2012

To Whom It May Concern

Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music Focused gTLD under the string ".music"

IMI would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

IMI - representing the recording industry in India with some 200 members. IMI is a not for profit members organisation registered in Kolkata. It operates a Secretariat currently based in Mumbai and has regional offices in Delhi, Kolkata, Chennai, Kerala, Hyderabad, and Chandigarh. IMI's mission is to promote the value of recorded music, safeguard the rights of record producers and expand the commercial uses of recorded music. Any company, firm or person producing sound recordings or music videos which are made available to the public in reasonable quantities is eligible for membership of IMI. IMI is responsible for co-ordinating national and international strategies in the key areas of the organisation's work - anti-piracy enforcement, lobbying of governments and representation in international organisations, legal strategies, litigation and public relations. It is also the recording industry's most authoritative source of market research and information, providing a comprehensive range of global industry statistics.

Our members' businesses and livelihoods have been deeply affected by the growth of the Internet and the World Wide Web. It has transformed how music is created and how recorded music is consumed. It presents both growth opportunities in the form of varied digital distribution channels for music as well as significant threats in the form of rampant online copyright infringement of copyrighted music. This widespread infringement has been to the detriment of our members specifically and to the music economy generally. Therefore, we have a vested interest in ensuring that any music themed or focused gTLD operates in a manner that encourages the broad distribution and enjoyment of music in a manner that respects intellectual property rights and discourages infringement.

In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with several other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its whois commitments, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.

IMI : INDIAN MUSIC INDUSTRY PPL : PHONOGRAPHIC PERFORMANCE LIMITED

Contact Information Redacted

IFPI : INTERNATIONAL FEDERATION OF THE PHONOGRAPHIC INDUSTRY

IFPI Secretariat, Contact Information Redacted

DIRECT : E-mail : Contact Information Redacted




V. J. Lazarus
President

Based on the above and the endorsement by IFPI, IMI supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community under the string ".music" for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC), led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects artists' and owner's rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions about this letter, please contact Vijay Lazarus, President, IMI, Crescent Towers, 7th floor, B-68, Veera Estate, Off New Link Road, Andheri (W), Mumbai 400 053, India

Yours sincerely,


Vijay Lazarus
President - IMI

IMI : INDIAN MUSIC INDUSTRY PPL : PHONOGRAPHIC PERFORMANCE LIMITED

Contact Information Redacted

IFPI : INTERNATIONAL FEDERATION OF THE PHONOGRAPHIC INDUSTRY

IFPI Secretariat, Contact Information Redacted

DIRECT : E-mail : Contact Information Redacted



The Indian Performing Right Society Limited

Head Office : Contact Information Redacted
Tel : Contact Information Redacted
Ref:IPRS:SHE:RK:002:2012

Visit us at : www.iprs.org
9th April, 2012

To Whomsoever It May Concern

The Indian Performing Right Society Limited (IPRS) supports the proposal (which has been sent to us by Far Further/ .music LLC) for the creation of a generic Top Level Domain which is to be .music.

The Government of India has licensed IPRS (www.iprsindia.com) as the sole Copyright Society to collect fees for performing rights in musical, literary and dramatic works throughout India, under the provisions of the Copyright Act 1957. We have reciprocal arrangements with over 100 other societies in as many countries. Our membership includes most of the leading composers, songwriters and music publishers in India: the full list is available on our website.

We have offices in Delhi, Kolkata and Chennai and representatives in all the major cities in the country, and machinery for regularly monitoring the public performance (live, recorded or broadcast) of our members' works and we have acquired long experience of the problems of collecting licence fees for our members. In India as elsewhere, the Internet compounds this problem hugely. In India, where broadband coverage though still limited is growing exponentially, we welcome all means of facilitating consumers of music to identify legitimate sources, and anything which simplifies consumer education and rights enforcement is very welcome to us.

It encourages us that Far Further/ .music/LLC's application for the .music gTLD has gathered so much global support. We join in supporting the proposal with the confident expectation that through their .music proposal Far Further/ .music LLC will (a) provide the music business with an identifiable, dedicated platform for music sourced from legitimate players; (b) will facilitate the enforcement of intellectual property rights by (in practice) creating a presumptive association between .music and legitimate sources of music; and (c) promoting music and music education in general.

Yours Sincerely,
For The Indian Performing Right Society Limited


Rakesh Nigam
Chief Executive Officer

Administrative Office - North
Contact Information
Redacted

Administrative Office - East
Contact Information Redacted

Administrative Office - South
Contact Information Redacted

Member:

- 1 International Confederation of Societies of Authors & Composers (CISAC)
- 1 Copyright Enforcement Advisory Council, Ministry of Human Resource Development, Government of India.

Stan Zdonik
Chairperson/President
Bourbon Bluegrass Union

Mr. Weinberger
Vice-Chair

Pat Cox
Avenue Band
At Large/Innovator

Don Keen
Belmont University
At Large/Secretary

Ernie Hancock
River Deep In Bluegrass
Broadcast Media

Allison Birren
Composer/Records
Recording Distribution/Marketing

Mike Bub
Artist/Composers/Publishers

Donna Christensen
Sugar Hill Records
At Large

James Davis
James Davis Music Company
Memberships/Liaisons

Craig Ferguson
Planet Bluegrass
Event Production

Jeremy Garrett
The Infinite Stringplayers
Artist/Composers/Publishers

Craig McLaughlin
String Theory Media
Print/Media/Education

Carl Jackson
Artist/Composers/Publishers

Henk Jansen
European Bluegrass Music Association
International

Don Light
Don Light Talent
At Large

Bald Mayo
Bluegrass Underground/Music City Roots
At Large

Jim Roe
The Entertainment
Agency/Managers/Publishers

Nell Rosenberg
At Large

Deight Warden
San Diego Bluegrass Society
Associations

STAFF

Don Hays
Executive Director
Nancy Caldwell
Assistant Director
Jill Crabtree
Concerts/Member Services
Jesse Norberg
Administrative Assistant



March 26, 2012

Re: INTERNATIONAL BLUEGRASS MUSIC ASSOCIATION Support For The Application Of .music LLC, A Subsidiary Of Far Further LLC for the gTLD .music

Dear ICANN

I'm writing on behalf of the International Bluegrass Music Association (IBMA) in support of the application of the applying entity ".music LLC, a subsidiary of Far Further LLC" for the gTLD string ".music."

IBMA is a 501(C)(6) non-profit trade organization incorporated in Kentucky with headquarters in Nashville, Tennessee. IBMA has approximately 2000+ members in all 50 states and 30 countries. In addition, there are local and regional bluegrass music associations throughout North America and elsewhere in the world representing tens of thousands of bluegrass musicians and fans which are either organizational members of IBMA or which otherwise work cooperatively with IBMA in promoting bluegrass music internationally. The IBMA mission is:

**IBMA: Working together for high standards of professionalism,
a greater appreciation for our music, and the success of the
worldwide bluegrass community.**

IBMA's five-member executive committee has considered the application of .music LLC and , and voted to support it. This vote of support from the executive committee was transmitted to all 19 members of the IBMA Board giving them an opportunity to object. Following this process, the decision was confirmed to support the application. While some expressed uncertainty as to whether new gTLD's like .music are actually needed, on the understanding that the decision has already been made to create a gTLD for .music, IBMA's decision to support the application of .music LLC for that gTLD was unanimous.

If there is to be a new .music gTLD, IBMA supports that it be administered by a quality organization with broad based support from the worldwide music community across a variety of genres and .music LLC meets those requirements. IBMA is pleased to add its name to the long list of other music organizations in support of this application.

You may contact IBMA for further information at our office in Nashville: 2 Music Circle South, Suite 100 / Nashville, TN 37203 USA. Phone: 615-256-3222 / Fax: 615-256-0450 / Toll Free: 1-888-438-4262 info@ibma.org. You can also read more about IBMA and our many programs on our web site at: <http://www.ibma.org>.

Sincerely,

Stan Zdonik
IBMA President



SERVING AUTHORS WORLDWIDE
AU SERVICE DES AUTEURS DANS LE MONDE
AL SERVICIO DE LOS AUTORES EN EL MUNDO

COU12-0539

Neuilly sur Seine, 02/04/2012

By e-mail: Contact Information
Redacted

To Whom It May Concern

Dear Sirs

Re: Application to operate a generic Top Level Domain (“gTLD”)

CISAC, the International Confederation of Societies of Authors and Composers, was founded in 1926. It is an international non-governmental, non-profit organisation with headquarters in Paris and with regional representation in Europe, Asia-Pacific and South America, as well as in Africa. CISAC has a membership of 232 author societies in 121 countries. In 2011, CISAC’s members collected approximately 7.5 billion Euros in royalties. Indirectly representing more than 3 million creators (namely authors, composers and publishers), and embracing all of the creative repertoires, the CISAC world brings together audio-visual media, music, drama, literature as well as the graphic and visual arts. For further information please kindly refer to the CISAC website www.cisac.org.

CISAC works towards the increased recognition and protection of creators’ rights. It supports any initiative which it believes will uphold the principles of copyright and will operate effectively to protect its members and the general community from copyright infringement. CISAC therefore has an interest, relating to the specific area of music themed gTLD’s, in the creation of the .music gTLD. CISAC is of the view that the creation of such gTLD will assist in the establishment of an internet address which promotes music for the benefit of the global community and protects the intellectual property of rights holders.

Over several months, CISAC and other interested music industry associations (“Associations”) were approached by applicants which were each seeking the support and endorsement of their applications to operate a gTLD under the domain “.music” (“Applicants”). The Associations, realising the importance of their collective support for one applicant, conducted thorough research into the business and the intended operations of the Applicants. These investigations included the soliciting of information by the Associations on the plans, business models, finances and staffing levels of the Applicants. As a result of its research, CISAC is pleased, as one of the Associations, to support the application of Far Further to operate a generic top level domain under the domain “.music”. It is hoped that such support will allow Far Further to achieve its stated aim of managing, and bringing together the global music community and the internet.

We hope that the contents of this letter provide you with sufficient background on CISAC’s support for the application of Far Further. However, if there is any other information which would be of use to you when considering such application, please do not hesitate to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'Olivier Hinnewinkel', with a small dot at the end of the signature.

Olivier Hinnewinkel
Director General



Brussels, March 28, 2012

Re: Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music-Focused gTLD under the string ".music"

To Whom It May Concern:

ICMP would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music-focused gTLD under the string ".music".

ICMP is the world trade association representing the interests of the music publishing community internationally. The constituent members of ICMP are music publishers' associations from Europe, the Middle East, North and South America, Africa and Asia-Pacific. Included are the leading independent international, regional and national music publishers, mainly SMEs, throughout the world. A list of our members is available at www.icmp-ciem.org. As the global trade association representing music publishers, and the community of composers and songwriters, one of our key missions is to protect and promote copyright.

Our members' businesses and livelihoods have been deeply affected by the growth of the Internet and the World Wide Web. It has transformed how music is created and consumed. It presents both growth opportunities in the form of varied digital distribution channels for music as well as significant threats in the form of rampant online copyright infringement of copyrighted sheet music and lyrics. This widespread infringement has been to the detriment of music publishers, composers and songwriters specifically and to the music economy generally. We have, therefore, a vested interest in ensuring that any music-themed or focused gTLD operates in a manner that encourages the broad distribution and enjoyment of music and that respects intellectual property rights and discourages infringement.

In the months prior to the application window, several entities with an interest in operating a music-themed gTLD reached out to various music-related trade associations to seek their support and endorsement. In light of that interest, our organisation, along with several other music-related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music-themed gTLD. As part of that process, this group of associations requested information concerning, inter alia, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its whois commitments, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis was carried out on the respondents and their proposed plans.

Contact Information
Redacted

www.icmp-ciem.org



Based on the above, ICMP supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music-themed gTLD for the music community under the string “.music” for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC), led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects authors and owners’ rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions about this letter or our position, please feel free to contact me.

Yours faithfully,

Ger Hatton
DIRECTOR GENERAL

ICMP, the global voice of music publishing

Contact
Information
Redacted

www.icmp-ciem.org

cc: John Styll, Far Further
Dr. Stephen Crocker, ICANN

Contact Information
Redacted

www.icmp-ciem.org



Steve Crocker
ICANN
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094-2536
USA
steve.crocker@icann.org

Brussels, 9 January 2013

Dear Dr. Crocker,

I am writing to you in support of Far Further/.music LLC's application for the .music Top-Level Domain.

ICMP is the world trade association representing the interests of music publishers everywhere. The constituent members of ICMP are music publishers' associations from Europe, the Middle East, North and South America, Africa and Asia-Pacific. Included are the leading independent international, regional and national music publishers, mainly SMEs, throughout the world, as well as the multinational music publishing companies. Music publishers' role is to nurture and promote artists and help them find a commercial outlet for their work. As the global trade association representing the music publishing industry our key mission is to protect and promote copyright. It is of utmost importance therefore that the .music Top-Level Domain be operated in the best interests of the music community.

We believe that the .music gTLD should be granted to Far Further's .music LLC, which has the full support of the wider global music community, as evidenced by an unparalleled endorsement from the recognised and established national, international and community-based music organisations across the world. We want to ensure that the .music gTLD is operated in the best interests of the legitimate music community and not simply auctioned off to the highest bidder.

The people behind Far Further have deep knowledge and experience of the music community, and will operate the gTLD in a manner that respects and protects rightsholders' rights in copyrighted music while promoting the legitimate distribution and enjoyment of music for everyone. We have carefully reviewed their programmes and we are confident of their experience and expertise regarding all aspects of operating this particular domain.

Contact Information Redacted

www.icmp-ciem.org

Therefore, ICMP, and its members throughout the world*, supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate the .music gTLD for the music community, under the string ".music", for the benefit of us all.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Ger Hatton', written over a horizontal line.

Ger Hatton
Director General

*Australia AMPAL Austria MUO Belgium MusicPublishers.be Canada APEM/PMPA Canada CMPA Croatia MPA Czech Republic SČHN Denmark DMFF Finland FMFA France CEMF France CSDEM Germany DMV Greece MPA Hungary HMPA Ireland MPAL Italy FEM Japan MPAL Korea KMPA Netherlands VMN Norway NMFF Poland PMPA Portugal AEOM Portugal VIMÚSICA Romania MPA Slovenia SiPA South Africa NORM Spain OPEM Sweden SMFF Switzerland MPA CH Turkey MEDDER UAE MEMPA UK MPA UK US MPA US US NMPA International BMG Rights Management International IMPA International Sony/ATV/EMI Music Publishing International Universal Music Publishing International Warner Chappell Music Publishing Argentina CAEM Brazil UBEM Bulgaria Animato Music Publishing Bulgaria Schubert Music Publishing Bulgaria Virginia Publishing Chile UMP Colombia ACODEM Cyprus MMG HQ India Deep Emotion Israel EMI Israel Media Men Group Latvia MicRec Latvia Musika Baltika Lebanon Rotana Mexico EMMAC Russia S.B.A. MP Ltd Serbia RCom Turkey Muzikotek - representing over 8,000 publishers worldwide.

Contact Information Redacted

www.icmp-ciem.org



Mr Andrea Glorioso
Policy Officer
Directorate-General for Communication Networks, Content and Technology
European Commission
Contact Information
Redacted

Brussels, 10 January 2013

Dear Mr Glorioso,

We are writing to you in your capacity as a member of the Governmental Advisory Committee to ICANN regarding the process of awarding the gTLD “.music”.

ICMP is the world trade association representing the interests of the music publishing community internationally. The constituent members of ICMP are music publishers’ associations from Europe, the Middle East, North and South America, Africa and Asia-Pacific. Included are the leading independent international, regional and national music publishers, mainly SMEs, throughout the world, as well as multinational music publishing companies. As music publishers our role is to nurture and promote artists and to find a commercial outlet for their work. As the global trade association representing the music publishing industry one of our key missions is to protect and promote copyright.

We understand that there are several entities that have applied to ICANN for the gTLD “.music.” It is our position that “.music” should be awarded to an applicant that has the global support of the music community, and not indiscriminately auctioned off to the highest bidder. Therefore, we are writing in support of Far Further/.music LLC’s community-based application. Far Further/.music LLC has spent years working with key stakeholders from the worldwide music community to develop policies for creative rights protection and membership requirements.

Far Further/.music LLC also has the endorsement of more than 40 of the internationally-recognised organisations that represent most of the professional songwriters, music publishers, artists, musicians and record labels across the world.

Contact Information Redacted

www.icmp-ciem.org

While ICANN's new gTLD programme will no doubt create many new opportunities for distributing creative works, it has the potential to also pose serious risks for creators. Governments around the world have consistently recognised the existence of a global music community and enacted treaties and legislation to protect musical works from copyright infringement and to ensure that artists, songwriters and musicians are fairly compensated for the use and performance of their work. Despite these efforts, it has been extremely difficult to have these rights properly secured in the Internet age.

We hope that the EU will take a stand on behalf of the European music community with respect to music-themed TLDs.

In accordance with its principle of serving the public interest, ICANN should award TLDs to the applicant that best represents the interests of its respective community. We want to encourage you to support the notion that, in general, a community application in a contention set is the "natural" applicant for a string.

We hereby request the GAC to issue "advice" to the ICANN Board to give communities preference based on this principle rather than relying solely on a point system construct that may deny logical and rightful community stakeholders their need for safeguards and governance.

With kind regards,

A handwritten signature in dark ink, appearing to read 'Ger Hatton', is written over a faint, light-colored circular stamp or watermark.

Ger Hatton
Director General

Contact Information Redacted

www.icmp-ciem.org



Paris, April 11, 2012

Contact Information
Redacted

TO WHOM IT MAY CONCERN

The International Federation of Musicians (FIM) would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the strong .music.

FIM, founded in 1948, is the only international nongovernmental organisation for musicians' unions, guilds and professional associations. It is counting about 70 members in 65 countries.

For many years now, FIM has been recognised as an international NGO (non-governmental organisation) in the eyes of diverse intergovernmental organisations operating in its field of activity, in particular WIPO (World Intellectual Property Organisation), UNESCO, the ILO (International Labour Organisation), as well as the European Commission, the European Parliament and the Council of Europe.

FIM plays a crucial role in international negotiations dealing with performers' rights. It was one of the driving forces in the adoption in 1961 of the Rome Convention – first international treaty to grant intellectual property rights to performers – and participated actively in the negotiations of the WPPT (WIPO Performances and Phonograms Treaty) adopted in December 1996.

It took part in the negotiation of several European Directives in the field of IP, as well as in the revision of certain national legislations. It drew up the founding principles of collective management of performers' rights and initiated, alongside unions, the setting-up of numerous collecting societies managing performers' rights.

FIM is involved as an expert in certain works carried out by the International Labour Office, in particular on the protection of casual and free-lance workers. It contributed to the drawing-up of the UNESCO *Recommendation on the status of the artist* (1980, Belgrade).

FIM's main objective is to protect and further the economic, social and artistic interests of musicians represented by its member unions. This includes

- Encouraging and assisting in the organisation of musicians in all countries,
- Uniting musicians' unions throughout the world,
- Promoting national and international protective legislations in the interests of musicians,
- Protecting members of the music profession against the illicit use of their performances, recorded or otherwise
- Entering into agreements with other international organizations in the interests of member unions and of the profession,
- Use all efforts to make music a heritage common to all people, taking into account the preservation of national and regional identities to foster inter-cultural dialogue.

A music-focused gTLD is an opportunity for FIM, its members and the musicians they represent, in terms of enhanced visibility, increased cultural diversity and of an environment that is supportive of copyright and related rights. We trust that Far Further, with its experience and knowledge of the music community, will be able to operate the gTLD with the desired efficiency, in full respect of the musicians' rights and interests.

Yours sincerely,

Benoît Machuel
General Secretary

10th April 2012

To Whom It May Concern

Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music Focused gTLD under the string ".music"

IFPI would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

IFPI - representing the recording industry worldwide with some 1400 members in 66 countries and affiliated industry associations in 45 countries. IFPI is a not for profit members organisation registered in Switzerland. It operates a Secretariat currently based in London and has regional offices in Brussels, Hong Kong and Miami. IFPI's mission is to promote the value of recorded music, safeguard the rights of record producers and expand the commercial uses of recorded music. Any company, firm or person producing sound recordings or music videos which are made available to the public in reasonable quantities is eligible for membership of IFPI. IFPI is responsible for co-ordinating international strategies in the key areas of the organisation's work - anti-piracy enforcement, lobbying of governments and representation in international organisations, legal strategies, litigation and public relations. It is also the recording industry's most authoritative source of market research and information, providing a comprehensive range of global industry statistics.

IFPI's regional offices for Asia, Europe and Latin America are responsible for implementing IFPI's strategies at regional level, co-ordinating the work of national groups and setting lobbying priorities tailored to the political environment in their regions. IFPI's office in Brussels is the recording industry's representation to the European Union. It interacts directly with the EU institutions and coordinates the industry's representation throughout Europe. IFPI's Regional Office for Asia is located in Hong Kong, with additional offices in China and Singapore. It co-ordinates the region's lobbying activities and legal strategies. IFPI Latin America, has an executive office in Miami and co-ordinates the region's lobbying, anti-piracy and communication activities.

Contact Information Redacted

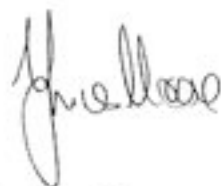
Our members' businesses and livelihoods have been deeply affected by the growth of the Internet and the World Wide Web. It has transformed how music is created and how recorded music is consumed. It presents both growth opportunities in the form of varied digital distribution channels for music as well as significant threats in the form of rampant online copyright infringement of copyrighted music. This widespread infringement has been to the detriment of our members specifically and to the music economy generally. Therefore, we have a vested interest in ensuring that any music themed or focused gTLD operates in a manner that encourages the broad distribution and enjoyment of music in a manner that respects intellectual property rights and discourages infringement.

In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with several other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its whois commitments, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.

Based on the above, IFPI supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community under the string ".music" for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC), led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects artists' and owner's rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions about this letter, please contact Frances Moore, CEO, IFPI, 10 Piccadilly, London, W1J 0DD, 020 7878 7900.

Yours sincerely,



Frances Moore
IFPI Chief Executive Officer
Representing the Recording Industry Worldwide

cc:
John Styll
President
Far Further
Contact Information Redacted

Dr. Stephen Crocker, ICANN
ICANN
4676 Admiralty Way, Suite 330
Marina del Rey, California 90292-6601
USA

IFPI Asian Regional Office



representing the
recording industry
worldwide

6 March 2013

Steve Crocker
c/o ICANN
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094-2536
USA
steve.crocker@icann.org

BY EMAIL & BY POST

Dear Dr. Crocker,

We are sending this letter in support of Far Further/.music LLC's application for the .music Top-Level Domain.

IFPI (International Federation of the Phonographic Industry) represents the recording industry worldwide, with a membership comprising some 1400 record companies in 66 countries and affiliated industry associations in 56 countries. IFPI Asian Regional Office is responsible for implementing IFPI's strategies at regional level, co-ordinating the work of national groups and setting lobbying priorities tailored to the political environment in Asia.

With this in mind, it is of utmost importance that the .music Top-Level Domain be operated in the best interests of the music community. We believe that the .music gTLD should be granted to Far Further's .music LLC, which already has the support of the global music community, as evidenced by the unparalleled endorsement from the recognized and established national and international, community-based music organizations.

We want to do our part to ensure that the .music TLD is operated in the best interests of the legitimate music community and not simply auctioned off to the highest bidder. The principals behind Far Further have deep knowledge of, and experience in, the music community, and will operate the gTLD in a manner that respects and protects authors and owners' rights in copyrighted music and promotes the legitimate distribution and enjoyment of music for everyone. We have carefully reviewed their programs and we are confident in their experience and expertise regarding all aspects of operating this particular domain.

Therefore, IFPI Asian Regional Office supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate the .music gTLD for the music community under the string ".music" for the benefit of the music community.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kwee Tiang Ang', is written over a light blue circular watermark.

Kwee Tiang Ang
Regional Director

Contact Information
Redacted

Website: www.ifpi.org

CIM/51.529

February 27, 2012

TO WHOM IT MAY CONCERN:

We are sending this letter in support of Far Further/.music LLC's application for the .music Top-Level Domain.

Our organisation, the International Music Council (IMC) is the world's largest network of organisations, institutions and individuals working in the field of music. Our network includes some 1000 organisations in 150 countries, reaching out to 200 million people eager to develop and share knowledge and experience on diverse aspects of musical life. Over the 60 years of its existence, IMC developed into a global expert organization, a forum for exchange and reflection, and an observatory in the field of music.

IMC's mission is to develop sustainable music sectors worldwide, to create awareness about the value of music, to make music matter in all social fabric.

IMC promotes access to music for all and works towards the advancement of five music rights which it proclaimed in 2001:

- the right for all children and adults
 - to express themselves musically in all freedom,
 - to learn musical languages and skills,
 - to have access to musical involvement through participation, listening, creation, and information;
- the right for musical artists
 - to develop their artistry and communicate through all media, with proper facilities at their disposal, and
 - to obtain just recognition and remuneration for their work.

Keeping these five music rights in mind, we want to do our part to ensure that any music-themed generic top-level domains are operated in the best interests of the legitimate music community. We understand that Far Further intends to apply for the .music TLD. The principals behind Far Further have been part of the music community for decades and we trust that they will operate .music with the highest degree of integrity, while promoting and protecting the diversity of musical expressions worldwide. We have carefully reviewed their programs and we are confident in their experience and expertise regarding all aspects of operating this particular domain.

Sincerely,



Silja Fischer
Secretary General



MMGHQ Limited

Contact Information Redacted

10th January 2013

Agathoclis Stylianou

Director

CyDNS

Email: Contact Information Redacted

Dear Ms Stylianou

We are writing in our capacity as a member of the music community in Cyprus. MMGHQ is a newly formed music publishing business based in Cyprus. We have plans to expand on the business in Cyprus and to operate in a number of other countries in the region using Cyprus as our fiscal and legal base.

We understand that there are several entities that have applied to ICANN for the gTLD “.music.” It is our position that “.music” should be awarded to an applicant that has the global support of the music community, and not indiscriminately auctioned off to the highest bidder. Therefore, we are writing in support of Far Further/.music LLC’s community-based application.

Far Further/.music LLC has spent years working with key stakeholders from the worldwide music community to develop policies for creative rights protection and membership requirements.

Far Further/.music LLC also has the endorsement of more than 40 internationally-recognised organisations that represent most professional songwriters, music publishers, artists, musicians and record labels across the world.

While ICANN’s new gTLD programme will no doubt create many new opportunities for distributing creative works, it has the potential to also pose serious risks for creators.

Governments around the world have consistently recognised the existence of a global music community and enacted treaties and legislation to protect musical works from copyright infringement and to ensure that artists, songwriters and musicians are fairly compensated for the use and performance of their work. Despite these efforts, it has been extremely difficult to have these rights properly secured in the Internet age.

We hope that Cyprus will take a stand on behalf of our country's music community with respect to music-themed TLDs.

In accordance with its principle of serving the public interest, ICANN should award TLDs to the applicant that best represents the interests of its respective community. We want to encourage you to support the notion that, in general, a community application in a contention set is the "natural" applicant for a string. We hereby request the GAC to issue "advice" to the ICANN Board to give communities preference based on this principle rather than relying solely on a point system construct that may deny logical and rightful community stakeholders their need for safeguards and governance.

Best regards,

Crispin Evans

Chief Executive

c.c Costas Pandelides

Ran Geffen-Lifshitz

Katarina Obermeier

January 16, 2012

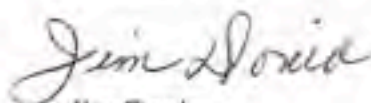
To Whom It May Concern:

For the past 54 years, the National Association of Recording Merchandisers (NARM) has been the trade association for the business of music, providing a central platform for the discussion of industry-wide concerns and spearheading the implementation of programs and services to advance the business. Our newest initiative, digitalmusic.org, has been established as the hub for all of our digital efforts. Our General Membership consists of music commerce companies, including brick-and-mortar, online and mobile music delivery companies, as well as streaming, application and related service providers. Our Associate Membership consists of content companies, including distributors, record labels, multimedia suppliers, and technology companies, as well as suppliers of related products and services. Individual professionals and educators in the field of music are also members.

Our members' businesses have been devastated for more than a decade by the proliferation of intellectually property theft via web sites and other digital means for obtaining music illegally. There is no question that digital technology has been good for the music business in many ways, but it has also developed into a means for people around the world to unlawfully obtain music for free – to the detriment of our members specifically, and the music economy generally. Therefore, we have a vested interest in ensuring that any “.music” top-level domain is operated by an entity that not only has the organizational, technical and financial capability to do so, but also a commitment to understanding and respecting the needs and interests of the legitimate music community.

Based on our knowledge of the executives who are guiding Far Further, and after reviewing their plans and programs with them, NARM/digitalmusic.org would like to go on record with its support of their application to operate the “.music” domain.

Sincerely,



Jim Donio,
President

Contact Information Redacted

April 18, 2012

Re: Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music-Focused gTLD under the string ".music"

To Whom It May Concern:

Music Canada would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music-focused gTLD under the string ".music"

Music Canada is a non-profit trade organization that represents the major music companies in Canada, namely EMI Music Canada, Sony Music Entertainment Canada, Universal Music Canada and Warner Music Canada. Music Canada also provides certain membership benefits to some of the leading independent record labels and distributors, and operates Canada's Gold Platinum Awards program. Its members are engaged in all aspects of the recording industry, including the manufacture, production, promotion and distribution of music.

Our members are deeply interested in the means by which the Internet grows and develops. Since its inception, the Internet has been both a marketing and distribution tool, and an enabler of online copyright infringement of copyrighted music. As a result, we wish to ensure that any music themed or focused gTLD operates in a manner that encourages legitimate distribution and consumption of music, while discouraging infringement.

In the months prior to the application deadline, several entities with an interest in operating a music-themed gTLD reached out to music-related trade associations to seek their support and endorsement. A coalition of trade associations conducted due diligence and analysis on the respondents and their proposed plans.

Based on that analysis, it is our belief that Far Further will operate the gTLD in a manner that respects the rights of creators and owners of music. We believe that Far Further will, through its gTLD, encourage the legitimate distribution and consumption of music and discourage infringement. Therefore, Music Canada supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music-themed gTLD for the music community under the string ".music" for the benefit of the music community.

Should you have any questions about this letter or our position, please feel free to contact me.

Sincerely,



Graham Henderson
President

Contact Information
Redacted

facebook.com/MusicCanada



April 4th 2012

Re: Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music-Focused gTLD under the string ".music"

To Whom It May Concern:

The Music Managers Forum UK would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music-focused gTLD under the string ".music"

Since its inception in 1992 the MMF has worked hard to educate, inform and represent UK managers (and their artists) as well as offering a network through which managers can share experiences, opportunities and information.

The MMF is the largest representative body of Artist Management in the world. We have over 400 members in the UK, representing over 1,000 of the most successful acts on the planet. Our emphasis is on implementing positive actions to assist our members with a keen eye on the 'next generation' of entrepreneurs and innovators.

We provide a collective voice and focus on providing real, meaningful value for our members and their artists – helping unlock investment, open up new markets, encouraging a fair and transparent business environment and driving a 'global agenda' in this digital age.

The MMF supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music-themed gTLD for the music community under the string ".music" for the benefit of the music community.

Should you have any questions about this letter or our position, please feel free to contact me.

Yours faithfully,

Jon Webster

CEO, MMF

Contact
Information
Redacted



April 4, 2012

To Whom It May Concern:

The Music Managers Forum, formed in 1993, provides a platform to connect, enhance, and reinforce the expertise and professionalism of music managers. Our goal is to further the interests of managers and their artists in all fields of the music industry, including live performance, recording and music publishing matters.

Music Managers Forum
Contact Information
Redacted

We believe that our artists deserve to be fairly compensated for their efforts and have concerns that, in the wrong hands, a music-themed top-level domain could cause harm to our community.

We have reviewed the plans for the .music TLD that Far Further/.music LLC has provided to us and are satisfied that our interests are best served by this particular group. Therefore we are providing this Letter of Support for Far Further/.music LLC's application for .music.

Sincerely,

A handwritten signature in black ink that reads 'Barry Bergman'. The signature is written in a cursive style with a large, sweeping 'B' at the beginning.

Barry Bergman,
President

Contact Information
Redacted

Ref: Letter of support:

Date: 22.2.12

Dear Paul,

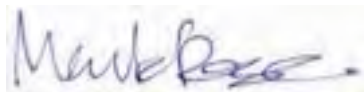
With reference to your recent request for support towards the TLD domain .music, the Music Producers Guild (UK/EU) would like to offer support in writing towards the 'Far further' campaign goal to seek a secure a legal domain for music assets and content.

We sincerely hope the creation of the .music gTLD will generate a legitimate and secure identifying Internet address for the music industry that supports the promotion of music, the full protection of intellectual property rights, and the advancement of global music IP education.

Illegal downloading simply means no chart returns and possibly no future music industry investments for jobs and opportunities for young people and their new bands.

It also means the world wide industry has been robbed of any immediate opportunity to offer cheaper downloads based on wider legal access still sadly competing with unregulated and blatant counterfeit/fraud music sites. We sincerely hope .music gTLD creation will help the fight against online piracy and wish to support your moves towards those aims.

With Sincere Regards



Mark Rose (Vice Chair)
Steve Levine (Chair)
Richard Lightman (Vice Chair)

24.1.13

Steve Crocker
c/o ICANN
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094-2536
USA
steve.crocker@icann.org

Dear Dr. Crocker:

We are sending this letter in support of Far Further/.music LLC's application for the .music Top-Level Domain.

The Music Producers Guild, conceived and supported by producers and engineers is also the founding sister organisation of the P&E Wing USA who are both passionate about all aspects of creating and recording music, they provide a professional community for us to share our collective experiences and collaborate and lobby for professional interests.

Our Membership consists of all working producers, engineers, mixers, remixers, programmers, sound designers, mastering engineers, students and enthusiasts working in the field and sectors of professional audio and content delivery and all aspects of the creation of music and audio. We also celebrate with our annual Producer awards which also receive the BRIT Best Producer Award each February.

With this in mind, it is of utmost importance that the .music Top-Level Domain be operated in the best interests of the music community. We believe that the .music gTLD should be granted to Far Further's .music LLC, which already has the support of the global music community, as evidenced by the unparalleled endorsement from the recognized and established national and international, community-based music organizations.

We want to do our part to ensure that the .music TLD is operated in the best interests of the legitimate music community and not simply auctioned off to the highest bidder. The principals behind Far Further have deep knowledge of, and experience in, the music community, and will operate the gTLD in a manner that respects and protects authors and owners' rights in copyrighted music and promotes the legitimate distribution and enjoyment of music for everyone. We have carefully reviewed their programs and we are confident in their experience and expertise regarding all aspects of operating this particular domain.

Therefore, The Music Producers Guild supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate the .music gTLD for the music community under the string ".music" for the benefit of the music community.

Sincerely,

A handwritten signature in blue ink that reads "Mark Rose". The signature is written in a cursive style with a horizontal line extending to the right.

[Mark Rose]
[Vice Chairman]

Richard Lightman
Vice Chairman

Steve Levine
Chairman

24.1.13

Mark Carvell
Head, International Communications Policy, Information Economy
EU & International Competitiveness Unit
Department for Culture, Media and Sport (DCMS)

Dear Mark,

We are writing as a concerned member of the music community in the UK/EU. We are sending you this letter in support of Far Further/.music LLC's application for the .music Top-Level Domain.

The Music Producers Guild, conceived and supported by producers and engineers is also the founding sister organisation of the P&E Wing USA who are both passionate about all aspects of creating and recording music, they provide a professional community for us to share our collective experiences and collaborate and lobby for professional interests. Our Membership consists of all working producers, engineers, mixers, re-mixers, programmers, sound designers, mastering engineers, students and enthusiasts working in the field and sectors of professional audio and content delivery and all aspects of the creation of music and audio. We also celebrate with our annual Producer awards which also receive the BRIT Best Producer Award each February. With this in mind, it is of utmost importance that the .music Top-Level Domain be operated in the best interests of the music community. We believe that the .music gTLD should be granted to Far Further's .music LLC, which already has the support of the global music community, as evidenced by the unparalleled endorsement from the recognized and established national and international, community-based music organizations.

We understand that there are several entities that have applied to ICANN for the gTLD ".music." It is our position that ".music" should be awarded to an applicant that has the global support of the music community, and not indiscriminately auctioned off to the highest bidder. Therefore, we are writing in support of Far Further/.music LLC's community-based application.

Prior to submitting its application, Far Further/.music LLC spent years working with the representative stakeholders from within the worldwide music community to develop policies for creative rights protections and membership requirements that not only serve the common interest of the global music community and meet or exceed ICANN's guidelines, but also are balanced with the needs of the Internet user and music lover.

In addition to the support of the global non-commercial sector represented by the International Music Council and others, Far Further/.music LLC also has the endorsement of more than 40 internationally-recognized

organizations that represent virtually every professional songwriter, music publisher, artist, musician and record label in the world. This is an unprecedented demonstration of unity and support from the global music community.

Music is a protected and regulated sector in most countries throughout the world, where the royalty rates are controlled by government statute. While ICANN's new gTLD program will no doubt create many new opportunities for distributing creative works, it has the potential to also pose serious risks for producers and creators alike – the digital music & content creators.

Governments around the world have consistently recognised the existence of a global music community and enacted treaties and legislation to protect musical works from copyright infringement and to preserve music creators' livelihoods by insuring that artists, songwriters and musicians are fairly compensated for the use and performance of their work.

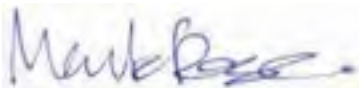
Despite these internationally recognised laws and regulations, it has been extremely difficult to have these rights properly secured in the Internet age. It would be our hope that the UK will take a stand on behalf of our country's music community with respect to music-themed TLDs.

In accordance with its principle of serving the public interest, ICANN should award TLDs to the applicant that best represents the interests of its respective community. We want to encourage you to support the notion that, in general, a community application in a contention set is the "natural" applicant for a string.

We hereby request the GAC to issue "advice" to the ICANN Board to truly give communities preference based on this principle rather than relying solely on a point system construct that may deny logical and rightful community stakeholders their critical need for safeguards and governance.

We appreciate the opportunity to share our thoughts with you.

Best wishes,

A handwritten signature in blue ink that reads "Mark Rose". The signature is written in a cursive style and is positioned above a light blue horizontal line.

[Mark Rose]
[Vice Chairman]

Richard Lightman
Vice Chairman

Steve Levine
Chairman



FAO: Mark Carvell
Department for Culture, Media and Sport (DCMS)
Contact Information
Redacted

Wednesday 9 January 2013

Dear Mr Carvell,

Ref: Application to ICANN for the gTLD ".music"

We are writing in our capacity as a member of the music community in the UK. The Music Publishers Association ("MPA") is the trade association for music publishers in the UK, with over 270 members, representing nearly 4,000 catalogues covering every genre of music. Our members include all three of the UK's "major" music publishers, independent pop publishers, classical publishers, production music publishers and also printed music publishers. We estimate that our members represent around 95% of publishing activity in the UK.

We understand that there are several entities that have applied to ICANN for the gTLD ".music." It is our position that ".music" should be awarded to an applicant that has the global support of the music community, and not indiscriminately auctioned off to the highest bidder. Therefore, we are writing in support of Far Further/.music LLC's community-based application.

Far Further/.music LLC has spent years working with key stakeholders from the worldwide music community to develop policies for creative rights protection and membership requirements.

Far Further/.music LLC also has the endorsement of more than 40 internationally-recognised organisations that represent most professional songwriters, music publishers, artists, musicians and record labels across the world.

While ICANN's new gTLD programme will no doubt create many new opportunities for distributing creative works, it has the potential to also pose serious risks for creators.

Governments around the world have consistently recognised the existence of a global music community and enacted treaties and legislation to protect musical works from copyright infringement and to ensure that artists, songwriters and musicians are fairly compensated for the use and performance of their work. Despite these efforts, it has been extremely difficult to have these rights properly secured in the Internet age.

We hope that the UK Government will take a stand on behalf of our country's music community with respect to music-themed TLDs.

Music Publishers Association Limited
Contact Information Redacted

Registered in London no. 1402401





In accordance with its principle of serving the public interest, ICANN should award TLDs to the applicant that best represents the interests of its respective community. We want to encourage you to support the notion that, in general, a community application in a contention set is the "natural" applicant for a string. We hereby request the GAC to issue "advice" to the ICANN Board to give communities preference based on this principle rather than relying solely on a point system construct that may deny logical and rightful community stakeholders their need for safeguards and governance.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Stephen Navin", is written over a faint, light-colored rectangular stamp or watermark.

Stephen Navin
Chief Executive, MPA

cc. Katharina Obermeier
Associate Regulatory Affairs, ICMP



MUSIC PUBLISHERS ASSOCIATION *of the United States*
Contact Information Redacted

March 11, 2012

Re: Community Support for Far Further's (or its subsidiary .music LLC)
Application for a Music Focused gTLD under the string ".music"

To Whom It May Concern:

The Music Publishers Association of the United States would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

Founded in 1895, the Music Publishers Association is the oldest music trade organization in the United States, fostering communication among publishers, dealers, music educators, and all ultimate users of music.

This non-profit association addresses itself to issues pertaining to every area of music publishing with an emphasis on the issues relevant to the publishers of print music for concert and educational purposes.

The MPA serves the industry through its presence at and cooperation with other organizations such as, the American Choral Directors Association, the American Music Center, the American Music Conference, the American Symphony Orchestra League, the Church Music Publishers Association, the International Confederation of Music Publishers, the International Federation of Serious Music Publishers, the Music Library Association, the Major Orchestra Librarians' Association, the National Association for Music Education, the National Orchestra Association, the Music Teachers National Association, and the Retail Print Music Dealers Association.

In addition, MPA members belong to and work cooperatively with the National Music Publisher's Association, the Harry Fox Agency and, the performance rights organizations: ASCAP, BMI, and SESAC.

Our members have been deeply affected by the growth of the Internet and the World Wide Web. It has presented both an opportunity and a threat. In the sense that it has facilitated rampant theft of copyrighted music, it has been very harmful to our community. Therefore, with the advent of new music-themed TLDs we are very interested making sure that any such new TLD operates in a manner that encourages the broad distribution and enjoyment of music but also respects intellectual property rights and discourages infringement.

PRESIDENT

Lauren Kelsner

Lauren Kelsner Music Pub.

Contact Information Redacted

SECRETARY

Kathleen Marsh

MusicNotes.com

Contact Information Redacted

TREASURER

Bryndon Bay

Mel Bay Publications

Contact Information Redacted

COUNSEL

James M. Kendrick, Esq.,

Law Offices of

James M. Kendrick, LLC

Katie Baron,

Alter & Rosen, LLP

DIRECTORS

Marco Elmopal

Bryan Bradley

Eugene Caprioglio

Steve Culbertson

Daniel Dorff

Kaitly Fernandes

Sean Flahavert

Sonya Kim

Kristin Landino

Zizi Mueller

Norman Ryan

Jeff Schroedl

John Shorney

Todd Vunderink



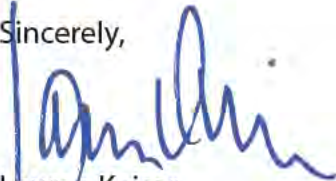
MUSIC PUBLISHERS ASSOCIATION *of the United States*

Contact Information Redacted

In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with several other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its whois commitments, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.

Based on the above, The Music Publishers Association supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community under the string ".music". We believe the application will show that Far Further (or its subsidiary .music LLC), led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects artists' and owner's rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions about this letter, please contact me at lauren@laurenkeisermusic.com.

Sincerely,


Lauren Keiser
President

The Music Publishers Association of the United States

PRESIDENT

Lauren Keiser

Lauren Keiser Music Pub

Contact Information Redacted

SECRETARY

Kathleen Marsh

MusicNotes.com

Contact Information Redacted

TREASURER

Bryndon Bay

Mel Eay Publications

Contact Information Redacted

COUNSEL

James M. Kendrick, Esq.,

Law Offices of

James M. Kendrick, LLC

Katie Baron,

Alter & Rosen, LLP

DIRECTORS

Marco Berrocal

Bryan Bradley

Eugene Caprioglio

Steve Culbertson

Daniel Dorff

Kathy Fernandes

Sean Flahaven

Sonya Kim

Kristin Lancino

Zlizi Mueller

Norman Ryan

Jeff Schroedl

John Shorney

Todd Vanderlin



Musicians Federation of India (Musicians Union)
Contact Information Redacted

Dr, Ajay Kumar
Joint Secretary
Dep-of Electronics and Information's,
Technology

Dr- Govind
Advisor
Minister of – Communication
Gov- of India

Dear Sirs:

We are writing as a concerned member of the music community in India.

The mission of the Musicians Federation of India (Musicians Union), is to secure to the members fair conditions of life and service try to redress their grievance try to prevent any reduction of wages and if possible obtained an advance better wages and other service conditions when ever circumstances allow Endeavour provide against sickness, unemployment infirmity, old age and death.

We understand that there are several entities that have applied to ICANN for the gTLD “.music.” It is our position that “.music” should be awarded to an applicant that has the global support of the music community, and not indiscriminately auctioned off to the highest bidder. Therefore, we are writing in support of Far Further/.music LLC's community-based application.

Prior to submitting its application, Far Further/.music LLC spent years working with the representative stakeholders from within the worldwide music community to develop policies for creative rights protections and membership requirements that not only serve the common interest of the global music community and meet or exceed ICANN's guidelines, but also are balanced with the needs of the Internet user and music lover.

In addition to the support of the global noncommercial sector represented by the International Federation of Musicians and others, Far Further/.music LLC also has the endorsement of more than 40 internationally-recognized organizations that represent virtually every professional songwriter, music publisher, artist, musician and record label in the world. This is an unprecedented demonstration of unity and support from the global music community.

Music is a protected and regulated sector in most countries throughout the world, where the royalty rates are controlled by government statute. While ICANN's new gTLD program will no doubt create many new opportunities for distributing creative works, it has the potential to also pose serious risks for creators.

Governments around the world have consistently recognized the existence of a global music community and enacted treaties and legislation to protect musical works from copyright infringement and to preserve music creators' livelihoods by insuring that artists, songwriters and musicians are fairly compensated for the use and performance of their work.

Despite these internationally recognized laws and regulations, it has been extremely difficult to have these rights properly secured in the Internet age.

It would be our hope that India will take a stand on behalf of our country's music community with respect to music-themed TLDs.

In accordance with its principle of serving the public interest, ICANN should award TLDs to the applicant that best represents the interests of its respective community. We want to encourage you to support the notion that, in general, a community application in a contention set is the "natural" applicant for a string.

We hereby request the GAC to issue "advice" to the ICANN Board to truly give communities preference based on this principle rather than relying solely on a point system construct that may deny logical and rightful community stakeholders their critical need for safeguards and governance.

We appreciate the opportunity to share our thoughts with you.

Best Regards,

Kishor Jawade

General Secretary

Musicians Federation of India (Musicians Union)

www.theMU.org
Mark Carvell
Head, International Communications Policy, Information Economy
EU & International Competitiveness Unit
Department for Culture, Media and Sport (DCMS)
Contact Information Redacted

28 January 2013

Dear Mr Carvell

.music

We are writing as a concerned member of the music community in the UK.

The Musicians' Union is a globally-respected organisation which represents over 30,000 musicians working in all sectors of the music business.

We understand that there are several entities that have applied to ICANN for the gTLD ".music." It is our position that ".music" should be awarded to an applicant that has the global support of the music community and not indiscriminately auctioned off to the highest bidder. Therefore, we are writing in support of Far Further/.music LLC's community-based application.

Prior to submitting its application, Far Further/.music LLC spent years working with the representative stakeholders from within the worldwide music community to develop policies for creative rights protections and membership requirements that not only serve the common interest of the global music community and meet or exceed ICANN's guidelines, but also are balanced with the needs of the Internet user and music lover.

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Governments around the world have consistently recognised the

existence of a global music community and enacted treaties and legislation to protect musical works from copyright infringement and to preserve music creators' livelihoods by ensuring that artists, songwriters and musicians are fairly compensated for the use and performance of their work.

Despite these internationally recognised laws and regulations, it has been extremely difficult to have these rights properly secured in the Internet age.

It would be our hope that the UK will take a stand on behalf of our country's music community with respect to music-themed TLDs.

In accordance with its principle of serving the public interest, ICANN should award TLDs to the applicant that best represents the interests of its respective community. We want to encourage you to support the notion that, in general, a community application in a contention set is the "natural" applicant for a string.

We hereby request the GAC to issue "advice" to the ICANN Board to truly give communities preference based on this principle rather than relying solely on a point system construct that may deny logical and rightful community stakeholders their critical need for safeguards and governance.

We appreciate the opportunity to share our thoughts with you.

Yours sincerely



Horace Trubridge
Assistant General Secretary

MUSIKVERLEGER UNION ÖSTERREICH
Contact Information Redacted

Bundesministerium für Verkehr, Innovation und Technologie
Mr. Christian Singer
Head of Unit for International Telecommunications Affairs
Contact Information
Redacted

Vienna, 11 January, 2013

Dear Mr. Singer,

We are writing in our capacity as a member of the music community in Austria.

This is an excerpt of our statutes:

„Der Verein „Musikverleger Union Österreich“ (M.U.Ö.), hat seinen Sitz in Wien und erstreckt seine Tätigkeit auf das gesamte Bundesgebiet und die Zusammenarbeit mit Verbänden und Vereinen gleicher Interessen im Ausland.

Der Zweck des Vereines ist die Förderung des Musikschaffens im allgemeinen, die Wahrnehmung, Beratung und Information hinsichtlich der ideellen und wirtschaftlichen Interessen seiner Mitglieder.

Der Verein verfolgt seine Zwecke, indem er

- 1) mit zuständigen Behörden und privaten Stellen Kontakt hält und Vorschläge zur Förderung des Musikschaffens und der Interessen seiner Mitglieder unterbreitet,
- 2) mit Organisationen zusammenarbeitet, die gleiche oder ähnliche Zwecke wie er selbst verfolgen“.

We understand that there are several entities that have applied to ICANN for the gTLD “.music.” It is our position that “.music” should be awarded to an applicant that has the global support of the music community, and not indiscriminately auctioned off to the highest bidder. Therefore, we are writing in support of Far Further/.music LLC’s community-based application.

Far Further/.music LLC has spent years working with key stakeholders from the worldwide music community to develop policies for creative rights protection and membership requirements.

Far Further/.music LLC also has the endorsement of more than 40 internationally-recognised organisations that represent most professional songwriters, music publishers, artists, musicians and record labels across the world.

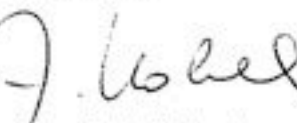
While ICANN’s new gTLD programme will no doubt create many new opportunities for distributing creative works, it has the potential to also pose serious risks for creators.

Governments around the world have consistently recognised the existence of a global music community and enacted treaties and legislation to protect musical works from copyright infringement and to ensure that artists, songwriters and musicians are fairly compensated for the use and performance of their work. Despite these efforts, it has been extremely difficult to have these rights properly secured in the Internet age.

We hope that Austria will take a stand on behalf of our country’s music community with respect to music-themed TLDs.

In accordance with its principle of serving the public interest, ICANN should award TLDs to the applicant that best represents the interests of its respective community. We want to encourage you to support the notion that, in general, a community application in a contention set is the "natural" applicant for a string. We hereby request the GAC to issue "advice" to the ICANN Board to give communities preference based on this principle rather than relying solely on a point system construct that may deny logical and rightful community stakeholders their need for safeguards and governance.

Best regards,

A handwritten signature in black ink, appearing to read 'A. Koblanck', with a long, sweeping underline that extends to the right.

Mag. Astrid Koblanck
Musikverleger Union Österreich



April 5, 2012

To Whom It May Concern:

On behalf of our members, I am sending this letter in support of Far Further/.music LLC's application for the .music Top-Level Domain.

Our organization, National Association for Music Education, among the world's largest arts education organizations, marked its centennial in 2007 as the only association that addresses all aspects of music education. Through membership of more than 75,000 active, retired, and pre-service music teachers, and with 60,000 honor students and supporters, NAfME serves millions of students nationwide through activities at all teaching levels, from preschool to graduate school. NAfME's mission is to advance music education by encouraging the study and making of music by all. Since 1907, NAfME has worked to ensure that every student has access to a well-balanced, comprehensive, and high-quality program of music instruction taught by qualified teachers. NAfME activities and resources have been largely responsible for the establishment of music education as a profession, for the promotion and guidance of music study as an integral part of the school curriculum, and for the development of the National Standards for Arts Education.

It is vitally important that the .music domain is synonymous with integrity. The principals behind Far Further have been part of the music community for decades and we trust that they will operate .music in the best interests of the legitimate music community. We have carefully reviewed their programs and are confident in their experience and expertise regarding all aspects of operating this particular domain.

Sincerely,

A handwritten signature in black ink that reads "Michael A. Butera". The signature is fluid and cursive, with a large initial 'M'.

Michael A. Butera
Executive Director and CEO

April 2, 2012

To Whom It May Concern:

We are sending this letter in support of Far Further/.music LLC's application for the .music Top-Level Domain.

Our organization, NAMM, the National Association of Music Merchants, a not-for-profit association that unifies, leads and strengthens the \$17 billion global music products industry. Founded in 1901, NAMM represents a growing, thriving worldwide community of thousands of deeply passionate, talented companies that make, buy and sell the instruments that allow millions of people to make music. With more than 9,000 Members in the United States and 100+ other countries, NAMM is ultimately dedicated to expanding the market and giving people of all ages the opportunity to experience the proven benefits of making music.

It is vitally important that the .music domain is synonymous with integrity. The principals behind Far Further have been part of the music community for decades and we trust that they will operate .music in the best interests of the legitimate music community. We met with them and have carefully reviewed their programs and are confident in their experience and expertise regarding all aspects of operating this particular domain.

Sincerely,



Shawn Lovery
Director of IT and Communications





Academy of Country Music
American Academy of Teachers of Singing
American Composers Forum
American Federation of Musicians
American Guild of Musical Artists
American Guild of Organists
American Harp Society
American Music Center
American Orff-Schulwerk Association
Artists Against Hunger & Poverty
ASCAP
BMI
Chopin Foundation of the United States
Conductors' Guild
Country Music Association
Delta Omicron International Music Fraternity
Early Music America
Interlochen Center for the Arts
International Alliance for Women in Music
International Federation of Festival Organizations
International Music Products Association (NAMM)
Mu Phi Epsilon International Music Fraternity
Music & Entertainment Industry Educators Association
Music Critics Association of North America
MENC: The National Association for Music Education
Music Performance Fund
Music Publishers Association of the United States
Music Teachers National Association
National Academy of Popular Music
National Academy of Recording Arts & Sciences
National Association of Negro Musicians
National Association of Recording Merchandisers
National Association of Teachers of Singing
National Federation of Music Clubs
National Flute Association
National Guild of Community Schools of the Arts
National Guild of Piano Teachers/
American College of Musicians
National Music Publishers' Association
National Opera Association
Recording Industry Association of America
SESAC
Sigma Alpha Iota
The Songwriters Guild of America

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Eza Laderman
Gunther Schuller
Catherine French
Dean Stein

Accountants: Prager & Fenton
Director: David Sanders

February 10, 2012

To Whom It May Concern:

The members of the National Music Council, who together represent some one million individuals, send this letter in support of Far Further/.music LLC's application for the .music Top-Level Domain.

The National Music Council of the United States was founded in 1940 and chartered by the 84th Congress in 1956 to act as a clearinghouse for the joint opinion and decision of its members and to work to strengthen the importance of music in the nation's life and culture. The Music Council represents the United States to the International Music Council of UNESCO. The Council's initial membership of 13 has grown to almost 50 national music organizations, encompassing every important form of professional and commercial musical activity and education.

The protection of intellectual property rights is vitally important to our members. For that reason, we want to do our part to ensure that any music-themed generic top-level domains are operated in the best interests of the legitimate music community. We understand that Far Further intends to apply for the .music TLD. The principals behind Far Further have been part of the music community for decades and we trust that they will operate .music with the highest degree of integrity. They are known by many of our members and we have carefully reviewed their programs. We are confident in their experience and expertise regarding all aspects of operating this particular domain.

We appreciate your consideration.

Sincerely,

Dr. David Sanders
Director



Contact Information
Redacted

Contact Information
Redacted

Jay Rosenthal
Senior Vice President & General Counsel

March 30, 2012

ICANN
Attn: Stephen Crocker
4676 Admiralty Way, Suite 330
Marina del Rey, CA 90292-6601
USA

Re: Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music Focused gTLD under the string ".music"

To Whom It May Concern:

The National Music Publishers' Association would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

Founded in 1917, the National Music Publishers' Association (NMPA) is the trade association representing American music publishers and their songwriting partners. The NMPA's mandate is to protect and advance the interests of music publishers and songwriters in matters relating to the domestic and global protection of music copyrights.

Our members' businesses and livelihoods have been deeply affected by the growth of the Internet and the World Wide Web. It has transformed how musical compositions and recorded music is created and consumed. It presents both growth opportunities in the form of varied digital distribution channels for music as well as significant threats in the form of rampant online copyright infringement of copyrighted music. This widespread infringement has been to the detriment of our members specifically and to the music community and economy generally. Therefore, we have a vested interest in ensuring that any music themed or focused gTLD operates in a manner that encourages the broad distribution and enjoyment of music in a manner that respects intellectual property rights and discourages infringement.

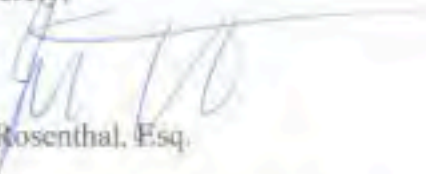
In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with several other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that

process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.

Based on the above, NMPA supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community under the string ".music" for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC), led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects artists' and owner's rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions about this letter, please contact Jay Rosenthal, Esq., Sr. VP & General Counsel, National Music Publishers' Association Contact Information Redacted

Sincerely,



Jay Rosenthal, Esq.

cc: John Styll Far Further
Dr. Stephen Crocker, ICANN

National Songwriters Association

California Songwriters Association

Nashville Songwriters Association International

Texas Songwriters Association

April 9, 2012

ICANN

Attn: Stephen Crocker

4676 Admiralty Way, Suite 330

Marina del Ray, CA 90292-6601

To Whom It May Concern:

The National Songwriters Association is writing in support of Far Further's (or its subsidiary .musicLLC) Application for a Music Focused gLTD under the string ".music".

The National Songwriters Association includes the California, Nashville and Texas Songwriter Associations. Founded in 1967, the NSA is the largest not-for-profit trade association for songwriters. We have more than 140 chapters and focus on advocacy for American songwriters and composers.

Mission Statement

The National Songwriters Association (NSA) consists of a body of creative minds, including songwriters from all genres of music, professional and amateur, who are committed to protecting the rights and future of the profession of songwriting, and to educate, elevate, and celebrate the songwriter and to act as a unifying force within the music community and the community at large.

Page 2

Over the past several years the ranks of professional songwriters and composers in the United States has shrunk dramatically in large part due to illegal downloading of copyrighted music. Copyright infringement has decimated songwriter royalties and is an ongoing threat to compensated creativity worldwide.

Along with other music industry trade associations, the NSA participated in an extensive request for information from potential applicants about their plans to apply for and operate a music themed gLTD.

The National Songwriters Association trusts that Far Further, based on its core principals, will guide and operate the Music Focused gLTD under the string "music," in a way that values and protects copyrighted materials. Therefore, the NSA supports the application of Far Further (or its subsidiary .musicLLC) Application for a Music Focused gLTD under the string ".music".

Thank you for your attention to this matter. For questions of more information please contact: Steve Bogard at Contact Information Redacted

Sincerely,

Steve Bogard, President

National Songwriters Association

NSA is a Not-For-Profit Member Trade Association For Songwriters

Contact Information Redacted

website: www.californiasongwriters.com

www.nashvillesongwriters.com

OPEM Organización Profesional de Editores de Música
Contact Information Redacted

S.G. DE SERVICIOS DE LA SOCIEDAD DE LA INFORMACIÓN

Atta D^a. Gema María Campillos González

D. Jorge Palacio Morán

Contact Information Redacted

En Madrid, a 18 de Enero de 2013

Muy Sres. míos:

Les escribimos como miembros de la comunidad musical en España. OPEM [Organización Profesional de Editores de Música] actúa en nombre y representación de EMI Music Publishing Spain S.A., Warner Chappell Music Spain SA, Universal Music Publishing S.L., Sony ATV Music Publishing Holdings (Spain) Llc S en C, Peermusic Española S.A.U., Unión Musical Ediciones SL y BMG Rights Administration Spain SL.; todas ellas editoriales musicales que ostentan (como editores originales subeditores y/o administradores) los derechos de explotación de gran parte del repertorio musical mundial existente.

Estamos al tanto de que numerosas entidades han solicitado a ICANN el dominio de nivel superior genérico (gTLD) ".music" y es nuestra voluntad que ".music" se le adjudique a un candidato que cuenta con el apoyo global de la comunidad musical, y no indiscriminadamente a la mejor oferta. Por ello, escribimos esta carta en apoyo de la solicitud de Far Further /.music LLC.

Further /.music LLC ha empleado numerosos años trabajando con las partes clave de la comunidad musical en todo el mundo para desarrollar políticas de protección de derechos y de las necesidades de todos sus miembros.

Asimismo, Far Further/.music LLC tiene el respaldo de más de cuarenta organizaciones internacionales reconocidas que representan a la mayoría de los autores y compositores profesionales, editoriales, artistas, músicos y discográficas.

Mientras el nuevo programa de dominios de nivel superior genérico de ICANN, creará sin ninguna duda nuevas oportunidades para distribuir trabajos creativos, también podría plantear serios riesgos para los creadores.

Los gobiernos a lo largo del mundo han reconocido la existencia de una comunidad musical global y han promulgado tratados y legislación que protegen las obras musicales contra posibles vulneraciones de derechos, así como para asegurar que los artistas, autores y compositores y músicos son justamente compensados por el uso y el desempeño de su trabajo. A pesar de estos esfuerzos, ha sido extremadamente difícil mantener la protección de estos derechos en la era de internet.

Esperamos que España tome partido en representación de la comunidad musical de nuestro país con respecto a los dominios de temática musical.

De acuerdo con su principio de servir al interés público, creemos que ICANN debería conceder el dominio de nivel superior genérico al solicitante que mejor representa los intereses de la respectiva

comunidad. Nos gustaría animarles a apoyar la idea de que, en general, existiendo un grupo de solicitudes que contienen idénticas o similares secuencias para un dominio de nivel superior genérico, la solicitud de una comunidad sería ~~la candidata~~ natural para obtener la secuencia.

Por medio de la presente, solicitamos al GAC que recomiende al consejo de ICANN a dar preferencia a las comunidades, basándose en el mencionado principio antes que confiando únicamente en un sistema de puntos que pueda negar a los lógicos y legítimos interesados su necesidad de salvaguardia y gobierno.

Atentamente,



D. Rafael Artero Montalván
Presidente OPEM

/ •



PHONOGRAPHIC PERFORMANCE LTD.

Contact Information Redacted

12.4.2012

To whom It May Concern

Sub: Community support for Far Further's (or its subsidiary .music LLC) Application for a Music focused gTLD under the string ".music"

1. We, Phonographic Performance Ltd ("PPL") hereby express our support for Far Further's (or its subsidiary .music LLC) Application for a Music focused gTLD under the string ".music".
2. PPL is the officially registered and recognised "copyright society" in India which administers the sound recordings of its member music companies. It is the only copyright society enjoying statutory recognition by the Government of India, in respect of sound recordings. At present, the number of member music labels is more than 275, including 3 subsidiaries of International major music labels. Membership is voluntary. The rights and/or royalty revenue streams so administered include broadcasting, internet, public performance and mobile telephony.
3. PPL is actively engaged in legitimate protection and legal enforcement of copyrights of its members.
4. Though PPL's membership includes national Independent labels, majority of members are small music companies specializing in local or regional genres. The livelihood, business models and profitability of our members is significantly impacted by the Internet. While Internet presents certain growth opportunities, at the same time it is a significant threat in view of wide-spread on-line infringement of copyrights of our members, which is of grave concern. Accordingly, we are concerned that a music-focused gTLD operates in manner encouraging legitimate distribution and discouraging piracy.
5. Based on the above, PPL supports and endorses Far Further's (or its subsidiary .music LLC) Application for a Music focused gTLD under the string ".music", for the holistic benefit of the music community.
6. Should you have further questions, the undersigned may please be contacted.

Sincerely,

For Phonographic Performance Ltd

Suresh Srinivasan

Chief Operating Officer





3 July 2012

To Whom It May Concern

Support for the application of .musicLLC to operate the .music gTLD string

PPL licenses recorded music played in public or broadcast in the United Kingdom and then distributes the licence fees to its performer and rights holder members. Established in 1934, PPL exists to ensure that those who invest their time, talent and money to make recorded music are fairly paid for their work. The UK is the second largest performance rights market in the world and PPL collected revenues of £153.5m in 2011.

With over 8,500 members who are record companies or other recorded music rights holders and 51,500 performer members, PPL, a not for profit organisation, has a large and diverse membership. Members include major record labels and globally successful performers, as well as many independent labels, sole traders and session musicians ranging from orchestral players to percussionists and singers – all of whom are entitled to be fairly paid for the use of their recordings and performances. Between them, PPL's members control the rights in the overwhelming majority of recorded music.

PPL has considered the proposals put forward by .music LLC, a division of Far Further LLC in their application to operate the .music gTLD string, particularly taking into consideration:

- The proposed measures for the governance and oversight of the operation of the .music gTLD string by an industry appointed board;
- The eligibility criteria that will apply to applicants for a .music domain name;
- The measures that .music LLC intend to operate to protect intellectual property; and
- The record and repute of the people working for or with, or supporting .music LLC

On the basis of these considerations PPL wishes to express their support for the application of .music LLC, a division of Far Further LLC to operate the .music gTLD string.

Yours Sincerely

Peter Leatham
Chief Executive Officer

From: Contact Information Redacted

Subject: gTLD ".music" - creative rights protection

Date: January 9, 2013 12:15:18 PM CST

To: Contact Information Redacted

Cc: MURPHY David Contact Information Redacted Katharina Obermeier

Contact Information Redacted

PMPA

Professional Music Publishers' Association

Contact Information Redacted

Kathy Fisher

Director

International Telecommunications Policy & Coordination Industry Canada

Contact Information Redacted

Montreal, January 9th 2013

Dear Mrs. Fisher

We are writing in our capacity as a member of the music community in Canada. The Professional Music Publishers' Association (PMPA) brings together music publishing professionals in order to study, develop and defend their interests and promote national and international recognition of the trade.

We understand that there are several entities that have applied to ICANN for the gTLD ".music." It is our position that ".music" should be awarded to an applicant that has the global support of the music community, and not indiscriminately auctioned off to the highest bidder. Therefore, we are writing in support of Far Further/.music LLC's communityZbasedapplication.

Far Further/.music LLC has spent years working with key stakeholders from the worldwide music community to develop policies for creative rights protection and membership requirements.

Far Further/.music LLC also has the endorsement of more than 40 internationallyZ recognised organisations that represent most professional songwriters, music publishers, artists, musicians and record labels across the world.

While ICANN's new gTLD programme will no doubt create many new opportunities for distributing creative works, it has the potential to also pose serious risks for creators.

Governments around the world have consistently recognised the existence of a global

music community and enacted treaties and legislation to protect musical works from copyright infringement and to ensure that artists, songwriters and musicians are fairly compensated for the use and performance of their work. Despite these efforts, it has been extremely difficult to have these rights properly secured in the Internet age.

We hope that Canada will take a stand on behalf of our country's music community with respect to music-themed TLDs.

In accordance with its principle of serving the public interest, ICANN should award TLDs to the applicant that best represents the interests of its respective community. We want to encourage you to support the notion that, in general, a community application in a contention set is the "natural" applicant for a string. We hereby request the GAC to issue "advice" to the ICANN Board to give communities preference based on this principle rather than relying solely on a point system construct that may deny logical and rightful community stakeholders their need for safeguards and governance.

Best regards,

Joëlle Bissonnette
Coordinator – Communications and Representations



Contact Information Redacted

www.pmpa.ca

Paul Zamek
SVP Far Further
Contact Information
Redacted



11th April 2012

Re: application to operate a music focused gTLD under the string ".music".

Dear Paul,

I am writing in reference to Far Further's (or its subsidiary .music LLC) recent request for our support in its application to operate a music focused gTLD under the string ".music".

PRS for Music is a music licensing society which represents the rights of 85,000 songwriters, composers and music publishers in the UK. We have a specific interest in the principle of signalling to consumers where they can find legal websites so they can enjoy music in a manner that respects intellectual property rights and discourages infringement.

PRS for Music is a member of representative bodies, BIEM and CISAC, both of which have already listed their support for Far Further's application to operate a music focused gTLD. We also work closely with ICMP, which represents the interests of the music publishing community globally.

On behalf of their member organisations the aforementioned bodies have been through the due diligence process necessary to support the endorsement of an entity deemed suitable to operate a music focused gTLD. Based on their analysis and support, *PRS for Music* endorses the application by Far Further's (or its subsidiary .music LLC) to operate a music focused gTLD under the string ".music".

Should further information be required, I advise that contact should be made with *PRS for Music's* Regulatory and Corporate Affairs team, which is headed by Frances Lowe. Her contact details are listed as follows:

Frances Lowe, Head of Regulatory and Corporate Affairs
PRS for Music
Email: Contact Information Redacted
Tel:

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Guy Fletcher', written in a cursive style.

Guy Fletcher
Chairman, *PRS for Music*



The PRS for Music Group is a member of the UK Music Group. Contact Information Redacted

Registered

March 27, 2012



**Re: Community Support for Far Further's (or its subsidiary .music LLC)
Application for a Music Focused gTLD under the string ".music"**

To Whom It May Concern:

The Recording Industry Association of America would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

The Recording Industry Association of America (RIAA), formed in the 1950s, is the trade organization that supports and promotes the creative and financial vitality of the major music companies in the United States. Its members are the music labels that comprise the most vibrant record industry in the world. RIAA members create, manufacture and/or distribute approximately 85% of all legitimate recorded music produced and sold in the United States. A list of our members is available at www.riaa.com. In support of this mission, the RIAA works to protect the intellectual property and First Amendment rights of artists and music labels; conduct consumer, industry and technical research; and monitor and review state and federal laws, regulations and policies. The RIAA also certifies Gold®, Platinum®, Multi-Platinum™ and Diamond sales awards as well as Los Premios De Oro y Platino™, an award celebrating Latin music sales.

Our members' businesses and livelihoods have been deeply affected by the growth of the Internet and the World Wide Web. It has transformed how music is created and how recorded music is consumed. It presents both growth opportunities in the form of varied digital distribution channels for music as well as significant threats in the form of rampant online copyright infringement of copyrighted music. This widespread infringement has been to the detriment of our members specifically and to the music economy generally. Therefore, we have a vested interest in ensuring that any music themed or focused gTLD operates in a manner that promotes legitimate distribution and consumption of music and discourages infringement.

In the months prior to the application window, several entities expressed interest in operating a music themed gTLD, and reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with several other music related trade associations that represent a cross-section of the global music community (the "coalition"), participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that process, the coalition requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its whois commitments, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the coalition about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.

Based on the above, our organization supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community under the string ".music" for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC) will operate the gTLD in a manner that respects and protects the creator's and owner's rights in their music and promotes the legitimate distribution and consumption of music using executives that have deep knowledge of, and experience in, the music community.

Should you have any questions about this letter, please contact my colleague, Victoria Sheckler, Senior Vice President and Deputy General Counsel, Recording Industry Association of America, Contact Information Redacted
Contact Information Redacted

Sincerely,

A handwritten signature in black ink, appearing to read 'Cary Sherman', with a long horizontal flourish extending to the right.

Cary Sherman
Chairman and CEO
Recording Industry Association of America

cc: John Styll, Far Further
Stephen D. Crocker, ICANN

Slobodan Marković
Ministry of Telecommunications and Information Society
Special Advisor to the Minister

18.01.2013.

Dear Mr. Slobodan Marković,

We are writing in our capacity as a member of the music community in Serbia. Ricom Publishing d.o.o. is a publishing company which represents authors of Universal Music Publishing International for Serbia together with the most famous Serbian and ex Yugoslav authors.

We understand that there are several entities that have applied to ICANN for the gTLD “.music.” It is our position that “.music” should be awarded to an applicant that has the global support of the music community, and not indiscriminately auctioned off to the highest bidder. Therefore, we are writing in support of Far Further/.music LLC’s community-based application.

Far Further/.music LLC has spent years working with key stakeholders from the worldwide music community to develop policies for creative rights protection and membership requirements.

Far Further/.music LLC also has the endorsement of more than 40 internationally-recognised organisations that represent most professional songwriters, music publishers, artists, musicians and record labels across the world.

While ICANN’s new gTLD programme will no doubt create many new opportunities for distributing creative works, it has the potential to also pose serious risks for creators.

Governments around the world have consistently recognised the existence of a global music community and enacted treaties and legislation to protect musical works from copyright infringement and to ensure that artists, songwriters and musicians are fairly compensated for the use and performance of their work. Despite these efforts, it has been extremely difficult to have these rights properly secured in the Internet age.

We hope that Serbia will take a stand on behalf of our country’s music community with respect to music-themed TLDs.

In accordance with its principle of serving the public interest, ICANN should award TLDs to the applicant that best represents the interests of its respective community. We want to encourage you to support the notion that, in general, a community application in a contention set is the “natural” applicant for a string. We hereby request the GAC to issue “advice” to the ICANN Board to give communities preference based on this principle rather than relying solely on a point system construct that may deny logical and rightful community stakeholders their need for safeguards and governance.

Best regards,

Rodoljub Stojanović, direktor





PATRICK COLLINS
PRESIDENT
CHIEF OPERATING OFFICER

March 29, 2012

Re: Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music Focused gTLD under the string ".music"

To Whom It May Concern:

SESAC would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

Established in 1930, SESAC is a service organization created to serve both the creators of music and music users through music licensing and timely, efficient royalty collection and distribution. The second oldest and fastest growing performing rights organization in the U.S., SESAC is known for its diversified repertory that includes genres ranging from Adult Contemporary, Urban, Jazz, Rock, Americana, Contemporary Christian, Latin, Country, Gospel, Dance, Classical and New Age. SESAC is also rapidly becoming the performing rights organization of choice among many of Hollywood's most sought-after film and television composers. Headquartered in Nashville, the company also has offices in New York, Los Angeles, Atlanta, Miami and London. (www.sesac.com).

Our members' businesses and livelihoods have been deeply affected by the growth of the Internet and the World Wide Web. It has transformed how music is created and how recorded music is consumed. It presents both growth opportunities in the form of varied digital distribution channels for music as well as significant threats in the form of rampant online copyright infringement of copyrighted music. This widespread infringement has been to the detriment of our members specifically and to the music economy generally. Therefore, we have a vested interest in ensuring that any music themed or focused gTLD operates in a manner that encourages the broad distribution and enjoyment of music in a manner that respects intellectual property rights and discourages infringement.

In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations and companies to seek their support and endorsement. In light of that interest, our organization, along with several other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that process, this group of

associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its whois commitments, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.

Based on the above, SESAC supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community under the string ".music" for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC), led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects artists' and owner's rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions about this letter, please contact Justin Levenson, Manager, Licensing Operations, SESAC, Contact Information Redacted
Contact Information Redacted

Sincerely,

SESAC

A handwritten signature in black ink, appearing to read "Pat Collins", with a large, sweeping flourish at the end.

Pat Collins

lhm

cc: John Styll, Far Further
Dr. Stephen Crocker, ICANN



Sociedad de Productores Fonográficos y Videográficos de Chile

Santiago, march 7th 2013

Steve Crocker
C/O ICANN
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094-2536
USA
steve.crocker@icann.org

Dear Dr. Crocker:

We are sending this letter in support of Far Further/.music LLC's application for the .music Top-Level Domain.

Sociedad de Productores Fonográficos y Videográficos de Chile, PROFOVI. Our mission supports the development sustainable music sectors worldwide, to create awareness about the value of music, to make music matter in all social aspects.

With this in mind, it is of utmost importance that the .music Top-Level Domain be operated in the best interests of the music community. We believe that the .music gTLD should be granted to Far Further's .music LLC, which already has the support of the global music community, as evidenced by the unparalleled endorsement from the recognized and established national and international, community-based music organizations.

We want to do our part to ensure that the .music TLD is operated in the best interests of the legitimate music community and not simply auctioned off to the highest bidder. The principals behind Far Further have deep knowledge of, and experience in, the music community, and will operate the gTLD in a manner that respects and protects authors and owners' rights in copyrighted music and promotes the legitimate distribution and enjoyment of music for everyone. We have carefully reviewed their programs and we are confident in their experience and expertise regarding all aspects of operating this particular domain.

Therefore, PROFOVI supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate the .music gTLD for the music community under the string ".music" for the benefit of the music community.

Sincerely,

A handwritten signature in blue ink, appearing to read "Francisco Nieto G.", with a long horizontal line extending to the right.

Francisco Nieto G.
Director General



Steve Crocker
c/o ICANN
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094-2536
USA
steve.crocker@icann.org

25.01.2013

Dear Dr. Crocker:

We are sending this letter in support of Far Further/.music LLC's application for the .music Top-Level Domain.

Allow me first to introduce our company: SABAM was founded in 1922 by authors and for authors. As a private company, SABAM is the Belgian Collective Management Society administrating the rights coming to the authors composers and publishers in Belgium.

Being the largest cultural company in Belgium, it represents 36,000 authors and more than 4 million creations. SABAM represents the Belgian as well as the international musical repertoire, through reciprocal agreement concluded with similar Collective Management Societies abroad.

With this in mind, it is of utmost importance that the .music Top-Level Domain be operated in the best interests of the music community. We believe that the .music gTLD should be granted to Far Further's .music LLC, which already has the support of the global music community, as evidenced by the unparalleled endorsement from the recognized and established national and international, community-based music organizations.

We want to do our part to ensure that the .music TLD is operated in the best interests of the legitimate music community and not simply auctioned off to the highest bidder. The principals behind Far Further have deep knowledge of, and experience in, the music community, and will operate the gTLD in a manner that respects and protects authors and owners' rights in copyrighted music and promotes the legitimate distribution and enjoyment of music for everyone. We have carefully reviewed their programs and we are confident in their experience and expertise regarding all aspects of operating this particular domain.

Therefore, SABAM supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate the .music gTLD for the music community under the string ".music" for the benefit of the music community.

Sincerely,

Christophe Depreter
CEO

April 4th, 2012

To whom it may concern

We are sending this letter in support of Far Further/ music LLC's application for the .music top level domain.

Our organization, Sacem (Société des auteurs et compositeurs de musique), is a French collective rights society for music, representing over 137 000 members (songwriters, composers and publishers) and 40 million international music works in France. Sacem was founded in 1860, and is the oldest collective rights society in the world.

Our main role is to license our member's repertoire, in order to collect and redistribute the rights generated, thus insuring a just remuneration for the use of their works. We also support musical creation by distributing cultural funds, coming mainly from the private copying system.

The protection of intellectual property rights is vitally important to our members. Thus, we want to do our part to ensure that any music-themed generic top-level domains are operated in the best interests of the legitimate music community.

We understand that Far Further intends to apply for the .music TLD. The principals behind Far Further are part of the music community, and have been for years. We trust that they will operate .music legitimately, while promoting and protecting the interests of right holders and musical diversity worldwide. We have reviewed their programs and are confident in their experience regarding the operation of this particular domain.

Sincerely,



Bernard Miyet

CEO of Sacem

April 20, 2012

To Whom It May Concern:

Re: Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music-Focused gTLD under the string ".music"

The Society of Composers, Authors and Music Publishers of Canada (SOCAN) would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music-focused gTLD under the string ".music"

SOCAN is a not-for-profit member-based organization that represents the Canadian performing rights of over three million Canadian and international music creators and publishers. We play a leading role in supporting the long-term success of our more than 100,000 Canadian members, as well as the Canadian music industry. We collect licence fees from over 45,000 businesses across Canada and distribute royalties to our members and other music rights organizations around the world. We also distribute royalties to our members for the use of their music internationally in collaboration with other peer societies.

SOCAN was formed in 1990, but our predecessors have been around in some form or another in Canada since 1925. SOCAN was created as a result of the merger of two former Canadian performing rights societies: The Composers, Authors and Publishers Association of Canada (CAPAC) and the Performing Rights Organization of Canada (PROCAN). In 1925, the Performing Rights Society (PRS) of the United Kingdom formed the Canadian Performing Rights Society (CPRS). Over the years, CAPAC worked to protect the rights of our members, especially in the face of opposition from the well-established radio and television industries. In 1990, CAPAC and PROCAN merged to form SOCAN.

In the months prior to the application window, several entities with an interest in operating a music-themed gTLD reached out to various music-related trade associations to seek their support and endorsement.

Separate due diligence and analysis was carried out on the respondents and their proposed plans.

Based on the above, SOCAN supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music-themed gTLD for the music community under the string ".music" for the benefit of the music community.

Should you have any questions about this letter or our position, please feel free to contact me.

Yours truly,



EB:m



www.songwritersguild.com
Contact Information Redacted

March 10, 2012

Re: Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music Focused gTLD under the string ".music"

To Whom It May Concern:

The Songwriters Guild of America would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

The Songwriters Guild of America (SGA) is an organization founded in 1931, to help "advance, promote, and benefit" the profession of songwriters. It was founded as the "Songwriters Protective Association" by [Billy Rose](#), [George M. Meyer](#) and [Edgar Leslie](#). They issued the first standard songwriters contract, in 1932 and most writers consider it the 'standard' agreement in the industry. The organization was later known as the American Guild of Authors and Composers, AGAC. In 1976, the organization, along with the NMPA was one of the driving forces behind the creation of the [Copyright Act of 1976](#). In the 1980s, it became the Songwriters Guild of America. In the 1990's it joined forces with the [National Academy of Songwriters](#).^[1]

The Songwriters Guild features online and offline classes in songwriting and the music business. Other features include contract review for members, in-depth song evaluations, royalty collection services and music industry resources.

Songwriters in the new millennium are faced with unprecedented opportunities and challenges in the world of online digital music delivery. While the internet has opened the door to world-wide distribution of songs to every songwriter with an internet connection it has also created, through illegal downloading and streaming of unlicensed music, the largest theft of intellectual property in the history of mankind. This widespread infringement has been to the detriment of our members specifically and to the music economy generally. Therefore, we have a vested interest in ensuring that any music themed or focused gTLD operates in a manner that encourages the broad distribution and enjoyment of music in a manner that respects intellectual property rights and discourages infringement.

In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with several other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its whois commitments, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.



www.songwritersguild.com
Contact Information Redacted

Based on the above, The Songwriters Guild of America supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community under the string “.music” for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC), led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects artists’ and owner’s rights in copyrighted music and promotes the legitimate distribution and enjoyment of music. .

Should you have any questions about this letter, please contact Sam Fein at Contact Information Redacted

Sincerely,

Rick Carnes
President
The Songwriters Guild of America



April 9, 2012

Re: Support for Far Further's (or .music LLC) Application for a Music Focused gTLD under the string ".music"

To Whom It May Concern:

SoundExchange would like to express our support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music."

SoundExchange is the non-profit performance rights organization that collects statutory royalties when sound recordings are played on certain digital services, such as satellite radio, Internet radio, cable TV channels, or streamed as background music in some restaurants or stores. SoundExchange is the only entity in the U.S. authorized to collect and distribute these non-interactive digital performance royalties for featured recording artists and master rights owners.

SoundExchange represents an unparalleled breadth of interests in the recorded music industry. Our constituents include both signed and unsigned recording artists – everyone from multi-platinum stars to local garage bands – along with small, medium and large record companies. We currently maintain more than 48,000 payable performer accounts and over 20,000 rights owner accounts. As an organization that both enables digital services to do what they do best, but also ensures the creative community is paid for their work, we are proud to be reinvesting in the next generation of great music.

Our recording artists and record labels benefit from the value of their intellectual property and the royalties they receive from digital streaming. As such we will also fight to ensure they are paid for their contributions to the industry. Digital technology has clearly created a new and growing revenue source for the music business, but it has also developed into a means for people around the world to unlawfully obtain music for free – bringing down the value of music. This is much to the detriment of those that have put their heart and soul, including countless hours into their work.

It is our firm belief that the any ".music" top-level domain is operated by an entity that not only has a solid organizational structure in place, but is also committed to the needs and interests of the legitimate music community. We believe Far Further (or its subsidiary .music LLC) is that organization. Based on our knowledge of the organization, SoundExchange supports their application of the ".music" domain.

Sincerely,

A handwritten signature in blue ink that reads "Michael J. Huppe". The signature is fluid and cursive, with the first name being the most prominent.

Michael J. Huppe
President
SoundExchange



Juuso Moisander
Contact Information
Redacted

Helsinki 10. tammikuuta 2013

".music"-PÄÄTTEINEN TOP LEVEL DOMAIN

Suomen Musiikkikustantajat ry on vuonna 1976 perustettu järjestö, johon kuuluu 40 kotimaista musiikkikustannusalan yritystä tai yhteisöä. Jäsenet edustavat kattavasti kaikkia musiikin alueita kevyestä vakavaan.

Musiikkikustantajien toiminta perustuu yhteistyöhön musiikin tekijöiden eli säveltäjien ja sanoittajien kanssa. Tuemme heidän työtään ja harjoitamme liiketoimintaa edistämällä suomalaisten teosten luvallista käyttöä sekä kotimaassa että kansainvälisesti. Olemme yksi musiikkivientiämme edistävän Music Finland ry:n perustajajäsenistä sekä Suomen edustaja alan kansainvälisessä järjestössä ICMP:ssä (International Confederation of Music Publishers).

Tietojemme mukaan useat tahot ovat hakeneet ICANNilta music-päätteen käyttöoikeutta. Katsomme, että tämän päätteen käyttöoikeus tulisi myöntää hakijalle, jolla on takanaan kansainvälisen musiikkiyhteisön tuki ja joka niin kansainvälisellä kuin eri kansallisilla tasoilla todella edustaa musiikkia. Päätöstä tunnuksen myöntämisestä ei siten pidä tehdä tarjousten rahallisen suuruuden perusteella. Siksi toivomme, että kyseinen tunnus myönnettäisiin Far Further/.music LLC:n hakemukselle, jolla on takanaan musiikkialan toimijoiden laaja kansainvälinen tuki.

Far Further/.music LLC on tehnyt vuosien ajan maailmanlaajuisia yhteistyötä musiikkialan toimijoiden kanssa luovan alan hyväksi ja alaan liittyvien oikeuksien suojaamiseksi. Far Further/.music LLC:n taustalla ja tukena on yli 40 kansainvälistä järjestöä, jotka edustavat kattavasti ammattimaisia musiikin tekijöitä (säveltäjiä ja sanoittajia), musiikkikustantajia, muusikkoja ja esittäviä taiteilijoita sekä levy-yhtiöitä.

Vaikka ICANNin uusi gTLD-ohjelma tarjoaakin monia uusia jakelu- ja muita mahdollisuuksia teoksille, se voi tuoda näiden teosten tekijöille myös riskejä.

Valtiot kaikkialla maailmassa ovat tunnustaneet luovan alan kulttuurisen ja taloudellisen merkityksen ja ovat sekä kansainvälisten sopimusten että lainsäädännön avulla pyrkineet suojaamaan musiikkiteoksia tekijänoikeuden loukkauksilta sekä varmistamaan, että tekijät ja taiteilijat saavat oikeudenmukaisen korvauksen teostensa käytöstä. Oikeuksien turvaaminen on näistä pyrkimyksistä huolimatta osoittautunut Internet-aikakaudella erittäin vaikeaksi.

Pyydämme, että Suomi tukisi oman maamme musiikkialaa tässä Top Level Domain -asiassa. ICANNin tulisi omien periaatteittensa mukaisesti myöntää domainit hakijalle, joka uskottavimmin ja kattavimmin edustaa omaa alaansa. Toivomme, että Governmental Advisory Committeeen (GAC) suosittelee ICANNin hallitukselle tämän periaatteen mukaista päätöstä.

Ystävällisin terveisin

SUOMEN MUSIIKKIKUSTANTAJAT RY



Pekka Sipilä
toiminnanjohtaja

Contact Information
Redacted



THE RECORDING ACADEMY®

GRAMMYS® ON THE HILL
ADVOCACY & GOVERNMENT RELATIONS

March 29, 2012

Re: Support for Far Further's (or its subsidiary .music LLC) Application for a Music-Focused gTLD under the string ".music"

To Whom It May Concern:

The Recording Academy, a membership organization of musicians, producers, engineers and recording professionals, would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music-focused gTLD under the string ".music".

Established in 1957, The Recording Academy is dedicated to improving the cultural condition and quality of life for music and its makers. Internationally known for the GRAMMY Awards — the preeminent peer-recognized award for musical excellence and the most credible brand in music — The Recording Academy is responsible for groundbreaking professional development, cultural enrichment, advocacy, education and human services programs. The Academy continues to focus on its mission of recognizing musical excellence, advocating for the well-being of music makers and ensuring music remains an indelible part of our culture.

The growth of the Internet has deeply affected the livelihoods of our members. It has transformed how music is created and how recorded music is consumed. It presents growth opportunities in the form of new digital distribution channels for music as well as significant threats in the form of rampant online theft of copyrighted music. This widespread infringement has been to the detriment of both our members specifically and the broader music industry generally. Therefore, we have a vested interest in ensuring that any music-themed or music-focused gTLD operates in a manner that encourages the broad distribution and enjoyment of music, respects intellectual property rights and discourages copyright infringement.

In the months prior to the application window, several entities with an interest in operating a music-themed gTLD reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music-themed gTLD. As part of that process, this group of associations requested information concerning, among other things, each respondent's plans to operate the gTLD generally, its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its whois commitments, its proposed registrar requirements and its financial and technical capability to operate its proposed gTLD.

operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.

Based on the process outlined above, The Recording Academy supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community under the string ".music" for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC), led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects artists' and owners' rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions about this letter, please contact Daryl P. Friedman, Chief Advocacy & Industry Relations Officer, The Recording Academy, Contact Information Redacted
Contact Information Redacted

Sincerely,



Daryl P. Friedman
Chief Advocacy & Industry Relations Officer

cc: John Styll, Far Further
Dr. Stephen Crocker, ICANN



Uganda Musicians' Union

Contact Information Redacted

www.ugandamusiciansunion.org

Simon Bugaba
Assistant Director/Licensing and Standards
Uganda Communications Commission
Email Contact Information Redacted

28th January 2013

Dear Sir;

We are writing as a concerned member of the music community in Uganda.

Uganda Musicians' Union (UMU) established in 1998, is a registered National Collective Musicians Umbrella Union under the Ministry of Gender, Labour and Social Development – Department of Culture; promoting issues of social protection, equity, human rights, copyright management, decent working conditions and employment for performing and non-performing musicians in Uganda.

UMU with a current membership of 864 musicians is an affiliate member to the International Federation of Musicians - FIM based in Paris and to FIM/African Committee (FAC) since 2001.

We understand that there are several entities that have applied to ICANN for the gTLD “.music.” It is our position that “.music” should be awarded to an applicant that has the global support of the music community, and not indiscriminately auctioned off to the highest bidder. Therefore, we are writing in support of Far Further/.music LLC's community-based application.

Prior to submitting its application, Far Further/.music LLC spent years working with the representative stakeholders from within the worldwide music community to develop policies for creative rights protections and membership requirements that not only serve the common interest of the global music community and meet or exceed ICANN's guidelines, but also are balanced with the needs of the Internet user and music lover.

In addition to the support of the global noncommercial sector represented by the International Federation of Musicians and others, Far Further/.music LLC also has the endorsement of more than 40 internationally-recognized organizations that represent virtually every professional songwriter, music publisher, artist, musician and record label in the world. This is an unprecedented demonstration of unity and support from the global music community.

Music is a protected and regulated sector in most countries throughout the world, where the royalty rates are controlled by government statute. While ICANN's new gTLD program will no doubt create many new opportunities for distributing creative works, it has the potential to also pose serious risks for creators.

Governments around the world have consistently recognized the existence of a global music community and enacted treaties and legislation to protect musical works from copyright infringement and to preserve music creators' livelihoods by insuring that artists, songwriters and musicians are fairly compensated for the use and performance of their work.

Despite these internationally recognized laws and regulations, it has been extremely difficult to have these rights properly secured in the Internet age.

It would be our hope that Uganda will take a stand on behalf of our country's music community with respect to music-themed TLDs.

In accordance with its principle of serving the public interest, ICANN should award TLDs to the applicant that best represents the interests of its respective community. We want to encourage you to support the notion that, in general, a community application in a contention set is the "natural" applicant for a string.

We hereby request the GAC to issue "advice" to the ICANN Board to truly give communities preference based on this principle rather than relying solely on a point system construct that may deny logical and rightful community stakeholders their critical need for safeguards and governance.

We appreciate the opportunity to share our thoughts with you.

Best Regards,

Dick Matovu
General Secretary
Uganda Musicians Union (UMU)
Contact Information Redacted

www.ugandamusiciansunion.org
Contact Information
Redacted



22.5.14.

Re: Community Support for Far Further's (or its subsidiary .music LLC) Application for a MusicD Focused gTLD under the string ".music"

To Whom It May Concern:

The Worldwide Independent Network (WIN) would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a musicD focused TLD under the string ".music"

The Worldwide Independent Music Industry Network (WIN) is a global forum for the professional independent music industry. It was launched in 2006 in response to business, creative and market access issues faced by the independent sector everywhere. For independent music companies and their national trade associations worldwide, WIN is a collective voice. It also acts as an advocate, instigator and facilitator for its membership.

The membership of WIN is made up of 21 independent music trade associations around the world. The WIN Council consists of 20 directors of influential independent music companies in all key markets around the world who guide WIN's overall direction. WIN's entire membership stretches across every continent, with trade associations in all the wellD developed legitimate music markets taking a particularly active role.

The proliferation of the digital landscape in relation to the WIN trade association member labels commercial activities is a key area on the WIN agenda. The protection of intellectual property rights is therefore vitally important to WIN and the global independent sector. As such we have a vested interest in ensuring that the entity operating the ".music" TLD appreciates the interests and concerns of our music community.

We would like to demonstrate our support of Far Further's application to operate the ".music" TLD and offer this letter as a demonstration of this.

Should you have any questions about this letter or our position, please feel free to contact me.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Alison Wenham', written in a cursive style.

Alison Wenham Chair and CEO

Worldwide Independent Network
Contact Information Redacted

Web: www.winforum.com

Annex 4



New gTLD Application Submitted to ICANN by: .music LLC

String: music

Originally Posted: 13 June 2012

Application ID: 1-959-51046

Applicant Information

1. Full legal name

.music LLC

2. Address of the principal place of business

Contact Information Redacted

3. Phone number

Contact Information
Redacted

4. Fax number

Contact Information
Redacted

5. If applicable, website or URL

<http://www.farfarther.com>

Primary Contact

6(a). Name

Mr. John Styll

6(b). Title

President/Chief Operating Officer

6(c). Address

6(d). Phone Number

Contact Information
Redacted

6(e). Fax Number

6(f). Email Address

Contact Information Redacted

Secondary Contact

7(a). Name

Mr. Loren Balman

7(b). Title

Chief Executive Officer

7(c). Address

7(d). Phone Number

Contact Information
Redacted

7(e). Fax Number

7(f). Email Address

Contact Information Redacted

Proof of Legal Establishment

8(a). Legal form of the Applicant

Limited Liability Corporation

8(b). State the specific national or other jurisdiction that defines the type of entity identified in 8(a).

State of Tennessee, United States of America

8(c). Attach evidence of the applicant's establishment.

Attachments are not displayed on this form.

9(a). If applying company is publicly traded, provide the exchange and symbol.

9(b). If the applying entity is a subsidiary, provide the parent company.

Far Further LLC

9(c). If the applying entity is a joint venture, list all joint venture partners.

Applicant Background

11(a). Name(s) and position(s) of all directors

Cal Turner III	Chairman
John Styll	President
Loren Balman	Chief Executive Officer

11(b). Name(s) and position(s) of all officers and partners

Cal Turner III	Chairman
John Styll	President-Secretary
Loren Balman	Chief Executive Officer

11(c). Name(s) and position(s) of all shareholders holding at least 15% of shares

Cal Turner III	Chairman
Loren Balman	Chief Executive Officer
Stephen Kelley	Not Applicable

11(d). For an applying entity that does not have directors, officers, partners, or shareholders: Name(s) and position(s) of all individuals having legal or executive responsibility

Applied-for gTLD string

13. Provide the applied-for gTLD string. If an IDN, provide the U-label.

music

14(a). If an IDN, provide the A-label (beginning with "xn--").

14(b). If an IDN, provide the meaning or restatement of the string in English, that is, a description of the literal meaning of the string in the opinion of the applicant.

14(c). If an IDN, provide the language of the label (in English).

14(c). If an IDN, provide the language of the label (as referenced by ISO-639-1).

14(d). If an IDN, provide the script of the label (in English).

14(d). If an IDN, provide the script of the label (as referenced by ISO 15924).

14(e). If an IDN, list all code points contained in the U-label according to

Unicode form.

15(a). If an IDN, Attach IDN Tables for the proposed registry.

Attachments are not displayed on this form.

15(b). Describe the process used for development of the IDN tables submitted, including consultations and sources used.

15(c). List any variant strings to the applied-for gTLD string according to the relevant IDN tables.

16. Describe the applicant's efforts to ensure that there are no known operational or rendering problems concerning the applied-for gTLD string. If such issues are known, describe steps that will be taken to mitigate these issues in software and other applications.

.MUSIC LLC foresees no known rendering issues in connection with the proposed .music string which it is seeking to apply for as a gTLD. This answer is based upon consultation with .MUSIC LLC's backend provider, Neustar, which has successfully launched a number of new gTLDs over the last decade. In reaching this determination, the following data points were analyzed:

- ICANN's Security Stability Advisory Committee (SSAC) entitled Alternative TLD Name Systems and Roots: Conflict, Control and Consequences (SAC009);
- IAB - RFC3696 "Application Techniques for Checking and Transformation of Names"
- Known software issues which Neustar has encountered during the last decade launching new gTLDs;
- Character type and length;
- ICANN supplemental notes to Question 16; and
- ICANN's presentation during its Costa Rica regional meeting on TLD Universal Acceptance

17. (OPTIONAL) Provide a representation of the label according to the International Phonetic Alphabet (<http://www.langsci.ucl.ac.uk/ipa/>).

Mission/Purpose

18(a). Describe the mission/purpose of your proposed gTLD.

The mission of .music is to collaboratively grow a domain that serves artists, songwriters and music professionals; promotes music, and nurtures the art... all for the love of music.

Music is one of the few experiences that is both truly unique to our species and common across all people. Music is such a defining aspect of humanity that when we talk with others about music we ask them what kind of music they like, never whether they like music. One needs look no further than ICANN itself for an example of the power of music to communicate and unite. Nearly every host committee has used music to introduce participants from around the world to its country's culture, languages and even belief systems. Music is so central to what makes us human that it's hard to imagine a human being without a relationship with music in some shape, form or expression.

Over the course of history, music has had various statures at different times and with different peoples. At times, the musician and their creations have been upheld and admired, banned and rejected, rewarded, punished, supported, and impoverished. Yet, throughout this turbulent and tenuous relationship we have continued to crave music as a fundamental fulfillment of self.

Today, we are in an age of appreciation for the art of music. It is a significant force in modern cultures and even a significant force in our economic productivity. Nonetheless, resource constraints challenge our ability to educate musicians and audiences alike. While new technologies have played a central role in increasing the global availability of diverse musical traditions in recent years, we have yet to fully tap into the power of that same technology to sustain and nurture music, musical creators, and their audiences. As T. S. Elliot once said: "You are the music while the music lasts."

The fundamental purpose of .music is to help ensure that the music CAN last. The mission of .music is to serve artists, musicians, songwriters and music professionals that support them through a Top-Level Domain (TLD) that promotes music and nurtures the art.

The .music TLD will provide the global community of music makers, music educators, music advocates, and music professionals with a unique identifier on the Internet that respects and supports intellectual property rights and facilitates the advancement of music education. The .music TLD will facilitate global collaboration among, and promote the musical identity of artists, musicians, songwriters and the professionals that support them, as well as music educators and arts-oriented policy makers through a relevant and shared website and email address suffix. The .music TLD will facilitate music creation, career development, promotion and distribution, and will serve as the artist's ally and advocate. Our goal is to make the .music TLD transform the current landscape by addressing the needs of artists, musicians, bands and songwriters who are looking for new ways to promote themselves and their creative work in the face of economic challenges and technology shifts that have eroded the efficacy of traditional methods of promotion.

These economic challenges and technology shifts have led many to assume that the benefit of those who produce, play or practice the art of music is at loggerheads with those who consume it. The .music TLD challenges that notion by focusing on the one thing they both have in common: a passion for music. For the music to last, there has to be a balance between the needs and desires of both. The .music TLD as envisioned will strive to do just that. Providing the music community a safe and secure platform will mitigate the fears that plague and limit the natural desire of those who produce, play or practice the art of music to express themselves and seek wider distribution for their work. In turn, this provides a wider, deeper and richer content experience for the fans and consumers of music. The era of perceived friction between the producers and consumers of music is about to end, as both find a new platform where their mutual interests and desires coalesce for the combined greater benefit.

With enhanced visibility, security and protection, the .music TLD will change how we interact with music entities on the Internet. Far Further's vision is to be a greenhouse for musical creativity and a concourse for the promotion of music creators, resulting in frictionless delivery of their music to global audiences in an environment that respects their creative works and the rights of artists. In short, it will serve as a nexus between the music community and the Internet.

As musicians, we are challenged to keep pace with changing technology and constantly-evolving methods of accessing music. It is well known that one of the greatest concerns of this community is the protection of intellectual property (IP) rights. Part of our mission is to provide a domain with safeguards from abuse and to take appropriate measures to protect the rights of creators and owners. As a restricted TLD, .music will effectively support the community's interests in protecting IP rights and will be unavailable to those known to operate outside the legal IP paradigm.

18(b). How do you expect that your proposed gTLD will benefit registrants, Internet users, and others?

How do you expect that your proposed gTLD will benefit registrants, Internet users, and others? Answers should address the following points:

1. What is the goal of your proposed gTLD in terms of areas of specialty, service levels, or reputation?

Our goal is to work with members of the global music community to create a trusted, secure and restricted TLD for accredited members of the music community. The dotMusic Registry will provide qualifying registrants the opportunity to register their preferred domain name in a safe, reputable and globally accessible TLD. Registrants will be identified and validated as members of the music community through their existing and maintained membership in existing associations related to the creation and support of music.

The World Wide Web today features a large number and enormous variety of music-related websites. While our business model depends only on modest uptake in the early years, we anticipate that as the .music TLD demonstrates the trust and security of a specialized namespace over time, more and more music-related content and related economic transactions will be moved to the .music TLD from current gTLD and ccTLD domains.

- The .music TLD will meet or exceed the ICANN's availability requirements. The .music TLD will operate as an exemplary registry, using best practices and deploying appropriate technology to safeguard creative rights, providing end users assurance about the identity and community qualifications of the TLD's registrants.
- The .music TLD will use a variety of online scanning tools that search for key words that are commonly used to signal the availability of music distributed without appropriate authorization or in violation of intellectual property rights to aid in mitigating copyright infringement for the music community in general.
- The .music TLD will maintain a reputable marketplace for end-users through our general abuse policies and their active enforcement.

2. What do you anticipate your proposed gTLD will add to the current space, in terms of competition, differentiation, or innovation?

Among ICANN's core values is a fundamental commitment to "Introducing and promoting competition in the registration of domain names where practicable and beneficial in the public interest." The dotMusic Registry will be a new direct competitor to the current group of global generic TLDs, offering an entirely music-focused environment and branding. Our business plan is to serve musicians in economically-developed, as well as key growing

international markets, who will benefit from a TLD registry dedicated to address the unique needs of its community.

The dotMusic Registry's differentiation will be "supporting and sustaining musical creativity through respect for intellectual property". More than any of the current community-focused gTLD registries, we will provide end-users a domain space that assures them of the community qualifications and identity of a registrant. The reputation of that registrant is tied to their domain registration through verification of their membership standing by their applicable music association. The dotMusic Registry will directly verify a registrant's affiliation with a qualifying music association member both at initial application and through annual reviews of each association. Intrinsically, this adds the reputational weight of many music associations (through our .music registrants) to that of the domain name.

The dotMusic Registry's innovation will focus on two areas: 1) The restricted registrant participation of our string, which we believe is an ideal combination of inclusiveness for all music associations and their members AND validation of community standing, and 2) Our enhanced abuse management programs to ensure the sustainability of the artist and songwriter through protection of their creations.

New gTLD registries have largely focused on North America and European marketplaces. Since music is the "universal language", as the dotMusic Registry, we will offer the .music TLD to international markets, with the goal of a truly global distribution of registrants. To further serve the international market, the dotMusic Registry may at its option, offer the IDN equivalents of .music in other scripts/languages.

Our intent is to operate .music with a focus on trust and security for the .music brand. This entails running a robust rights protection program from initiation, which in our case meets - and significantly exceeds - ICANN's requirements. We will engage an abuse-detection and prevention team, as well as bring on board an experienced and disciplined management team. These, along with other strong provisions (detailed in our answers to 28, 29 and 30), will enable us to act where registrars are remiss in their responsibilities. The dotMusic Registry will have the potential to set new standards for the reduction and mitigation of domain abuse.

3. What goals does your proposed gTLD have in terms of user experience?

The purpose of .music is to provide an online "home" to registrants identified as members of the .music community to hold active registrations for their name or online identity-brand. The Internet user will know that they are dealing with a registrant that is identity-verified and compliant in their use and distribution of intellectual property. This assurance allows Internet users of the .music TLD to have high expectations of trust and security regarding content purchased or consumed. These are intrinsic in the qualifications associated with our defined community.

The dotMusic Registry will deploy DNS Security Extensions, also known as DNSSEC, for the .music TLD. DNSSEC will help prevent data integrity attacks, and the risk of users being diverted or hijacked to malicious or unsafe sites, which often are involved in identity theft. DNSSEC deployment will ensure that visitors to .music domain names are in fact reaching their intended website and not subject to malicious activity such as phishing or identity theft. We will also abide by all policies and practices required by ICANN in the Registry Agreement and/or via any Consensus Policy.

In support of this registration requirement, we make a firm commitment to protecting users of our TLD and to maintaining the TLD as a reputable space. Our .music will have powerful policies and procedures for dealing with abusive registrations, and the illegal or malicious use of domain names. We describe those plans fully in our response to Question 28 ("Abuse Prevention and Mitigation").

The introduction of .music will include a rollout planned with a primary goal of

protecting trademark rights and intellectual property. We describe those plans fully in our responses to Question 18(c) and Question 29 ("Rights Protection Mechanisms").

Users of the .music TLD will also have the use of the WHOIS service; registrants and other contacts will have their contact details available via WHOIS. Please see our answer to Question 26 regarding "searchable WHOIS" and rate-limiting. Limiting the mining of WHOIS data will mitigate spammers and other malicious parties who abuse access to WHOIS services by mining the data for their own illegitimate purposes.

Provide a complete description of the applicant's intended registration policies in support of the goals listed above.

Musical artists, musicians, songwriters and music professionals who are validated members of a qualifying music association will be permitted to register second level names (name, online identity-brand) in the .music TLD. As such, the TLD will have a restricted registration policy so that Internet users are assured that a .music registrant is in fact a member of at least one or more Member Organizations in the Global Music Community. The TLD is supported by music organizations and associations from around the globe, and will be available to registrants in all areas of the world. Since many qualifying music associations themselves are global in nature and/or accept membership from individuals globally, we anticipate rapid international participation. Domain registrations may be accepted, but will not resolve until the registrant has been identified and validated as a member of the music community via their membership in at least one existing association related to the creation and support of music. Second level .music domain names can be registered by individuals, businesses and not-for-profit entities.

Members of the community of musical artists, musicians, songwriters, and music professionals have highly varying needs and use websites in a wide variety of ways. In addition, because .music will operate as a global registry from inception, formatting flexibility is required to accommodate bandwidth constraints that may be experienced in the developing world. Accordingly, the registry will not mandate any particular formatting or usage. Registrants must, however, hold valid rights to all materials displayed on and/or distributed through their specific site. We anticipate this will result in innovative and creative websites by .music registrants.

Reserved Names:

In .music we will reserve the following classes of domain names, which will not be available to registrants via the Sunrise or subsequent periods:

- The reserved names required in Specification 5 of the new gTLD Registry Agreement.
- The geographic names required in Specification 5 of the new gTLD Registry Agreement, and as per our response to Question 21. See our response to Question 22 ("Protection of Geographic Names") for details.
- The registry operator will reserve its own name and variations thereof, and registry operations names (such as nic.music, and registry.music,), so that we can point them to our Web site. Reservation of the registry operator's names was standard in ICANN's past gTLD contracts.
- We will also reserve names related to ICANN and Internet standards bodies (iana.music, ietf.music, www.music, etc.), for delegation of those names to the relevant organizations upon their request. Reservation of this type of name was standard in ICANN's past gTLD contracts.

The list of reserved names will be published publicly before the Sunrise period begins, so that registrars and potential registrants will know which names have been set aside.

Premium Names:

- The dotMusic Registry will also designate a set of "premium names," which will be set aside for distribution via special mechanisms. Premium names have been a standard feature of gTLD and ccTLD rollouts since 2005. The list of premium names will be published

publicly before the Sunrise period begins, so that registrars and potential registrants will know which names have been set aside.

- Premium names will be distributed by application only. We will accept applications that describe intended use of a given premium name that best supports the development of the .music community consistently with its defining criteria. The policies and procedures for receiving, reviewing, and awarding premium name applications will be posted on the .music web site in advance, based on input from the .music Policy Advisory Board. We will create policies and procedures that ensure clear, consistent, fair, and ethical distribution of names. For example, all employees of the dotMusic Registry operator, and its contractors, will be strictly prohibited from bidding in auctions for domains in the TLD. As an additional protection for Rights Holders we will continue to use the Trademark Clearinghouse during General Availability (Trademark Claims Service) for an additional 60 days, for notifications of new registrations only where the string is a complete match with a filing in the Trademark Clearinghouse. Additionally, we will address this process asynchronously to the registration process and in consideration of the technical capabilities/limitations of the Trademark Clearinghouse, once an implementation model for the Clearinghouse has been finalized.

Dispute Resolution Mechanisms:

- Registrants and rights holders will have access to several dispute mechanisms. These are fair and transparent processes to adjudicate claims to domain names, and they also protect registrants against reverse domain hijacking.
- Names registered in the Sunrise Period will be subject to a Sunrise Dispute Policy. This policy and procedure will be in effect for a finite time period, to provide special protection of qualified trademark rights. Please see our response to Question 29 ("Rights Protection Mechanisms") for full details.
- As required by ICANN, .music domains will be subject to the Uniform Dispute Resolution Policy (UDRP). Please see our response to Question 29 ("Rights Protection Mechanisms") for full details.
- As required by ICANN, .music domains will also be subject to the Universal Rapid Suspension (URS) policy. See the URS specifications in Applicant Guidebook Module 5. Please see our answer to Question 29 ("Rights Protection Mechanisms") for full details about how we will provision for our URS responsibilities.
- We will provision systems to take in and administrate cases as per ICANN's Registrar Transfer Dispute Resolutions Policy (<http://www.icann.org/en/transfers/dispute-policy-12jul04.htm>) This process will allow registrars to protect registrants by filing disputes about inter-registrar transfers that they believe were unauthorized or improperly executed.
- MEDRP: .music will support the Music Eligibility Dispute Resolution Requirements Procedure. This dispute mechanism will be available to members of the .music community and end-users to file claims against registrants of the .music domain for violations of the .music eligibility and use community rules and policies. We will select an adjudication service from the list of ICANN approved arbitrators to facilitate MEDRP claims (please see Q28 and Q29 for further details).

Will your proposed gTLD impose any measures for protecting the privacy or confidential information of registrants or users? If so, please describe any such measures.

We will have several measures for protecting the privacy or confidential information of registrants or users.

- Please see our answer to Question 26 regarding "searchable WHOIS" and rate-limiting. That section contains details about how we will limit the mining of WHOIS data by spammers and other parties who abuse access to the WHOIS.
- Please also see our answer to Question 28, regarding the use of proxy and privacy services. We will allow the use of such services, where they comply with ICANN policies and requirements, which can protect the privacy and personal data of registrants from spammers and other parties that mine zone files and WHOIS data. If ICANN establishes a

privacy-proxy service accreditation program, registrars will be required to use accredited providers only. We are aware that there are parties who may use privacy services to protect themselves from political or religious persecution, and we respect this need. In Question 28, we also describe our proposed policies to limit the use of privacy and proxy services by malicious parties, thereby reducing e-crime within the TLD.

- As per the requirements of the new gTLD Registry Agreement (Article 2.17), we shall notify each of our registrars regarding the purposes for which data about any identified or identifiable natural person ("Personal Data") submitted to the Registry Operator by such registrar is collected and used, and the intended recipients (or categories of recipients) of such Personal Data. (This data is basically the registrant and contact data required to be published in the WHOIS.) We will also require each registrar to obtain the consent of each registrant in the TLD for such collection and use of Personal Data. As the registry operator, we shall not use or authorize the use of Personal Data in a way that is incompatible with the notice provided to registrars.

- As the registry operator we shall take significant steps to protect Personal Data collected from registrars from loss, misuse, unauthorized disclosure, alteration, or destruction. In our responses to Question 30 ("Security Policy") and Question 38 ("Escrow") we detail the security policies and procedures we will use to protect the registry system and the data contained there from unauthorized access and loss.

- As registry operator we plan to use ICANN accredited registrars who agree to a variety of information technology policies and procedures designed to verify registrant eligibility, validate registrant contact data, and protect registrant data from unauthorized access, use, or alteration. These may include standards for access to the registrar and registry system, password management protocols. Please see our response to Question 30 ("Security Policy") for details.

- We also plan to offer a "registry lock" service, designed to help protect participating registrants' contact data from unauthorized modification, and against unauthorized domain transfers and deletions. Please see Questions 23 ("Registry Services") for details.

Describe whether and in what ways outreach and communications will help to achieve your projected benefits.

Our goal for .music is to create a trusted brand and secure name space for accredited members of the .music community. To achieve this, we will emphasize distribution channels internationally – not just in one or more focused regions. Our business plans call for focused outreach through our accredited community associations, who in connection with verifying registrant eligibility, may interact directly with ICANN-accredited registrars that have demonstrated their ability and willingness to adhere to the .music standards. As part of that relationship development, we will design our communication approach to initially target those accredited music associations seeking to work with registrars to distribute .music domains as potential resellers to their members.

We anticipate that ICANN's outreach and communications program will benefit all new gTLDs. Media coverage about the availability of new TLDs will validate and reinforce our efforts. The more that members of the .music community understand that new TLDs are available, the faster they are likely to adopt our .music registrations and other new TLDs.

18(c). What operating rules will you adopt to eliminate or minimize social costs?

1. How will multiple applications for a particular domain name be resolved, for example, by auction or on a first-come-first-serve basis?

The dotMusic Registry will apply several mechanisms to provide a fair opportunity for potential registrants of the domain space while attempting to minimize related costs to IP

holders of related strings.

As discussed in 18b iv, registrations methods will differ during the initial phases of the dotMusic Registry.

Phase 1 (Sunrise): Will be operated for a limited scheduled time period preceding Landrush and General Availability (90 days).

- Sunrise: Sunrise periods have evolved steadily over the past years during the launch of numerous TLDs such as .Info, .Biz, .Mobi, .Tel, .Me, .XXX and others. We intend to leverage what we have learned from these efforts to present a balanced approach that provides efficiencies for intellectual property (IP) holders, as well as a fair opportunity to register strings they believe apply to their IP. The dotMusic Registry will take applications during a time defined Sunrise period for all holders of internationally recognized filed trademarks or possibly holders of existing (legacy) gTLD domain strings that are a perfect match to the applied-for .music string as valid IP holders. These trademarks will be validated by a qualified 3rd party service provider (note: at this time it is unclear if this party must be an ICANN-named service provider related to the Trademark Clearinghouse but we will comply with any finalized requirement in this regard) and legacy gTLD strings must be verified as being held by the applicant prior to defined calendar date. Applicants will have to identify and declare their associative membership in an accredited music association, who will be informed of their declaration and given a defined time schedule. All these validations must be passed before the application is accepted.

- Not knowing exactly how the Trademark Clearinghouse will be implemented, we envision being able to check Sunrise applications periodically against trademarks registered in the Trademark Clearinghouse. If a match is found, and the IP associated with the application is deemed valid, we anticipate being able to contact the party that registered the matching string in the Trademark Clearinghouse and inform them that there is a Sunrise application currently submitted that matches their string. This allows the IP holder to only participate in the Sunrise application process if there is an application against a string they have a recognized trademark against.

- In the event there is more than one valid Sunrise application for a given string, the awarding will be determined by an auction process.

Phase 2: Operated during a scheduled time period preceding General Availability.

- Land Rush: Land Rush is designed to minimize speculation in a secondary domain marketplace and therefore reduce costs for registrants. During this period, non-IP related registration applications are accepted for a defined time period. In the event that there are multiple qualified .music applications for the same domain, the awarding of the string will be determined by an auction process. Community registration restrictions for potential registrants still apply.

Phase 3: General Availability.

After Land Rush is completed, we believe IP related and speculative registrations have been addressed with efforts to minimize the costs to potential registrants and provide a fair opportunity for registration. At this time it is appropriate to open the dotMusic Registry in its regular operating state, accepting live registrations on a first-come, first-serve basis; provided, however, that all prospective registrants must demonstrate their membership in an accredited music association

2. Explain any cost benefits for registrants you intend to implement (e.g., advantageous pricing, introductory discounts, bulk registration discounts).

The focus of the dotMusic Registry is to create a trusted and protected namespace for the .music community. We will constantly analyse pricing in the TLD marketplace in consideration of providing .music registrants advantageous pricing, discounts/rebates or bulk registration discounts/rebates. We reserve the right to modify our pricing as market

conditions dictate.

3. Note that the Registry Agreement requires that registrars be offered the option to obtain initial domain name registrations for periods of one to ten years at the discretion of the registrar, but no greater than ten years. Additionally, the Registry Agreement requires advance written notice of price increases. Do you intend to make contractual commitments to registrants regarding the magnitude of price escalation? If so, please describe your plans.

We do not plan to make specific price escalation contractual commitments to our registrants. We believe that ultimately, our community market and the recognized value of our community compliance monitoring and enforcement will determine the viability of our pricing. Accordingly we intend to maintain the freedom to set pricing first, in accordance with any related ICANN and/or Registry Agreement criteria, and second, with the demands of what our community marketplace will bear.

Community-based Designation

19. Is the application for a community-based TLD?

Yes

20(a). Provide the name and full description of the community that the applicant is committing to serve.

.MUSIC LLC was created with the express intent and purpose of serving a community established and known worldwide, which despite location, culture or genre, is identified and united by a single word: "music". The .music TLD we envision is built on a commitment to foster musical creativity while protecting intellectual property rights. This commitment is evidenced via the bona fide support of the most representative, credible, diverse and sizeable organizations that comprise the global music community -- a community which is made up of the people who create music and the professionals that support them. The music community is dedicated to faithfully and concurrently meeting the needs of both "creators" and "consumers" of music alike.

The Global Music Community (GMC) is comprised of an international range of associations and organizations and the millions of individuals these organizations represent, all of whom are involved in the creation, development, publishing, recording, advocacy, promotion, distribution, education, preservation and or nurturing of the art of music.

To date, there are forty-two (42) clearly delineated, organized and pre-existing music community organizations that have provided individual written statements of support. This unparalleled level of global music community representation is referred to as the Charter Member Organizations of the Global Music Community (GMC). Collectively they represent over 4 million individual members within more than 1,000 associations in over 150 countries. Although these Charter Member Organizations are not the exhaustive list of every possible organizational member of the GMC, they do represent the largest, most well known, credible, and diverse membership of the GMC. Our application for .music is therefore designated as community based, and should be included in a community priority evaluation.

The structure of the music community is organized through diverse symbiotic and sometimes overlapping segments. Although the following list reflects core activities there is a great deal of community intersection and cross-pollination. The GMC structure can be generally illustrated by the following descriptive constituent categories:

Music Community organizations and associations whose principal focus is representing music creators, artists, songwriters, composers, publishers, record companies, and whose activities include product creation and development, promotion, distribution and the advocacy and protection of creative rights:

1. American Federation of Musicians in the U.S. and Canada (AFM)
2. American Association of Independent Music (A2IM)
3. Association of Independent Music (AIM)
4. Australian Recording Industry Association (ARIA)
5. Church Music Publishers Association (CMPA)
6. Guitar Foundation of America (GFA)
7. Indian Music Industry (IMI)
8. Independent Music Companies Association (IMPALA)
9. International Bluegrass Music Association (IBMA)
10. International Confederation of Music Publishers (ICMP)
11. International Federation of Musicians (FIM)
12. International Federation of Phonographic Industries (IFPI)
13. Music Canada
14. Music Publishers Association of the United States (MPA)
15. National Association of Recording Merchandisers <digitalmusic.org (NARM)
16. National Music Publishers Association (NMPA)
17. National Songwriters Association (NSA)
18. Phonographic Performance LTD (India)
19. Recording Industry Association of America (RIAA)
20. Songwriters Guild of America (SGA)

Music Community organizations and associations whose principal focus is the licensing, collection and distribution of fees for performance and mechanical rights:

21. Alliance of Artists and Recording Companies (AARC)
22. American Society of Composers, Authors and Publishers (ASCAP)
23. Australasian Mechanical Copyright Owners' Society (AMCOS)
24. Australasian Performing Right Association (APRA)
25. Broadcast Music, Inc. (BMI)
26. Bureau International Des Societies Gerant Les Droits D'enregistrement et de Reproduction Mecanique (BIEM)
27. Indian Performing Right Society Limited (IPRS)
28. International Confederation of Authors and Composers Societies (CISAC)
29. PRS for Music (UK)
30. SESAC
31. Société d'Auteurs Belge – Belgische Auteurs Maatschappij (SABAM)
32. Société des Auteurs et Compositeurs de Musique (SACAM)
33. SoundExchange

Music Community organizations and associations, guilds, agencies and forums that provide a broad spectrum of professional support dedicated to, and from within, the music community:

34. Music Managers Forum (MMF) UK
35. Music Managers Forum (MMF) US
36. Music Producers Guild (MPG) UK > EU
37. National Association of Music Merchants (NAMM)

Music Community institutions, organizations, councils and associations who engage in the education, preservation, nurturing and advocacy of the music community that includes artistic, cultural and governmental institutions, national and international music councils and community outreach and advocacy organizations:

38. European Music Council (EMC)
39. National Music Council of the United States (NMC)

40. National Association for Music Education (NAfME)
41. International Music Council (IMC)
42. The Recording Academy (The GRAMMY Organization)

.MUSIC LLC is the only entity to receive the support and endorsement of the preceding music community organizations and associations in its application for the .music TLD. This unprecedented global demonstration of support from the Community is indicative of its unified political will and the strength of its belief that .music should be awarded to .MUSIC LLC.

Internet users, like the rest of us, engage in the discovery and enjoyment of music that has been created and made available by music makers and the professionals that support them. The differentiation between general Internet users and members of the music community are clearly delineated by two well defined-criteria. They are:

1. Active participation in the creation and development of music, its advocacy and promotion, its professional support, the protection and preservation of the music community's creative rights, as well as the nurturing of the art through music education.
2. Current registration and verifiable membership in a global music community organization that was organized and in existence prior to 2007 (as per ICANN guidelines) who are active participants in the support and representation of the creation and development of music, its advocacy and promotion, its professional support, the protection and preservation of the music community's creative rights, as well as the nurturing of the art through music education.

Music community associations date back to the 19th century. Our oldest Member Organization is the Société des Auteurs et Compositeurs de Musique, founded in 1860. In 1895, the Music Publishers Association of the United States was founded followed by the formation of the American Federation of Musicians in 1896. The 20th century witnessed the formation of the bulk of the organized music community. The 21st century ushered in the formation of the IMPALA in 2000, SoundExchange in 2003 and the American Association of Independent Music in 2005.

This community has been at the forefront of the creation, development, distribution, support, preservation, education and nurturing of music for more than a century - most recently culminating in their support for .MUSIC LLC's application for the .music TLD as described in 20b.

The current addressable community membership is based on conservative calculations that take into account that some members may have memberships in several Member Organizations or national organizations that are also members of International or umbrella organizations. After adjusting for these factors, we estimate a current addressable community to be greater than four million unique members in more than 150 countries.

20(b). Explain the applicant's relationship to the community identified in 20(a).

.MUSIC LLC has been at work obtaining the support of the of the Global Music Community (GMC) since 2008. Please see our answer to Q45 for details on our history and efforts from that date.

In 2011 .MUSIC LLC along with other potential applicants, expressed their interest in operating a .music TLD and reached out to several organizations, representing a broad cross section of the GMC, to garner their support and endorsement. These organizations, in turn, issued an extensive Request for Information (RFI) to solicit information from at least seven (7) potential applicants. The RFI asked for credentials, vision and specific plans to operate a .music TLD, including all aspects of registry operation, IP and trademark protection, and governance structure. All applicants presented their responses first in writing and then in person in New York City to a panel of senior-level executives of music

organizations representing the global music community. Based on our proposed plans and policies, coupled with our long-standing professional involvement in the Community, .MUSIC LLC was the only entity selected to receive the collective support of these associations in its application for .music.

.MUSIC LLC's ties to the music community are the result of decades of direct personal and professional involvement.

Loren Balman, .music's CEO and John Styll, .music's President are both members of The Recording Academy. Loren Balman is a member of the American Society of Composers, Authors and Publishers (ASCAP) as a songwriter and as a publisher. .MUSIC LLC is a member of the National Association of Recording Merchandisers. .MUSIC LLC's Chairman Cal Turner also owns a music publishing company and has relationships with all three of the U.S. performance rights organizations: ASCAP, BMI and SESAC.

In addition .MUSIC LLC's executive team has decades of professional experience in the music community. See executive bios below of each member of the executive team:

- Loren Balman, CEO, is a 30-year veteran of the music and entertainment business with diverse corporate experience. As a record label executive and by way of Artist Development, Marketing and Production, he has earned more than 30 Gold and Platinum records, a Grammy nomination and five Dove Awards.
- John Styll, President & COO, is an entrepreneur who founded a music magazine publishing company in 1978 and served as its CEO for 23 years. This experience in music journalism led to a seven-year stint as head of two music trade associations.
- John Frankenheimer, General Counsel, is Partner and Chairman Emeritus of the international entertainment and intellectual property law firm Loeb & Loeb. John has been at the epicenter of the music community as a trusted advisor to its leadership.
- Paul Zamek, VP of Global Community Development, is a veteran of the international music industry and native of South Africa. Paul has served as the US President-CEO of European Multimedia Group Inc. and as VP-General Manager of Capitol-EMI Records, South Africa.
- Keith Thomas, VP of Artist Relations, is a six-time Grammy-winning producer and songwriter with 40 Billboard #1 hits to his credit. Keith has worked with an elite spectrum of artists including Katy Perry, Vanessa Williams, Luther Vandross, Amy Grant, Jessica Simpson, Gladys Knight and many others.

Accountability mechanisms.

The dotMusic Registry will establish a Policy Advisory Board (PAB) before launch of the TLD. The role of the PAB will be part of the .MUSIC LLC's contract with ICANN, the Registrar-Registry Agreement and the Registrant Agreement.

The PAB will be comprised of twenty-one (21) members representing the Charter Member Organizations of the Global Music Community. These representatives will serve on a voluntary basis and with for no more than two consecutive terms. As the organizational membership in the GMC grows, additional candidates will have the opportunity to be nominated and elected for subsequent terms.

The PAB is expected to collect input, provide insight and feedback on policies and procedure governing registration and accreditation criteria. Specifically, the PAB will oversee Registrant Accreditation Criteria and help evaluate enforcement mechanisms, including appeal procedures to ensure the protection of intellectual property rights in the .music TLD. Reasonable deference shall be given to the PAB with respect to issues dealing with the copyright protection and the promotion of non-infringing music alternatives, and reasonable deference shall be given to the dotMusic Registry concerning the technical, business and marketing operations of the TLD. They will also jointly determine a process by which policies would be reviewed, modified, or amended. These policies include, but are not limited to the following areas:

- (a) Registrant qualifications;
- (b) Community Organization-Association accreditation qualifications;
- (c) Naming conventions for .music domain names;
- (d) What activities may or may not be undertaken on web sites and through the use of other Internet resources associated with a .music domain name;
- (e) What steps registrants will be required to take to warrant that all uses of music on their sites are fully licensed and legitimate.
- (f) How policies will be enforced, including but not limited to enforcement through action

upon complaints received; proactive compliance audits; suspension or termination of domain name registrations; and disqualification of parties from future participation in the .music TLD;

(g) Procedural rights and remedies of registrants and of interested third parties (e.g., copyright or related rights holders) in the enforcement and appeal process; including

i. Appeal process and procedures for registrants whose domain name was subject to suspension or deletion by the dotMusic Registry following audit, verification and enforcement procedures;

ii. Appeal process and procedure for registrars whose .music accreditation and subsequent Registry-Registrar contract was suspended or terminated by the dotMusic Registry following audit, verification and enforcement procedures;

(h) Policy terms and conditions under which registrars will be authorized to handle registrations in the .music TLD;

(i) All other policies substantially affecting the overarching goal of having the .music TLD as a venue for properly licensed music.

At the request of the PAB, The dotMusic Registry will provide an arbitration process, in the event the PAB believes the dotMusic Registry has not implemented the policies agreed to by the Registry and the PAB, or that the Registry has implemented a policy that does not reflect a consensus of the PAB. Both the dotMusic Registry and the PAB will be bound by the results of this arbitration.

Without prior review from the PAB, the dotMusic Registry will not seek a contract modification from ICANN regarding operation of the TLD; nor seek ICANN approval for a new registry service, as required by the .MUSIC LLC's contract with ICANN.

The dotMusic Registry will brief the PAB quarterly regarding implementation and enforcement of its policies including but not limited to: (a) Complaints received of non-compliance, and timing and substance of actions taken in response to such complaints; (b) Results of pro-active compliance audits undertaken, and action taken by dotMusic Registry in response to audit findings; (c) Numbers and promptness of take-downs of infringing URL's, infringing material, or suspensions or terminations of domain name registrations, (d) Overview and outcome of registrant and registrar appeal cases.

The dotMusic Registry will indemnify the members of the PAB for any claims arising from the authorized activities of the PAB, unless such activities violate ICANN policies or rules of law.

20(c). Provide a description of the community-based purpose of the applied-for gTLD.

These following values are shared by all existing and potential Member Organizations of the GMC and serve as the community based purpose of the .music TLD :

- o Support and encouragement for equal access to musical education
- o Support and respect for all who express themselves musically
- o Support for the right for universal participation
- o Support for musical artists to develop their artistry and communicate through all media, and all distribution channels at their disposal
- o Preservation of the global musical heritage
- o Support the right for music creators to obtain fair recognition and remuneration for their work.
- o Commitment to universal protection of creative and intellectual property rights.

The .music TLD is intended to serve the interests of the global community of individuals and organizations engaged in the creation, development, distribution, and promotion of music, as well as the education of musicians and audiences alike. The creation of .music will enable a unique but encompassing identifier for the collective community of artists, musicians, songwriters, teachers, and the professionals who support them with a shared commitment to fostering musical creativity and the protection of intellectual property rights. The .music TLD will enact policies and procedures to protect, safeguard, nurture and promote the interests of the music community. Protective policies and procedures would

inhibit abusive practices such as copyright infringement resulting from peer to peer (P2P) sharing, illegal digital distribution, and any type of Intellectual Property infringement involving the DNS. Doing so helps to ensure the financial viability of the artist and/or intellectual property owner. The music community cannot be sustained without protecting the value of its creation.

Registration policies will safeguard the exclusive nature of the community by requiring potential registrants to have a bona fide membership with an at least one Organization Member of Global Music Community, before they can acquire a .music address. This helps examine and affirm the motivation of the registrant, since all community member organizations must meet qualifications that support the communities shared values.

The dotMusic Registry will nurture music by funding education endowments, as well as providing the GMC member associations with an additional source of revenue. The dotMusic Registry will create a .music Foundation and contribute \$1 for every domain registration sold at full wholesale price. This fund would be administered by the dotMusic Registry's Policy Advisory Board who will determine the recipients of the endowment. These funds may be distributed to support music education, creative and intellectual property rights protection, music community benevolence organizations, or other music related financial aid. Member Organizations of the Global Music Community will also be able to sell second-level .music domain names as domain name resellers. Those resellers who opt to use .music's Application Programming Interface (API) will receive shared revenue for each registration that comes from within their membership through the integrated API system.

Our ultimate purpose is to sustain the art of music so that more and more people can enjoy music.

20(d). Explain the relationship between the applied-for gTLD string and the community identified in 20(a).

Q20(d) Explain the relationship between the applied for gTLD to the community identified in Q20 (a). Explanations should clearly state:

- relationships to the established name, if any, of the community

An often-cited definition of music, coined by Edgard Varèse

(http://en.wikipedia.org/wiki/Edgard_Var%C3%A8se) is that it is "organized sound" (Goldman 1961, 133). The fifteenth edition of the Encyclopedia Britannica explains, "while there are no sounds that can be described as inherently unmusical, musicians in each culture have tended to restrict the range of sounds they will admit."

Webster's defines music as "the science or art of ordering tones or sounds in succession, in combination, and in temporal relationships to produce a composition having unity and continuity" (Webster's Collegiate Dictionary, online edition).

Therefore a human element in creating, organizing, or labeling something as music is crucial to the common understanding of music. Furthermore both the notion of science and art, require human participation or initiation. This would not only disqualify sounds, such as those produced by nature (these sounds are often described by the adjective "musical" but rarely the noun "music"), but also draws a direct connection to the human based and recognizable community responsible for its creation, production, instrumentation, promotion and education.

The global community of music makers, educators, advocates, and professionals described as the Music Community, have a single identifying label that unites them all, despite location, culture, or specialty. That nexus is one and only one simple word: "Music".

Therefore the choice of "music" as a string is important, since the ".music" TLD will extend this common link into a common platform to, promote the musical identity of artists, musicians, songwriters and the professionals that support them, as well as music educators, music advocates and policy makers through a relevant and shared website and email address

suffix.

- relationship to the identification of community members

Every member organization-association, and their membership in turn, identifies their primary purpose to be directly related to either the science or the art of "music". There is no other term for which the songwriters, composers, performers, singers, instrument makers, music promoters, producers and owners can all relate to as their common descriptor. The people who create, write, record, perform, develop, teach, preserve, nurture, promote, distribute and sell music, think of themselves as members of the music community. "Music" is the one tribal identity that is global.

- any connotations the string may have beyond the community

The term or string "music" is also relevant for the consumers or fans of music. Although the music lover or consumer is not defined as part of the Global Music Community, they DO share a common bond: a passion for music. The music lovers and consumers are very much a sustaining force and the "raison d'être" for the Global Music Community.

As mentioned before in our answer to Question 18, for far too long the interests of the creators were assumed to be at odds with the interests of the consumers. We note that not only do both have something crucial in common: a passion for music, but also they have a symbiotic relationship. One cannot exist without the other. So although we acknowledge that our definition of the music community does not have individual consumers of music (unless they belong to one of the Member Organizations of the Global Music Community) we are adamant that everything we do, is ultimately so that more and more people can enjoy music and thus foster its development and growth.

20(e). Provide a description of the applicant's intended registration policies in support of the community-based purpose of the applied-for gTLD.

e) Please provide a complete description of the applicant's intended registration policies in support of the community-based purpose of the applied-for gTLD.

The .music TLD will be a restricted domain space where second level .music domain names can be registered by eligible individuals, businesses and not-for-profit entities all around the globe. The following policies and mechanisms will be used to ensure support of the community-based purpose of the .music TLD:

1. Music Association/Organization membership:

Potential domain registrants must be members of or affiliated with at least one Member Organization of the Global Music Community. Domain registrations may be accepted, but will not resolve until the registrant's membership credentials have been verified. This will require verification of relevant membership data during the registration process. This membership will be crosschecked with the relevant Member Organization. Verification of continued membership is required for renewal, to ensure ongoing eligibility.

2. Registrant Agreement:

Presented during the registration process, this agreement will require registrant compliance with the dotMusic Registry rules and Acceptable Use Policy (for details see Q28).

3. Qualified Registrars and Member based Resellers:

.music domains will only be available via ICANN accredited registrars (and their resellers) with demonstrated technical capability who have agreed to comply with .music's Registry-Registrar Agreement. In order to ensure strict compliance with .music policy and offer the greatest opportunities to our community, the dotMusic registry will encourage

Member Organizations of the GMC to become accredited resellers

In addition, .music will operate as a global registry from inception. Formatting flexibility is required to accommodate bandwidth constraints that may be experienced in the developing world. Accordingly, the dotMusic Registry will not mandate any particular formatting or usage.

Reserved Names:

dotMusic Registry will reserve the following classes of domain names, which will not be available to registrants via the Sunrise or subsequent periods:

- The reserved names required in Specification 5 of the new gTLD Registry Agreement.
- The geographic names required in Specification 5 of the new gTLD Registry Agreement, and as per our response to Question 21. See our response to Question 22 ("Protection of Geographic Names") for details.
- The registry operator will reserve its own name and variations thereof, and registry operations names (such as nic.music, and registry.music,), so that we can point them to our Web site. Reservation of the registry operator's names was standard in ICANN's past gTLD contracts.
- We will also reserve names related to ICANN and Internet standards bodies (iana.music, ietf.music, www.music, etc.), for delegation of those names to the relevant organizations upon their request. Reservation of this type of name was standard in ICANN's past gTLD contracts.

The list of reserved names will be public prior to the launch of the Sunrise period.

Premium Names:

- The dotMusic Registry will also designate a set of "premium names," which will be set aside for distribution via special mechanisms. Premium names have been a standard feature of TLD rollouts since 2005. The list of premium names will be public prior to the launch of the Sunrise period.
- Premium names will be distributed by application only. Applicants would be required to describe how the intended use of a given premium name will result in demonstrable benefits to the .music community. The policies and procedures for receipt, review, and award of premium name applications will be based on input from the PAB and will be posted on the dotMusic Registry web site in advance. The rules to ensure transparency, integrity and in the distribution of names, include but are not limited to:
 - a. Strict prohibition of all employees of the dotMusic Registry operator, and its contractors, against bidding in auctions or having any ownership or interest in a premium name applicant.
 - b. Use of the Trademark Clearinghouse during General Availability (Trademark Claims Service) for an additional 60 days, for notifications of new registrations only where the string is a complete match with a filing in the Trademark Clearinghouse.

Dispute Resolution Mechanisms:

- Registrants and rights holders will have access to several dispute mechanisms. These are fair and transparent processes to adjudicate claims to domain names, and they also protect registrants against reverse domain hijacking.
- Names registered in the Sunrise Period will be subject to a Sunrise Dispute Policy. This policy and procedure will be in effect for a finite time period, to provide special protection of qualified trademark rights. Please see our response to Question 29 ("Rights Protection Mechanisms") for full details.
- As required by ICANN, .music domains will be subject to the Uniform Dispute Resolution Policy (UDRP). Please see our response to Question 29 ("Rights Protection Mechanisms") for full details.
- As required by ICANN, .music domains will also be subject to the Universal Rapid Suspension (URS) policy. Please see our answer to Question 29 ("Rights Protection

Mechanisms") for full details.

- We will provision systems to take in and administrate cases as per ICANN's Registrar Transfer Dispute Resolutions Policy (<http://www.icann.org/en/transfers/dispute-policy-12jul04.htm>). This process will allow registrars to protect registrants by filing disputes about inter-registrar transfers that they believe were unauthorized or improperly executed.
- MEDRP: .music will support the Music Eligibility Dispute Resolution Procedure. This dispute mechanism will be available to members of the .music community and end-users to file claims against registrants of the .music domain for violations of the .music eligibility and use community rules and policies. We will select an adjudication service from the list of ICANN approved arbitrators to facilitate MEDRP claims (please see Q28 and Q29 for further details).

Eligibility: who is eligible to register a second-level name in the gTLD, and how will eligibility be determined.

- Potential domain registrants must be members of or affiliated with at least one Member Organizations of the Global Music Community. Domain registrations may be accepted, but will not resolve until the registrant's membership credentials have been verified. Please see the "Proposed .music Registration Process" attachment in our answer to Q48 for a step-by-step visual depiction of the process. Should the registrant fail to meet the eligibility criteria, they risk the suspension and ultimately deletion or loss of their domain name. Verification of continued membership is required for renewal, to ensure ongoing eligibility.

Name selection: what types of second-level names may be registered in the gTLD.

- Please see the Reserve Name policy detailed above. Beyond these, eligible registrants may register domains in compliance with the Registrant Agreement and its Acceptable Use Policy.

Content/Use: what restrictions, if any, the registry operator will impose on how a registrant may use its registered name.

- Registrants must hold valid rights to all materials displayed on and/or distributed through their specific site. Please see Q28 for details on .music's Acceptable Use Policy. The dotMusic registry will be regularly monitored potential violations and also provide a robust abuse reporting process for such violations noticed by others. Should the registrant be found in violation, they risk the suspension and ultimately deletion or loss of their domain name.

Enforcement: what investigation practices and mechanisms exist to enforce the policies above, what resources are allocated for enforcement, and what appeal mechanisms are available to registrants.

- The .music Registry/Registrar and the Registrant Agreements will include extensive monitoring, enforcement (up to and including take downs) as well as appeal provisions.

Monitoring

- o The .music TLD will be monitored by online scanning tools such as those that search for keywords that are commonly used to identify the availability of music distributed without appropriate authorization or in violation of intellectual property rights.

Suspected abuse from such automated search tools will flag an analyst from our abuse team (see Q28) who will then access and review the website to confirm the abuse. Neustar will enable .music analysts to suspend domain names as required.

- o The dotMusic Registry will also use Abuse Mitigation Services to monitor, detect and mitigate domain name abuses (see Q29)

Enforcement and Appeal

- o Registrants in violation of the Registrant Agreement risk the suspension and

ultimately deletion or loss of their domain name.

o As detailed in our answer to Q28, failure to comply with the Registry-Registrar agreement will result in loss or revocation of registrar accreditation.

o The dotMusic Registry will use standard dispute mechanisms (see Q28 and Q29), such as UDRP, URS etc. However, in the case of serious allegations of failure to meet community member eligibility requirements, we have created a MEDRP (Music Community Eligibility Dispute Resolution Procedure). This dispute mechanism will be arbitrated by a third party approved by ICANN such as WIPO and will be binding on all parties (provisions will be named in the Registrant Agreement). Disputes may be initiated by community members or end-users; however, there will be reasonable limitations developed on the filing of disputes to prevent abuse of the mechanism. Please see our answer to Q20(b) under "Accountability mechanisms of the applicant to the community" for additional details on appeal procedures.

20(f). Attach any written endorsements from institutions/groups representative of the community identified in 20(a).

Attachments are not displayed on this form.

Geographic Names

21(a). Is the application for a geographic name?

No

Protection of Geographic Names

22. Describe proposed measures for protection of geographic names at the second and other levels in the applied-for gTLD.

Specification 5 of the New gTLD Registry Agreement requires the registry operator reserve all geographic names at the second level as well as any subordinate levels for which the operator controls and issues registrations. As per the draft registry agreement "the country and territory names contained in the following internationally recognized lists shall be initially reserved at the second level and at all other levels within the TLD at which the Registry Operator provides for registrations":

5.1)

the short form (in English) of all country and territory names contained on the ISO 3166-1 list, as updated from time to time, including the European Union, which is exceptionally reserved on the ISO 3166-1 list, and its scope extended in August 1999 to any application needing to represent the name European Union

<http://www.iso.org/iso/support/country_codes/iso_3166_code_lists/iso-3166-1_decoding_table.htm#EU> ;

5.2)

the United Nations Group of Experts on Geographical Names, Technical Reference Manual for the Standardization of Geographical Names, Part III Names of Countries of the World; and

5.3)

The list of United Nations member states in 6 official United Nations languages prepared by the Working Group on Country Names of the United Nations Conference on the Standardization of Geographical Names;

Release of Geographic Names at the second or subordinate level (where managed and issued by the Registry Operator):

The dotMusic Registry has no current or immediate plans to release any of the aforementioned reserved geographic domains. The dotMusic Registry commits to, in the event this intention changes in the future, first develop agreements with the applicable governments affected by any proposed release, then bring said agreements and a full plan for the release of said geographic names to the Governmental Advisory Committee and ICANN for their approval.

Registry Services

23. Provide name and full description of all the Registry Services to be provided.

23.1 Introduction

.MUSIC LLC has elected to partner with NeuStar, Inc (Neustar) to provide back-end services for the .music registry. In making this decision, .MUSIC LLC recognized that Neustar already possesses a production-proven registry system that can be quickly deployed and smoothly operated over its robust, flexible, and scalable world-class infrastructure. The existing registry services will be leveraged for the .music registry. The following section describes the registry services to be provided.

23.2 Standard Technical and Business Components

Neustar will provide the highest level of service while delivering a secure, stable and comprehensive registry platform. .MUSIC LLC will use Neustar's Registry Services platform to deploy the .music registry, by providing the following Registry Services (none of these services are offered in a manner that is unique to .music):

-Registry-Registrar Shared Registration Service (SRS)

- Extensible Provisioning Protocol (EPP)
- Domain Name System (DNS)
- WHOIS
- DNSSEC
- Data Escrow
- Dissemination of Zone Files using Dynamic Updates
- Access to Bulk Zone Files
- Dynamic WHOIS Updates
- IPv6 Support
- Rights Protection Mechanisms

The following is a description of each of the services.

23.2.1 SRS

Neustar's secure and stable SRS is a production-proven, standards-based, highly reliable, and high-performance domain name registration and management system. The SRS includes an EPP interface for receiving data from registrars for the purpose of provisioning and managing domain names and name servers. The response to Question 24 provides specific SRS information.

23.2.2 EPP

The .music registry will use the Extensible Provisioning Protocol (EPP) for the provisioning of domain names. The EPP implementation will be fully compliant with all RFCs. Registrars are provided with access via an EPP API and an EPP based Web GUI. With more than 10 gTLD, ccTLD, and private TLDs implementations, Neustar has extensive experience building EPP-based registries. Additional discussion on the EPP approach is presented in the response to Question 25.

23.2.3 DNS

.MUSIC LLC will leverage Neustar's world-class DNS network of geographically distributed nameserver sites to provide the highest level of DNS service. The service utilizes Anycast routing technology, and supports both IPv4 and IPv6. The DNS network is highly proven, and currently provides service to over 20 TLDs and thousands of enterprise companies. Additional information on the DNS solution is presented in the response to Questions 35.

23.2.4 WHOIS

Neustar's existing standard WHOIS solution will be used for the .music. The service provides supports for near real-time dynamic updates. The design and construction is agnostic with regard to data display policy is flexible enough to accommodate any data model. In addition, a searchable WHOIS service that complies with all ICANN requirements will be provided. The following WHOIS options will be provided:

Standard WHOIS (Port 43)

Standard WHOIS (Web)

Searchable WHOIS (Web)

23.2.5 DNSSEC

An RFC compliant DNSSEC implementation will be provided using existing DNSSEC capabilities. Neustar is an experienced provider of DNSSEC services, and currently manages signed zones for three large top level domains: .biz, .us, and .co. Registrars are provided with the ability to submit and manage DS records using EPP, or through a web GUI. Additional information on DNSSEC, including the management of security extensions is found in the response to Question 43.

23.2.6 Data Escrow

Data escrow will be performed in compliance with all ICANN requirements in conjunction with an approved data escrow provider. The data escrow service will:

- Protect against data loss
- Follow industry best practices
- Ensure easy, accurate, and timely retrieval and restore capability in the event of a hardware failure
- Minimizes the impact of software or business failure.

Additional information on the Data Escrow service is provided in the response to Question 38.

23.2.7 Dissemination of Zone Files using Dynamic Updates

Dissemination of zone files will be provided through a dynamic, near real-time process. Updates will be performed within the specified performance levels. The proven technology ensures that updates pushed to all nodes within a few minutes of the changes being received by the SRS. Additional information on the DNS updates may be found in the response to Question 35.

23.2.8 Access to Bulk Zone Files

.MUSIC LLC will provide third party access to the bulk zone file in accordance with specification 4, Section 2 of the Registry Agreement. Credentialing and dissemination of the zone files will be facilitated through the Central Zone Data Access Provider.

23.2.9 Dynamic WHOIS Updates

Updates to records in the WHOIS database will be provided via dynamic, near real-time updates. Guaranteed delivery message oriented middleware is used to ensure each individual WHOIS server is refreshed with dynamic updates. This component ensures that all WHOIS servers are kept current as changes occur in the SRS, while also decoupling WHOIS from the SRS. Additional information on WHOIS updates is presented in response to Question 26.

23.2.10 IPv6 Support

The .music registry will provide IPv6 support in the following registry services: SRS, WHOIS, and DNS/DNSSEC. In addition, the registry supports the provisioning of IPv6 AAAA records. A detailed description on IPv6 is presented in the response to Question 36.

23.2.11 Required Rights Protection Mechanisms

.MUSIC LLC, will provide all ICANN required Rights Mechanisms, including:

- Trademark Claims Service
- Trademark Post-Delegation Dispute Resolution Procedure (PDDRP)
- Registration Restriction Dispute Resolution Procedure (RRDRP)
- UDRP
- URS

-Sunrise service.

More information is presented in the response to Question 29.

23.2.12 Internationalized Domain Names (IDN)

IDN registrations are provided in full compliance with the IDNA protocol. Neustar possesses extensive experience offering IDN registrations in numerous TLDs, and its IDN implementation uses advanced technology to accommodate the unique bundling needs of certain languages. Character mappings are easily constructed to block out characters that may be deemed as confusing to users..

23.3 Unique Services

.MUSIC LLC will not be offering services that are unique to .music.

23.4 Security or Stability Concerns

All services offered are standard registry services that have no known security or stability concerns. Neustar has demonstrated a strong track record of security and stability within the industry.

Demonstration of Technical & Operational Capability

24. Shared Registration System (SRS) Performance

24.1 Introduction

.MUSIC LLC has partnered with NeuStar, Inc ("Neustar"), an experienced TLD registry operator, for the operation of the .music Registry. The applicant is confident that the plan in place for the operation of a robust and reliable Shared Registration System (SRS) as currently provided by Neustar will satisfy the criterion established by ICANN.

Neustar built its SRS from the ground up as an EPP based platform and has been operating it

reliably and at scale since 2001. The software currently provides registry services to five TLDs (.BIZ, .US, TEL, .CO and .TRAVEL) and is used to provide gateway services to the .CN and .TW registries. Neustar's state of the art registry has a proven track record of being secure, stable, and robust. It manages more than 6 million domains, and has over 300 registrars connected today.

The following describes a detailed plan for a robust and reliable SRS that meets all ICANN requirements including compliance with Specifications 6 and 10.

24.2 The Plan for Operation of a Robust and Reliable SRS

24.2.1 High-level SRS System Description

The SRS to be used for .music will leverage a production-proven, standards-based, highly reliable and high-performance domain name registration and management system that fully meets or exceeds the requirements as identified in the new gTLD Application Guidebook.

The SRS is the central component of any registry implementation and its quality, reliability and capabilities are essential to the overall stability of the TLD. Neustar has a documented history of deploying SRS implementations with proven and verifiable performance, reliability and availability. The SRS adheres to all industry standards and protocols. By leveraging an existing SRS platform, .MUSIC LLC is mitigating the significant risks and costs associated with the development of a new system. Highlights of the SRS include:

- State-of-the-art, production proven multi-layer design
- Ability to rapidly and easily scale from low to high volume as a TLD grows
- Fully redundant architecture at two sites
- Support for IDN registrations in compliance with all standards
- Use by over 300 Registrars
- EPP connectivity over IPv6
- Performance being measured using 100% of all production transactions (not sampling).

24.2.2 SRS Systems, Software, Hardware, and Interoperability

The systems and software that the registry operates on are a critical element to providing a high quality of service. If the systems are of poor quality, if they are difficult to maintain and operate, or if the registry personnel are unfamiliar with them, the registry will be prone to outages. Neustar has a decade of experience operating registry infrastructure to extremely high service level requirements. The infrastructure is designed using best of breed systems and software. Much of the application software that performs

registry-specific operations was developed by the current engineering team and as a result the team is intimately familiar with its operations.

The architecture is highly scalable and provides the same high level of availability and performance as volumes increase. It combines load balancing technology with scalable server technology to provide a cost effective and efficient method for scaling.

The Registry is able to limit the ability of any one registrar from adversely impacting other registrars by consuming too many resources due to excessive EPP transactions. The system uses network layer 2 level packet shaping to limit the number of simultaneous connections registrars can open to the protocol layer.

All interaction with the Registry is recorded in log files. Log files are generated at each layer of the system. These log files record at a minimum:

- The IP address of the client
- Timestamp
- Transaction Details
- Processing Time.

In addition to logging of each and every transaction with the SRS Neustar maintains audit records, in the database, of all transformational transactions. These audit records allow the Registry, in support of the applicant, to produce a complete history of changes for any domain name.

24.2.3 SRS Design

The SRS incorporates a multi-layer architecture that is designed to mitigate risks and easily scale as volumes increase. The three layers of the SRS are:

- Protocol Layer
- Business Policy Layer
- Database.

Each of the layers is described below.

24.2.4 Protocol Layer

The first layer is the protocol layer, which includes the EPP interface to registrars. It consists of a high availability farm of load-balanced EPP servers. The servers are designed to be fast processors of transactions. The servers perform basic validations and then feed information to the business policy engines as described below. The protocol layer is horizontally scalable as dictated by volume.

The EPP servers authenticate against a series of security controls before granting service, as follows:

- The registrar's host exchanges keys to initiate a TLS handshake session with the EPP server.
- The registrar's host must provide credentials to determine proper access levels.
- The registrar's IP address must be preregistered in the network firewalls and traffic-shapers.

24.2.5 Business Policy Layer

The Business Policy Layer is the brain of the registry system. Within this layer, the policy engine servers perform rules-based processing as defined through configurable attributes. This process takes individual transactions, applies various validation and policy rules, persists data and dispatches notification through the central database in order to publish to various external systems. External systems fed by the Business Policy Layer include backend processes such as dynamic update of DNS, WHOIS and Billing.

Similar to the EPP protocol farm, the SRS consists of a farm of application servers within this layer. This design ensures that there is sufficient capacity to process every transaction in a manner that meets or exceeds all service level requirements. Some registries couple the business logic layer directly in the protocol layer or within the database. This architecture limits the ability to scale the registry. Using a decoupled architecture enables the load to be distributed among farms of inexpensive servers that can be scaled up or down as demand changes.

The SRS today processes over 30 million EPP transactions daily.

24.2.6 Database

The database is the third core component of the SRS. The primary function of the SRS database is to provide highly reliable, persistent storage for all registry information required for domain registration services. The database is highly secure, with access

limited to transactions from authenticated registrars, trusted application-server processes, and highly restricted access by the registry database administrators. A full description of the database can be found in response to Question 33.

Figure 24-1 attached depicts the overall SRS architecture including network components.

24.2.7 Number of Servers

As depicted in the SRS architecture diagram above Neustar operates a high availability architecture where at each level of the stack there are no single points of failures. Each of the network level devices run with dual pairs as do the databases. For the .music registry, the SRS will operate with 8 protocol servers and 6 policy engine servers. These expand horizontally as volume increases due to additional TLDs, increased load, and through organic growth. In addition to the SRS servers described above, there are multiple backend servers for services such as DNS and WHOIS. These are discussed in detail within those respective response sections.

24.2.8 Description of Interconnectivity with Other Registry Systems

The core SRS service interfaces with other external systems via Neustar's external systems layer. The services that the SRS interfaces with include:

- WHOIS
- DNS
- Billing
- Data Warehouse (Reporting and Data Escrow).

Other external interfaces may be deployed to meet the unique needs of a TLD. At this time there are no additional interfaces planned for .music.

The SRS includes an external notifier concept in its business policy engine as a message dispatcher. This design allows time-consuming backend processing to be decoupled from critical online registrar transactions. Using an external notifier solution, the registry can utilize control levers that allow it to tune or to disable processes to ensure optimal performance at all times. For example, during the early minutes of a TLD launch, when unusually high volumes of transactions are expected, the registry can elect to suspend processing of one or more back end systems in order to ensure that greater processing power is available to handle the increased load requirements. This proven architecture has been used with numerous TLD launches, some of which have involved the processing of over tens of millions of transactions in the opening hours. The following are the standard three external notifiers used the SRS:

24.2.9 WHOIS External Notifier

The WHOIS external notifier dispatches a work item for any EPP transaction that may potentially have an impact on WHOIS. It is important to note that, while the WHOIS external notifier feeds the WHOIS system, it intentionally does not have visibility into the actual contents of the WHOIS system. The WHOIS external notifier serves just as a tool to send a signal to the WHOIS system that a change is ready to occur. The WHOIS system possesses the intelligence and data visibility to know exactly what needs to change in WHOIS. See response to Question 26 for greater detail.

24.2.10 DNS External Notifier

The DNS external notifier dispatches a work item for any EPP transaction that may potentially have an impact on DNS. Like the WHOIS external notifier, the DNS external notifier does not have visibility into the actual contents of the DNS zones. The work items that are generated by the notifier indicate to the dynamic DNS update sub-system that a change occurred that may impact DNS. That DNS system has the ability to decide what actual changes must be propagated out to the DNS constellation. See response to Question 35 for greater detail.

24.2.11 Billing External Notifier

The billing external notifier is responsible for sending all billable transactions to the downstream financial systems for billing and collection. This external notifier contains the necessary logic to determine what types of transactions are billable. The financial systems use this information to apply appropriate debits and credits based on registrar.

24.2.12 Data Warehouse

The data warehouse is responsible for managing reporting services, including registrar reports, business intelligence dashboards, and the processing of data escrow files. The Reporting Database is used to create both internal and external reports, primarily to support registrar billing and contractual reporting requirement. The data warehouse databases are updated on a daily basis with full copies of the production SRS data.

24.2.13 Frequency of Synchronization between Servers

The external notifiers discussed above perform updates in near real-time, well within the prescribed service level requirements. As transactions from registrars update the core SRS, update notifications are pushed to the external systems such as DNS and WHOIS. These updates are typically live in the external system within 2-3 minutes.

24.2.14 Synchronization Scheme (e.g., hot standby, cold standby)

Neustar operates two hot databases within the data center that is operating in primary mode. These two databases are kept in sync via synchronous replication. Additionally, there are two databases in the secondary data center. These databases are updated real time through asynchronous replication. This model allows for high performance while also ensuring protection of data. See response to Question 33 for greater detail.

24.2.15 Compliance with Specification 6 Section 1.2

The SRS implementation for .music is fully compliant with Specification 6, including section 1.2. EPP Standards are described and embodied in a number of IETF RFCs, ICANN contracts and practices, and registry-registrar agreements. Extensible Provisioning Protocol or EPP is defined by a core set of RFCs that standardize the interface that make up the registry-registrar model. The SRS interface supports EPP 1.0 as defined in the following RFCs shown in Table 24-1 attached.

Additional information on the EPP implementation and compliance with RFCs can be found in the response to Question 25.

24.2.16 Compliance with Specification 10

Specification 10 of the New TLD Agreement defines the performance specifications of the TLD, including service level requirements related to DNS, RDNS (WHOIS), and EPP. The requirements include both availability and transaction response time measurements. As an experienced registry operator, Neustar has a long and verifiable track record of providing registry services that consistently exceed the performance specifications stipulated in ICANN agreements. This same high level of service will be provided for the .music Registry. The following section describes Neustar's experience and its capabilities to meet the requirements in the new agreement.

To properly measure the technical performance and progress of TLDs, Neustar collects data on key essential operating metrics. These measurements are key indicators of the performance and health of the registry. Neustar's current .biz SLA commitments are among the most stringent in the industry today, and exceed the requirements for new TLDs. Table 24-2 compares the current SRS performance levels compared to the requirements for new TLDs, and clearly demonstrates the ability of the SRS to exceed those requirements.

Their ability to commit and meet such high performance standards is a direct result of their philosophy towards operational excellence. See response to Question 31 for a full description of their philosophy for building and managing for performance.

24.3 Resourcing Plans

The development, customization, and on-going support of the SRS are the responsibility of a combination of technical and operational teams, including:

- Development/Engineering
- Database Administration
- Systems Administration
- Network Engineering.

Additionally, if customization or modifications are required, the Product Management and Quality Assurance teams will be involved in the design and testing. Finally, the Network Operations and Information Security play an important role in ensuring the systems involved are operating securely and reliably.

The necessary resources will be pulled from the pool of operational resources described in detail in the response to Question 31. Neustar's SRS implementation is very mature, and has been in production for over 10 years. As such, very little new development related to the SRS will be required for the implementation of the .music registry. The following resources are available from those teams:

- Development/Engineering 19 employees
- Database Administration- 10 employees
- Systems Administration 24 employees
- Network Engineering 5 employees

The resources are more than adequate to support the SRS needs of all the TLDs operated by Neustar, including the .music registry.

25. Extensible Provisioning Protocol (EPP)

25.1 Introduction

.MUSIC LLC's back-end registry operator, Neustar, has over 10 years of experience operating EPP based registries. They deployed one of the first EPP registries in 2001 with the launch of .biz. In 2004, they were the first gTLD to implement EPP 1.0. Over the last ten years Neustar has implemented numerous extensions to meet various unique TLD requirements. Neustar will leverage its extensive experience to ensure .MUSIC LLC is provided with an unparalleled EPP based registry. The following discussion explains the EPP interface which will be used for the .music registry. This interface exists within the protocol farm layer as described in Question 24 and is depicted in Figure 25-1 attached.

25.2 EPP Interface

Registrars are provided with two different interfaces for interacting with the registry. Both are EPP based, and both contain all the functionality necessary to provision and manage domain names. The primary mechanism is an EPP interface to connect directly with the registry. This is the interface registrars will use for most of their interactions with the registry.

However, an alternative web GUI (Registry Administration Tool) that can also be used to perform EPP transactions will be provided. The primary use of the Registry Administration Tool is for performing administrative or customer support tasks.

The main features of the EPP implementation are:

-Standards Compliance: The EPP XML interface is compliant to the EPP RFCs. As future EPP RFCs are published or existing RFCs are updated, Neustar makes changes to the implementation keeping in mind of any backward compatibility issues.

-Scalability: The system is deployed keeping in mind that it may be required to grow and shrink the footprint of the Registry system for a particular TLD.

-Fault-tolerance: The EPP servers are deployed in two geographically separate data centers to provide for quick failover capability in case of a major outage in a particular data center. The EPP servers adhere to strict availability requirements defined in the SLAs.

-Configurability: The EPP extensions are built in a way that they can be easily configured to turn on or off for a particular TLD.

-Extensibility: The software is built ground up using object oriented design. This allows for easy extensibility of the software without risking the possibility of the change rippling through the whole application.

-Auditable: The system stores detailed information about EPP transactions from provisioning to DNS and WHOIS publishing. In case of a dispute regarding a name registration, the

Registry can provide comprehensive audit information on EPP transactions.

-Security: The system provides IP address based access control, client credential-based authorization test, digital certificate exchange, and connection limiting to the protocol layer.

25.3 Compliance with RFCs and Specifications

The registry-registrar model is described and embodied in a number of IETF RFCs, ICANN contracts and practices, and registry-registrar agreements. As shown in Table 25-1 attached, EPP is defined by the core set of RFCs that standardize the interface that registrars use to provision domains with the SRS. As a core component of the SRS architecture, the implementation is fully compliant with all EPP RFCs.

Neustar ensures compliance with all RFCs through a variety of processes and procedures. Members from the engineering and standards teams actively monitor and participate in the development of RFCs that impact the registry services, including those related to EPP. When new RFCs are introduced or existing ones are updated, the team performs a full compliance review of each system impacted by the change. Furthermore, all code releases include a full regression test that includes specific test cases to verify RFC compliance.

Neustar has a long history of providing exceptional service that exceeds all performance specifications. The SRS and EPP interface have been designed to exceed the EPP specifications defined in Specification 10 of the Registry Agreement and profiled in Table 25-2 attached. Evidence of Neustar's ability to perform at these levels can be found in the .biz monthly progress reports found on the ICANN website.

25.3.1 EPP Toolkits

Toolkits, under open source licensing, are freely provided to registrars for interfacing with the SRS. Both Java and C++ toolkits will be provided, along with the accompanying documentation. The Registrar Tool Kit (RTK) is a software development kit (SDK) that supports the development of a registrar software system for registering domain names in the registry using EPP. The SDK consists of software and documentation as described below.

The software consists of working Java and C++ EPP common APIs and samples that implement the EPP core functions and EPP extensions used to communicate between the registry and registrar. The RTK illustrates how XML requests (registration events) can be assembled and forwarded to the registry for processing. The software provides the registrar with the basis for a reference implementation that conforms to the EPP registry-registrar protocol. The software component of the SDK also includes XML schema definition files for all Registry EPP objects and EPP object extensions. The RTK also includes a dummy server to aid in the testing of EPP clients.

The accompanying documentation describes the EPP software package hierarchy, the object data model, and the defined objects and methods (including calling parameter lists and expected response behavior). New versions of the RTK are made available from time to time to provide support for additional features as they become available and support for other platforms and languages.

25.4 Proprietary EPP Extensions

The .music registry will not include proprietary EPP extensions. Neustar has implemented various EPP extensions for both internal and external use in other TLD registries. These extensions use the standard EPP extension framework described in RFC 5730. Table 25-3 attached provides a list of extensions developed for other TLDs. Should the .music registry require an EPP extension at some point in the future, the extension will be implemented in compliance with all RFC specifications including RFC 3735.

The full EPP schema to be used in the .music registry is attached in the document titled EPP Schema Files.

25.5 Resourcing Plans

The development and support of EPP is largely the responsibility of the Development/Engineering and Quality Assurance teams. As an experience registry operator with a fully developed EPP solution, on-going support is largely limited to periodic updates to the standard and the implementation of TLD specific extensions.

The necessary resources will be pulled from the pool of available resources described in detail in the response to Question 31. The following resources are available from those teams:

-Development/Engineering 19 employees

-Quality Assurance - 7 employees.

These resources are more than adequate to support any EPP modification needs of the .music registry.

26. Whois

26.1 Introduction

.MUSIC LLC recognizes the importance of an accurate, reliable, and up-to-date WHOIS database to governments, law enforcement, intellectual property holders and the public as a whole and is firmly committed to complying with all of the applicable WHOIS specifications for data objects, bulk access, and lookups as defined in Specifications 4 and 10 to the Registry Agreement. .music's back-end registry services provider, Neustar, has extensive experience providing ICANN and RFC-compliant WHOIS services for each of the TLDs that it operates both as a Registry Operator for gTLDs, ccTLDs and back-end registry services provider. As one of the first thick registry operators in the gTLD space, Neustar's WHOIS service has been designed from the ground up to display as much information as required by a TLD and respond to a very stringent availability and performance requirement.

Some of the key features of .music's solution include:

- Fully compliant with all relevant RFCs including 3912
- Production proven, highly flexible, and scalable with a track record of 100% availability over the past 10 years
- Exceeds current and proposed performance specifications
- Supports dynamic updates with the capability of doing bulk updates
- Geographically distributed sites to provide greater stability and performance
- In addition, .music's thick-WHOIS solution also provides for additional search capabilities and mechanisms to mitigate potential forms of abuse as discussed below. (e.g., IDN, registrant data).

26.2 Software Components

The WHOIS architecture comprises the following components:

- An in-memory database local to each WHOIS node: To provide for the performance needs, the WHOIS data is served from an in-memory database indexed by searchable keys.

-Redundant servers: To provide for redundancy, the WHOIS updates are propagated to a cluster of WHOIS servers that maintain an independent copy of the database.

-Attack resistant: To ensure that the WHOIS system cannot be abused using malicious queries or DOS attacks, the WHOIS server is only allowed to query the local database and rate limits on queries based on IPs and IP ranges can be readily applied.

-Accuracy auditor: To ensure the accuracy of the information served by the WHOIS servers, a daily audit is done between the SRS information and the WHOIS responses for the domain names which are updated during the last 24-hour period. Any discrepancies are resolved proactively.

-Modular design: The WHOIS system allows for filtering and translation of data elements between the SRS and the WHOIS database to allow for customizations.

-Scalable architecture: The WHOIS system is scalable and has a very small footprint. Depending on the query volume, the deployment size can grow and shrink quickly.

-Flexible: It is flexible enough to accommodate thin, thick, or modified thick models and can accommodate any future ICANN policy, such as different information display levels based on user categorization.

-SRS master database: The SRS database is the main persistent store of the Registry information. The Update Agent computes what WHOIS updates need to be pushed out. A publish-subscribe mechanism then takes these incremental updates and pushes to all the WHOIS slaves that answer queries.

26.3 Compliance with RFC and Specifications 4 and 10

Neustar has been running thick-WHOIS Services for over 10+ years in full compliance with RFC 3912 and with Specifications 4 and 10 of the Registry Agreement. RFC 3912 is a simple text based protocol over TCP that describes the interaction between the server and client on port 43. Neustar built a home-grown solution for this service. It processes millions of WHOIS queries per day.

Table 26-1 attached describes Neustar's compliance with Specifications 4 and 10.

Neustar ensures compliance with all RFCs through a variety of processes and procedures.

Members from the engineering and standards teams actively monitor and participate in the development of RFCs that impact the registry services, including those related to WHOIS. When new RFCs are introduced or existing ones are updated, the team performs a full compliance review of each system impacted by the change. Furthermore, all code releases include a full regression test that includes specific test cases to verify RFC compliance.

26.4 High-level WHOIS System Description

26.4.1 WHOIS Service (port 43)

The WHOIS service is responsible for handling port 43 queries. Our WHOIS is optimized for speed using an in-memory database and master-slave architecture between the SRS and WHOIS slaves.

The WHOIS service also has built-in support for IDN. If the domain name being queried is an IDN, the returned results include the language of the domain name, the domain name's UTF-8 encoded representation along with the Unicode code page.

26.4.2 Web Page for WHOIS queries

In addition to the WHOIS Service on port 43, Neustar provides a web based WHOIS application (www.whois.music). It is an intuitive and easy to use application for the general public to use. WHOIS web application provides all of the features available in the port 43 WHOIS. This includes full and partial search on:

- Domain names
- Nameservers
- Registrant, Technical and Administrative Contacts
- Registrars

It also provides features not available on the port 43 service. These include:

1. Redemption Grace Period calculation: Based on the registry's policy, domains in pendingDelete can be restorable or scheduled for release depending on the date-time the domain went into pendingDelete. For these domains, the web based WHOIS displays Restorable or Scheduled for Release to clearly show this additional status to the user.

2. Extensive support for international domain names (IDN)

3. Ability to perform WHOIS lookups on the actual Unicode IDN
4. Display of the actual Unicode IDN in addition to the ACE-encoded name
5. A Unicode to Punycode and Punycode to Unicode translator
6. An extensive FAQ
7. A list of upcoming domain deletions

26.5 IT and Infrastructure Resources

As described above the WHOIS architecture uses a workflow that decouples the update process from the SRS. This ensures SRS performance is not adversely affected by the load requirements of dynamic updates. It is also decoupled from the WHOIS lookup agent to ensure the WHOIS service is always available and performing well for users. Each of Neustar's geographically diverse WHOIS sites use:

- Firewalls, to protect this sensitive data
- Dedicated servers for MQ Series, to ensure guaranteed delivery of WHOIS updates
- Packetshaper for source IP address-based bandwidth limiting
- Load balancers to distribute query load
- Multiple WHOIS servers for maximizing the performance of WHOIS service.

The WHOIS service uses HP BL 460C servers, each with 2 X Quad Core CPU and a 64GB of RAM. The existing infrastructure has 6 servers, but is designed to be easily scaled with additional servers should it be needed.

Figure 26-1 attached depicts the different components of the WHOIS architecture.

26.6 Interconnectivity with Other Registry System

As described in Question 24 about the SRS and further in response to Question 31, Technical Overview, when an update is made by a registrar that impacts WHOIS data, a trigger is sent

to the WHOIS system by the external notifier layer. The update agent processes these updates, transforms the data if necessary and then uses messaging oriented middleware to publish all updates to each WHOIS slave. The local update agent accepts the update and applies it to the local in-memory database. A separate auditor compares the data in WHOIS and the SRS daily and monthly to ensure accuracy of the published data.

26.7 Frequency of Synchronization between Servers

Updates from the SRS, through the external notifiers, to the constellation of independent WHOIS slaves happens in real-time via an asynchronous publish-subscribe messaging architecture. The updates are guaranteed to be updated in each slave within the required SLA of 95%, less than or equal to 60 minutes. Please note that Neustar's current architecture is built towards the stricter SLAs (95%, less than or equal to 15 minutes) of .BIZ. The vast majority of updates tend to happen within 2-3 minutes.

26.8 Provision for Searchable WHOIS Capabilities

Neustar will create a new web-based service to address the new search features based on requirements specified in Specification 4 Section 1.8. The application will enable users to search the WHOIS directory using any one or more of the following fields:

-Domain name

-Registrar ID

-Contacts and registrant's name

-Contact and registrant's postal address, including all the sub-fields described in EPP (e.g., street, city, state or province, etc.)

-Name server name and name server IP address

-The system will also allow search using non-Latin character sets which are compliant with IDNA specification.

The user will choose one or more search criteria, combine them by Boolean operators (AND, OR, NOT) and provide partial or exact match regular expressions for each of the criterion name-value pairs. The domain names matching the search criteria will be returned to the user.

Figure 26-2 attached shows an architectural depiction of the new service.

To mitigate the risk of this powerful search service being abused by unscrupulous data miners, a layer of security will be built around the query engine which will allow the registry to identify rogue activities and then take appropriate measures. Potential abuses include, but are not limited to:

- Data Mining
- Unauthorized Access
- Excessive Querying
- Denial of Service Attacks

To mitigate the abuses noted above, Neustar will implement any or all of these mechanisms as appropriate:

- Username-password based authentication
- Certificate based authentication
- Data encryption
- CAPTCHA mechanism to prevent robo invocation of Web query
- Fee-based advanced query capabilities for premium customers.

The searchable WHOIS application will adhere to all privacy laws and policies of the .music registry.

26.9 Resourcing Plans

As with the SRS, the development, customization, and on-going support of the WHOIS service is the responsibility of a combination of technical and operational teams. The primary groups responsible for managing the service include:

- Development/Engineering 19 employees
- Database Administration 10 employees
- Systems Administration 24 employees
- Network Engineering 5 employees

Additionally, if customization or modifications are required, the Product Management and Quality Assurance teams will also be involved. Finally, the Network Operations and Information Security play an important role in ensuring the systems involved are operating securely and reliably. The necessary resources will be pulled from the pool of available resources described in detail in the response to Question 31. Neustar's WHOIS implementation is very mature, and has been in production for over 10 years. As such, very little new development will be required to support the implementation of the .music registry. The resources are more than adequate to support the WHOIS needs of all the TLDs operated by Neustar, including the .music registry.

27. Registration Life Cycle

27.1 Registration Life Cycle

27.1.1 Introduction

.music will follow the lifecycle and business rules found in the majority of gTLDs today. Our back-end operator, Neustar, has over ten years of experience managing numerous TLDs that utilize standard and unique business rules and lifecycles. This section describes the business rules, registration states, and the overall domain lifecycle that will be use for .music.

27.1.2 Domain Lifecycle - Description

The registry will use the EPP 1.0 standard for provisioning domain names, contacts and hosts. Each domain record is comprised of three registry object types: domain, contacts, and hosts.

Domains, contacts and hosts may be assigned various EPP defined statuses indicating either a particular state or restriction placed on the object. Some statuses may be applied by the Registrar; other statuses may only be applied by the Registry. Statuses are an integral part of the domain lifecycle and serve the dual purpose of indicating the particular state of the domain and indicating any restrictions placed on the domain. The EPP standard defines 17 statuses, however only 14 of these statuses will be used in the .music registry per the defined .music business rules.

The following is a brief description of each of the statuses. Server statuses may only be applied by the Registry, and client statuses may be applied by the Registrar.

-OK Default status applied by the Registry.

-Inactive Default status applied by the Registry if the domain has less than 2 nameservers.

-PendingCreate Status applied by the Registry upon processing a successful Create command, and indicates further action is pending. This status will not be used in the .music registry.

-PendingTransfer Status applied by the Registry upon processing a successful Transfer request command, and indicates further action is pending.

-PendingDelete Status applied by the Registry upon processing a successful Delete command that does not result in the immediate deletion of the domain, and indicates further action is pending.

-PendingRenew Status applied by the Registry upon processing a successful Renew command that does not result in the immediate renewal of the domain, and indicates further action is pending. This status will not be used in the .music registry.

-PendingUpdate Status applied by the Registry if an additional action is expected to complete the update, and indicates further action is pending. This status will not be used in the .music registry.

-Hold Removes the domain from the DNS zone.

-UpdateProhibited Prevents the object from being modified by an Update command.

-TransferProhibited Prevents the object from being transferred to another Registrar by the Transfer command.

-RenewProhibited Prevents a domain from being renewed by a Renew command.

-DeleteProhibited Prevents the object from being deleted by a Delete command.

The lifecycle of a domain begins with the registration of the domain. All registrations must follow the EPP standard, as well as the specific business rules described in the response to Question 18 above. Upon registration a domain will either be in an active or inactive state. Domains in an active state are delegated and have their delegation information published to the zone. Inactive domains either have no delegation information or their delegation information is not published in the zone. Following the initial registration of a domain, one of five actions may occur during its lifecycle:

-Domain may be updated

-Domain may be deleted, either within or after the add-grace period

-Domain may be renewed at anytime during the term

-Domain may be auto-renewed by the Registry

-Domain may be transferred to another registrar.

Each of these actions may result in a change in domain state. This is described in more

detail in the following section. Every domain must eventually be renewed, auto-renewed, transferred, or deleted. A registrar may apply EPP statuses described above to prevent specific actions such as updates, renewals, transfers, or deletions.

27.2 Registration States

27.2.1 Domain Lifecycle Registration States

As described above the .music registry will implement a standard domain lifecycle found in most gTLD registries today. There are five possible domain states:

- Active
- Inactive
- Locked
- Pending Transfer
- Pending Delete.

All domains are always in either an Active or Inactive state, and throughout the course of the lifecycle may also be in a Locked, Pending Transfer, and Pending Delete state. Specific conditions such as applied EPP policies and registry business rules will determine whether a domain can be transitioned between states. Additionally, within each state, domains may be subject to various timed events such as grace periods, and notification periods.

27.2.2 Active State

The active state is the normal state of a domain and indicates that delegation data has been provided and the delegation information is published in the zone. A domain in an Active state may also be in the Locked or Pending Transfer states.

27.2.3 Inactive State

The Inactive state indicates that a domain has not been delegated or that the delegation data has not been published to the zone. A domain in an Inactive state may also be in the Locked or Pending Transfer states. By default all domain in the Pending Delete state are also in the Inactive state.

27.2.4 Locked State

The Locked state indicates that certain specified EPP transactions may not be performed to the domain. A domain is considered to be in a Locked state if at least one restriction has been placed on the domain; however up to eight restrictions may be applied simultaneously. Domains in the Locked state will also be in the Active or Inactive, and under certain conditions may also be in the Pending Transfer or Pending Delete states.

27.2.5 Pending Transfer State

The Pending Transfer state indicates a condition in which there has been a request to transfer the domain from one registrar to another. The domain is placed in the Pending Transfer state for a period of time to allow the current (losing) registrar to approve (ack) or reject (nack) the transfer request. Registrars may only nack requests for reasons specified in the Inter-Registrar Transfer Policy.

27.2.6 Pending Delete State

The Pending Delete State occurs when a Delete command has been sent to the Registry after the first 5 days (120 hours) of registration. The Pending Delete period is 35-days during which the first 30-days the name enters the Redemption Grace Period (RGP) and the last 5-days guarantee that the domain will be purged from the Registry Database and available to public pool for registration on a first come, first serve basis.

27.3 Typical Registration Lifecycle Activities

27.3.1 Domain Creation Process

The creation (registration) of domain names is the fundamental registry operation. All other operations are designed to support or compliment a domain creation. The following steps occur when a domain is created.

1. Contact objects are created in the SRS database. The same contact object may be used for each contact type, or they may all be different. If the contacts already exist in the database this step may be skipped.

2. Nameservers are created in the SRS database. Nameservers are not required to complete the registration process; however any domain with less than 2 name servers will not be resolvable.

3. The domain is created using the each of the objects created in the previous steps. In addition, the term and any client statuses may be assigned at the time of creation.

The actual number of EPP transactions needed to complete the registration of a domain name can be as few as one and as many as 40. The latter assumes seven distinct contacts and 13 nameservers, with Check and Create commands submitted for each object.

27.3.2 Update Process

Registry objects may be updated (modified) using the EPP Modify operation. The Update transaction updates the attributes of the object.

For example, the Update operation on a domain name will only allow the following attributes to be updated:

- Domain statuses
- Registrant ID
- Administrative Contact ID
- Billing Contact ID
- Technical Contact ID
- Nameservers
- AuthInfo
- Additional Registrar provided fields.

The Update operation will not modify the details of the contacts. Rather it may be used to associate a different contact object (using the Contact ID) to the domain name. To update the details of the contact object the Update transaction must be applied to the contact itself. For example, if an existing registrant wished to update the postal address, the Registrar would use the Update command to modify the contact object, and not the domain object.

27.3.4 Renew Process

The term of a domain may be extended using the EPP Renew operation. ICANN policy generally establishes the maximum term of a domain name to be 10 years, and Neustar recommends not deviating from this policy. A domain may be renewed/extended at any point time, even immediately following the initial registration. The only stipulation is that the overall term of the domain name may not exceed 10 years. If a Renew operation is performed with a

term value will extend the domain beyond the 10 year limit, the Registry will reject the transaction entirely.

27.3.5 Transfer Process

The EPP Transfer command is used for several domain transfer related operations:

- Initiate a domain transfer
- Cancel a domain transfer
- Approve a domain transfer
- Reject a domain transfer.

To transfer a domain from one Registrar to another the following process is followed:

1. The gaining (new) Registrar submits a Transfer command, which includes the AuthInfo code of the domain name.
2. If the AuthInfo code is valid and the domain is not in a status that does not allow transfers the domain is placed into pendingTransfer status
3. A poll message notifying the losing Registrar of the pending transfer is sent to the Registrar's message queue
4. The domain remains in pendingTransfer status for up to 120 hours, or until the losing (current) Registrar Acks (approves) or Nack (rejects) the transfer request
5. If the losing Registrar has not Acked or Nacked the transfer request within the 120 hour timeframe, the Registry auto-approves the transfer
6. The requesting Registrar may cancel the original request up until the transfer has been completed.

A transfer adds an additional year to the term of the domain. In the event that a transfer will cause the domain to exceed the 10 year maximum term, the Registry will add a partial term up to the 10 year limit. Unlike with the Renew operation, the Registry will not reject a transfer operation.

27.3.6 Deletion Process

A domain may be deleted from the SRS using the EPP Delete operation. The Delete operation will result in either the domain being immediately removed from the database or the domain being placed in pendingDelete status. The outcome is dependent on when the domain is deleted. If the domain is deleted within the first five days (120 hours) of registration, the domain is immediately removed from the database. A deletion at any other time will result in the domain being placed in pendingDelete status and entering the Redemption Grace Period (RGP). Additionally, domains that are deleted within five days (120) hours of any billable (add, renew, transfer) transaction may be deleted for credit.

27.4 Applicable Time Elements

The following section explains the time elements that are involved.

27.4.1 Grace Periods

There are six grace periods:

- Add-Delete Grace Period (AGP)
- Renew-Delete Grace Period
- Transfer-Delete Grace Period
- Auto-Renew-Delete Grace Period
- Auto-Renew Grace Period
- Redemption Grace Period (RGP).

The first four grace periods listed above are designed to provide the Registrar with the ability to cancel a revenue transaction (add, renew, or transfer) within a certain period of time and receive a credit for the original transaction.

The following describes each of these grace periods in detail.

27.4.2 Add-Delete Grace Period

The APG is associated with the date the Domain was registered. Domains may be deleted for

credit during the initial 120 hours of a registration, and the Registrar will receive a billing credit for the original registration. If the domain is deleted during the Add Grace Period, the domain is dropped from the database immediately and a credit is applied to the Registrar's billing account.

27.4.3 Renew-Delete Grace Period

The Renew-Delete Grace Period is associated with the date the Domain was renewed. Domains may be deleted for credit during the 120 hours after a renewal. The grace period is intended to allow Registrars to correct domains that were mistakenly renewed. It should be noted that domains that are deleted during the renew grace period will be placed into pendingDelete and will enter the RGP (see below).

27.4.4 Transfer-Delete Grace Period

The Transfer-Delete Grace Period is associated with the date the Domain was transferred to another Registrar. Domains may be deleted for credit during the 120 hours after a transfer. It should be noted that domains that are deleted during the renew grace period will be placed into pendingDelete and will enter the RGP. A deletion of domain after a transfer is not the method used to correct a transfer mistake. Domains that have been erroneously transferred or hijacked by another party can be transferred back to the original registrar through various means including contacting the Registry.

27.4.5 Auto-Renew-Delete Grace Period

The Auto-Renew-Delete Grace Period is associated with the date the Domain was auto-renewed. Domains may be deleted for credit during the 120 hours after an auto-renewal. The grace period is intended to allow Registrars to correct domains that were mistakenly auto-renewed. It should be noted that domains that are deleted during the auto-renew delete grace period will be placed into pendingDelete and will enter the RGP.

27.4.6 Auto-Renew Grace Period

The Auto-Renew Grace Period is a special grace period intended to provide registrants with an extra amount of time, beyond the expiration date, to renew their domain name. The grace period lasts for 45 days from the expiration date of the domain name. Registrars are not required to provide registrants with the full 45 days of the period.

27.4.7 Redemption Grace Period

The RGP is a special grace period that enables Registrars to restore domains that have been

inadvertently deleted but are still in pendingDelete status within the Redemption Grace Period. All domains enter the RGP except those deleted during the AGP.

The RGP period is 30 days, during which time the domain may be restored using the EPP RenewDomain command as described below. Following the 30day RGP period the domain will remain in pendingDelete status for an additional five days, during which time the domain may NOT be restored. The domain is released from the SRS, at the end of the 5 day non-restore period. A restore fee applies and is detailed in the Billing Section. A renewal fee will be automatically applied for any domain past expiration.

Neustar has created a unique restoration process that uses the EPP Renew transaction to restore the domain and fulfill all the reporting obligations required under ICANN policy. The following describes the restoration process.

27.5 State Diagram

Figure 27-1 attached provides a description of the registration lifecycle.

The different states of the lifecycle are active, inactive, locked, pending transfer, and pending delete. Please refer to section 27.2 for detailed descriptions of each of these states. The lines between the states represent triggers that transition a domain from one state to another.

The details of each trigger are described below:

-Create: Registry receives a create domain EPP command.

-WithNS: The domain has met the minimum number of nameservers required by registry policy in order to be published in the DNS zone.

-WithoutNS: The domain has not met the minimum number of nameservers required by registry policy. The domain will not be in the DNS zone.

-Remove Nameservers: Domain's nameserver(s) is removed as part of an update domain EPP command. The total nameserver is below the minimum number of nameservers required by registry policy in order to be published in the DNS zone.

-Add Nameservers: Nameserver(s) has been added to domain as part of an update domain EPP command. The total number of nameservers has met the minimum number of nameservers required by registry policy in order to be published in the DNS zone.

-Delete: Registry receives a delete domain EPP command.

-DeleteAfterGrace: Domain deletion does not fall within the add grace period.

-DeleteWithinAddGrace: Domain deletion falls within add grace period.

- Restore: Domain is restored. Domain goes back to its original state prior to the delete command.
- Transfer: Transfer request EPP command is received.
- Transfer Approve/Cancel/Reject: Transfer requested is approved or cancel or rejected.
- TransferProhibited: The domain is in clientTransferProhibited and/or serverTransferProhibited status. This will cause the transfer request to fail. The domain goes back to its original state.
- DeleteProhibited: The domain is in clientDeleteProhibited and/or serverDeleteProhibited status. This will cause the delete command to fail. The domain goes back to its original state.

Note: the locked state is not represented as a distinct state on the diagram as a domain may be in a locked state in combination with any of the other states: inactive, active, pending transfer, or pending delete.

27.5.1 EPP RFC Consistency

As described above, the domain lifecycle is determined by ICANN policy and the EPP RFCs. Neustar has been operating ICANN TLDs for the past 10 years consistent and compliant with all the ICANN policies and related EPP RFCs.

27.6 Resources

The registration lifecycle and associated business rules are largely determined by policy and business requirements; as such the Product Management and Policy teams will play a critical role in working Applicant to determine the precise rules that meet the requirements of the TLD. Implementation of the lifecycle rules will be the responsibility of Development/Engineering team, with testing performed by the Quality Assurance team. Neustar's SRS implementation is very flexible and configurable, and in many case development is not required to support business rule changes.

The .music registry will be using standard lifecycle rules, and as such no customization is anticipated. However should modifications be required in the future, the necessary resources will be pulled from the pool of available resources described in detail in the response to Question 31. The following resources are available from those teams:

- Development/Engineering 19 employees
- Registry Product Management 4 employees

These resources are more than adequate to support the development needs of all the TLDs

operated by Neustar, including the .music registry.

28. Abuse Prevention and Mitigation

28.1 Abuse Prevention and Mitigation

Strong abuse prevention of a new gTLD is an important benefit to the internet community. .music and its registry operator and back-end registry services provider, Neustar, agree that a registry must not only aim for the highest standards of technical and operational competence, but also needs to act as a steward of the space on behalf of the Internet community and ICANN in promoting the public interest. Neustar brings extensive experience establishing and implementing registration policies. This experience will be leveraged to help .music combat abusive and malicious domain activity within the new gTLD space.

One of those public interest functions for a responsible domain name registry includes working towards the eradication of abusive domain name registrations, including, but not limited to, those resulting from:

- Illegal or fraudulent actions
- Spam
- Phishing
- Pharming
- Distribution of malware
- Fast flux hosting
- Botnets
- Distribution of child pornography
- Online sale or distribution of illegal pharmaceuticals.
- Intellectual Property Violation
- Copyright Violation

More specifically, although traditionally botnets have used Internet Relay Chat (IRC) servers to control registry and the compromised PCs, or bots, for DDoS attacks and the theft of personal information, an increasingly popular technique, known as fast-flux DNS, allows botnets to use a multitude of servers to hide a key host or to create a highly-available control network. This ability to shift the attacker's infrastructure over a multitude of servers in various countries creates an obstacle for law enforcement and security researchers to mitigate the effects of these botnets. But a point of weakness in this scheme is its dependence on DNS for its translation services. By taking an active role in researching and monitoring these sorts of botnets, .music's partner, Neustar, has developed the ability to efficiently work with various law enforcement and security communities to begin a new phase of mitigation of these types of threats.

Policies and Procedures to Minimize Abusive Registrations

A Registry must have the policies, resources, personnel, and expertise in place to combat such abusive DNS practices. As .music's registry provider, Neustar is at the forefront of the prevention of such abusive practices and is one of the few registry operators to have actually developed and implemented an active "domain takedown" policy. We also believe that a strong program is essential given that registrants have a reasonable expectation that they are in control of the data associated with their domains, especially its presence in the DNS zone. Because domain names are sometimes used as a mechanism to enable various illegitimate activities on the Internet often the best preventative measure to thwart these attacks is to remove the names completely from the DNS before they can impart harm, not only to the domain name registrant, but also to millions of unsuspecting Internet users.

Removing the domain name from the zone has the effect of shutting down all activity associated with the domain name, including the use of all websites and e-mail. The use of this technique should not be entered into lightly. .music has an extensive, defined, and documented process for taking the necessary action of removing a domain from the zone when its presence in the zone poses a threat to the security and stability of the infrastructure of the Internet or the registry.

Abuse Point of Contact

As required by the Registry Agreement, .music will establish and publish on its website a single abuse point of contact responsible for addressing inquiries from law enforcement, its community members and the public related to malicious and abusive conduct. .music will also provide such information to ICANN prior to the delegation of any domain names in the TLD. This information shall consist of, at a minimum, a valid e-mail address dedicated solely to the handling of malicious conduct complaints, and a telephone number and mailing address for the primary contact. We will ensure that this information will be kept accurate and up to date and will be provided to ICANN if and when changes are made. In addition, with respect to inquiries from ICANN-Accredited registrars, our registry services provider, Neustar, shall have an additional point of contact, as it does today, handling requests by registrars related to abusive domain name practices.

28.2 Policies Regarding Abuse Complaints

One of the key policies each new gTLD registry will need to have is an Acceptable Use Policy that clearly delineates the types of activities that constitute "abuse" and the repercussions associated with an abusive domain name registration. In addition, the policy will be incorporated into the applicable Registry-Registrar Agreement and reserve the right for the registry to take the appropriate actions based on the type of abuse. This will include locking down the domain name - preventing any changes to the contact and nameserver information associated with the domain name, placing the domain name "on hold" rendering the domain name non-resolvable, transferring to the domain name to another registrar, and/or in cases in which the domain name is associated with an existing law enforcement investigation, substituting name servers to collect information about the DNS queries to assist the investigation.

The dotMusic Registry will adopt an Acceptable Use Policy that clearly defines the types of activities that will not be permitted in the TLD and reserves the right of the Applicant to lock, cancel, transfer or otherwise suspend or take down domain names violating the Acceptable Use Policy and allow the Registry where and when appropriate to share information with law enforcement. Each ICANN-Accredited Registrar (even in the case of a sole registrar model) must agree to pass through the Acceptable Use Policy to its Resellers (if applicable) and ultimately to the TLD registrants. Below is the Registry's initial Acceptable Use Policy that we will use in connection with .music.

the dotMusic Registry Acceptable Use Policy

This Acceptable Use Policy gives the Registry the ability to quickly lock, cancel, transfer or take ownership of any .music domain name, either temporarily or permanently, if the domain name is being used in a manner that appears to threaten the stability, integrity or security of the Registry, or any of its registrar partners - and/or that may put the safety and security of any registrant or user at risk. The process also allows the Registry to take preventive measures to avoid any such criminal or security threats.

The Acceptable Use Policy may be triggered through a variety of channels, including, among other things, community member complaint, private complaint, public alert, government or enforcement agency outreach, and the on-going monitoring by the Registry or its partners. In all cases, the Registry or its designees will alert Registry's registrar partners about any identified threats, and will work closely with them to bring offending sites into compliance.

The following are some (but not all) activities that will be subject to rapid domain compliance:

- **Phishing:** the attempt to acquire personally identifiable information by masquerading as a website other than .music's own.
- **Pharming:** the redirection of Internet users to websites other than those the user intends to visit, usually through unauthorized changes to the Hosts file on a victim's computer or DNS records in DNS servers.
- **Dissemination of Malware:** the intentional creation and distribution of "malicious" software designed to infiltrate a computer system without the owner's consent, including, without limitation, computer viruses, worms, key loggers, and Trojans.
- **Fast Flux Hosting:** a technique used to shelter Phishing, Pharming and Malware sites and networks from detection and to frustrate methods employed to defend against such practices, whereby the IP address associated with fraudulent websites are changed rapidly so as to make the true location of the sites difficult to find.
- **Botnetting:** the development and use of a command, agent, motor, service, or software which is implemented: (1) to remotely control the computer or computer system of an Internet user without their knowledge or consent, (2) to generate direct denial of service (DDOS) attacks.
- **Malicious Hacking:** the attempt to gain unauthorized access (or exceed the level of authorized access) to a computer, information system, user account or profile, database, or security system.
- **Child Pornography:** the storage, publication, display and/or dissemination of pornographic materials depicting individuals under the age of majority in the relevant jurisdiction.
- **Community Abuse Considerations:** The dotMusic Registry will create a safe TLD in .music by actively monitoring and combating copyright infringement, cybersquatting, typo-squatting and any other domain name and registration based abusive practices. They will also actively monitor and combat the harder abuse instances that plague the music industry in the online world. These are defined as copyright infringement that results from P2P sharing, illegal digital distribution, along with any and all types of Intellectual Property infringement involving the DNS.

The Registry reserves the right, in its sole discretion, to take any administrative and operational actions necessary, including the use of computer forensics and information security technological services, among other things, in order to implement the Acceptable Use Policy. In addition, the Registry reserves the right to deny, cancel or transfer any registration or transaction, or place any domain name(s) on registry lock, hold or similar status, that it deems necessary, in its discretion; (1) to protect the integrity and stability of the registry; (2) to enforce the requirements of community membership and acceptable use (3) to comply with any applicable laws, government rules or requirements, requests of law enforcement, or any dispute resolution process; (4) to avoid any liability, civil or criminal, on the part of Registry as well as its affiliates, subsidiaries, officers, directors, and employees; (5) per the terms of the registration agreement or (6) to correct mistakes made by the Registry or any Registrar in connection with a domain name registration. Registry also reserves the right to place upon registry lock, hold or similar status a domain name during resolution of a dispute.

Taking Action Against Abusive and/or Malicious Activity

The Registry is committed to ensuring that those domain names associated with abuse or Malicious conduct in violation of the Acceptable Use Policy are dealt with in a timely and decisive manner. These include taking action against those domain names that are being used to threaten the stability and security, the community requirements of the TLD, or is part of a real-time investigation by law enforcement.

Once a complaint is received from a trusted source, third-party, or detected by the Registry, the Registry will use commercially reasonable efforts to verify the information in the complaint. If that information can be verified to the best of the ability of the Registry, the sponsoring registrar and the relevant reseller will be notified and be given 12 hours to investigate the activity and either take down the domain name by placing the

domain name on hold or by deleting the domain name in its entirety or providing a compelling argument to the Registry to keep the name in the zone. If the registrar (reseller) has not taken the requested action after the 12-hour period (i.e., is unresponsive to the request or refuses to take action), the Registry will place the domain on "ServerHold". Although this action removes the domain name from the TLD zone, the domain name record still appears in the TLD WHOIS database so that the name and entities can be investigated by law enforcement should they desire to get involved.

Coordination with Law Enforcement

With the assistance of Neustar as its back-end registry services provider, .music can meet its obligations under Section 2.8 of the Registry Agreement where required to take reasonable steps to investigate and respond to reports from law enforcement and governmental and quasi-governmental agencies of illegal conduct in connection with the use of its TLD. The Registry will respond to legitimate law enforcement inquiries within one business day from receiving the request. Such response shall include, at a minimum, an acknowledgement of receipt of the request, Questions or comments concerning the request, and an outline of the next steps to be taken by .Music for rapid resolution of the request.

In the event such request involves any of the activities which can be validated by the Registry and involves the type of activity set forth in the Acceptable Use Policy, the sponsoring registrar and its reseller is then given 12 hours to investigate the activity further and either take down the domain name by placing the domain name on hold or by deleting the domain name in its entirety or providing a compelling argument to the registry to keep the name in the zone. If the registrar (reseller) has not taken the requested action after the 12-hour period (i.e., is unresponsive to the request or refuses to take action), the Registry will place the domain on "serverHold".

Monitoring for Malicious Activity

28.3 Measures for Removal of Orphan Glue Records

As the Security and Stability Advisory Committee of ICANN (SSAC) rightly acknowledges, although orphaned glue records may be used for abusive or malicious purposes, the "dominant use of orphaned glue supports the correct and ordinary operation of the DNS." See <http://www.icann.org/en/committees/security/sac048.pdf>.

While orphan glue often support correct and ordinary operation of the DNS, we understand that such glue records can be used maliciously to point to name servers that host domains used in illegal phishing, bot-nets, malware, and other abusive behaviors. Problems occur when the parent domain of the glue record is deleted but its children glue records still remain in DNS. Therefore, when the Registry has written evidence of actual abuse of orphaned glue, the Registry will take action to remove those records from the zone to mitigate such malicious conduct.

Neustar run a daily audit of entries in its DNS systems and compares those with its provisioning system. This serves as an umbrella protection to make sure that items in the DNS zone are valid. Any DNS record that shows up in the DNS zone but not in the provisioning system will be flagged for investigation and removed if necessary. This daily DNS audit serves to not only prevent orphaned hosts but also other records that should not be in the zone.

In addition, if either .music or Neustar become aware of actual abuse on orphaned glue after receiving written notification by a third party through its Abuse Contact or through its customer support, such glue records will be removed from the zone.

28.4 Measures to Promote WHOIS Accuracy

The dotMusic Registry acknowledges that ICANN has developed a number of mechanisms over the past decade that are intended to address the issue of inaccurate WHOIS information. Such measures alone have not proven to be sufficient and .music will offer a mechanism whereby third parties can submit complaints directly to the Applicant (as opposed to ICANN or the

sponsoring Registrar) about inaccurate or incomplete WHOIS data. Such information shall be forwarded to the sponsoring Registrar, who shall be required to address those complaints with their registrants. Thirty days after forwarding the complaint to the registrar, .music will examine the current WHOIS data for names that were alleged to be inaccurate to determine if the information was corrected, the domain name was deleted, or there was some other disposition. If the Registrar has failed to take any action, or it is clear that the Registrant was either unwilling or unable to correct the inaccuracies, Applicant reserves the right to suspend the applicable domain name(s) until such time as the Registrant is able to cure the deficiencies.

In addition, .music shall on its own initiative, no less than twice per year, perform a manual review of a random sampling of .music domain names to test the accuracy of the WHOIS information. Although this will not include verifying the actual information in the WHOIS record, .music will be examining the WHOIS data for prima facie evidence of inaccuracies. In the event that such evidence exists, it shall be forwarded to the sponsoring Registrar, who shall be required to address those complaints with their registrants. Thirty days after forwarding the complaint to the registrar, the Applicant will examine the current WHOIS data for names that were alleged to be inaccurate to determine if the information was corrected, the domain name was deleted, or there was some other disposition. If the Registrar has failed to take any action, or it is clear that the Registrant was either unwilling or unable to correct the inaccuracies, .music reserves the right to suspend the applicable domain name(s) until such time as the Registrant is able to cure the deficiencies.

28.4.1 Authentication of Registrant Information and Monitoring of Registration Data

Authentication of registrant information as complete and accurate at time of registration. Most .music registrations will be sold by "reseller".music community member associations to their memberships. These resellers will in many cases be able to verify their own memberships at the time of domain sale. To address the case where the reseller lacks the ability to do this in the domain sale process, the .music reseller platform will capture all registrant declaration as to community membership including the identification of their accredited member association. All registrations associated with a given member association will be reported daily to the relevant member association for asynchronous review. Discrepancies in declared community membership will be addressed through the standard abuse practices described in the Acceptable Use Policy.

28.4.3 Policies and Procedures Ensuring Compliance (RRA and RA)

The dotMusic Registry intends to operate as a sole registrar model but will offer exclusive reseller services for music associations to sell domain names to their memberships. This registrar entity and subsequent resellers will be required to enforce measures, establish policies and procedures to ensure compliance, which may include audits, financial incentives, penalties, or other means.

The Registry-Registrar Agreement (RRA) will contain the following terms which will be passed through to the Reseller Agreements where applicable:

1. Confirming that Registrants have a bona fide affiliation with a legitimate Community Member.
2. Requiring that Registrants execute a Registrant Agreement which provides an additional level in securing the protection of creative and intellectual property rights and serves to mitigate copyright infringement, piracy and any other abuse as outlined in the dotMusic Registry policies.
 - a. The electronic acceptance of the Registrant Agreement would be a pre-requisite to the confirmation of any registration or renewal transaction performed by the Registrar (reseller).
 - b. Ensuring an electronic audit trail is maintained at the registrar, referencing each and every .music registration to an acceptance date of the Registrant Agreement.
3. Requiring their registrants to certify on an annual basis that they are in compliance with all Accreditation Criteria and other policies and requirements governing

domains, including, but not limited to, that the registrant:

- a. is not, and will not be involved in any form of copyright infringement, or otherwise facilitate such copyright infringement or provide access to any software, service or application that facilitates copyright infringement, directly or indirectly through the domain;
- b. has all the rights necessary to transmit, display, provide access to, reproduce, distribute, publish, link to, perform or otherwise exploit any copyrighted content made available directly or indirectly through the domain;
- c. has and will maintain appropriate records sufficient to verify any claimed licenses or authorizations to use or exploit creative content owned by third parties;
- d. will only use the domain in connection with activities involving legitimate/authorized uses of creative works and not to facilitate infringement; and
- e. meets the other Accreditation Criteria and that their operation of the site is legal

4. Acknowledgement that proxy registrations are disallowed, except those proxy registration services that are approved by, and fully comply with ICANN standards and .Music Registry policies.

5. Acknowledgement that the registrar and/or reseller will enforce the terms of the Registrant Agreement.

6. Acknowledgement that the registrar and/or reseller will endeavor to maintain WHOIS accuracy by:

- a. authenticating the registrant information as complete and accurate at time of registration,
- b. ensure the registrant is a valid member of good standing in at least of one of Coalition Member Organizations. Means requiring submission of identifying membership information.
- c. ensuring completeness and verifying all contact information of principals mentioned in registration data. Means may include utilizing simple web based technology to discern and thus reject inaccurate data (such as mismatch of zip code and State Code), and other means,
- d. regular monitoring of registration data for accuracy and completeness, employing authentication methods, and establishing policies and procedures to address domain names with inaccurate or incomplete WHOIS data. Means to do so would include periodic email alerts to the domain name registrant to verify or correct WHOIS information.

7. Acknowledgement of and compliance with .Music Registry's abuse detection and mitigation procedures, up to and including domain takedown.

8. Acknowledgement of the .Music Registry's right to take action to ensure compliance with the abuse detection and mitigation policies and procedures of the .Music Registry.

- a. Acceptance of .Music's right to suspend domains found to be in violation of .Music policies.
- b. Implement reasonable procedures to identify repeat registrants that attempt to avoid detection as repeat offender registrants, etc.
- c. Registrar (resellers) will be required to promptly take down/deregister domains that fail to comply with the Accreditation Criteria and other policies governing domains (including, but not limited to breach of the certification contemplated below), and to refuse to accept registrations from registrants that previously violated such criteria or policies.
- d. Annual verification of and electronic acceptance of the RRA.

Last but not least, the .Music Registry will create the Registrant Agreement. The RA would be furnished to all .Music registrar's resellers as part of the reseller accreditation procedures. The RA would at a minimum require all registrants to:

1. Agree to and abide by the terms of the .Music Registrant Agreement.
2. Adhere to the protection of Creative and Intellectual Property rights such as mitigating copyright infringement and piracy as well as guarding against other abuses such as cyber squatting, typo-squatting or other abusive registration practices defined in the agreement.
3. Annually notifying Registrants of their current agreement to:
 - a. Avoid of any form of copyright infringement, or otherwise facilitate such copyright infringement or provide access to any software, service or application that facilitates

copyright infringement, directly or indirectly through the domain;

b. Possess all necessary rights to transmit, display, provide access to, reproduce, distribute, publish, link to, perform or otherwise exploit any copyrighted content made available directly or indirectly through the domain;

c. Maintain appropriate records to sufficiently verify any claimed licenses or authorizations to use or exploit creative content owned by third parties;

d. Use the domain only in connection with activities involving legitimate ~~authorized~~ uses of creative works and not to facilitate infringement;

e. Meet other Accreditation Criteria as set forth from time to time

f. Implement reasonable monitoring of their site and their domain to police against infringing activity;

g. Implement reasonable enforcement procedures to ensure that any unauthorized content is removed before being placed on the domain or immediately removed once the registrant becomes aware of such unauthorized content;

h. Proactively ensure unauthorized content is not made available via the domain;

i. Acknowledge the .Music Registry's right to engage in monitoring and policing activity of the registrant's domain and site; and

j. Provide evidence of reasonable security and other measures that will be used to protect content made available from the domain.

4. Acknowledgement that if the registrant's domain use is found to be in violation of the .Music Registrant Agreement, the domain will be subject to suspension and reclaimed by the Registry.

.Music Registry will set itself up as a sole registrar, providing reseller capability to Community Member Associations, who will in turn sell .Music domains to their memberships. This model will provide the following advantages:

- minimize malicious conduct in .music (eg: quicker takedown in case of abusive behavior),
- minimize dot Music Registry's administrative and technical costs,
- maximize compliance with dotMusic Registry policies, and
- maximize control, as the dotMusic Registry would be the "Registrar of Record" in the WHOIS.

28.5 Resourcing Plans

Responsibility for abuse mitigation rests with a variety of functional groups. The Abuse Monitoring team is primarily responsible for providing analysis and conducting investigations of reports of abuse. The customer service team also plays an important role in assisting with the investigations, responded to customers, and notifying registrars of abusive domains. Finally, the Policy~~Legal~~ team is responsible for developing the relevant policies and procedures.

The necessary resources will be pulled from the pool of available resources described in detail in the response to Question 31, as well as resources described under the Abuse and Compliance Team. The following resources are available from those teams:

Customer Support – 12 employees

Policy~~Legal~~ – 2 employees

Abuse and Compliance Monitoring Team – 4 employees

The dotMusic Registry, as noted in our financials, has provisioned for a community compliance and support function. Oncall 24-7-365, this team supports both the community eligibility verification functions as well as providing a Tier 2 escalation for abuse cases reported through the Tier 1 Neustar Customer Support Teams. We estimate the community and compliance support function will spend no more than 10% of their collective time responding to abuse complaints in view of the estimated registration volumes and for the following reasons:

– Registrants are verified members of an accredited .music community organization or association in order to have an "active" registration and are held to strict community

eligibility requirements

- Registrants are well informed that IP protection is a fundamental priority to attain a .music domain. They risk substantial investment loss by risking non-compliance to the participation requirements in .music
- Registrants who lose their .music registrations due to non-compliance can put their related music organization or association memberships at risk
- The .music domain while market-competitive, is not a low cost domain space, which further has a cooling effect on attempted abusive registration
- Regular compliance scanning of the namespace for both community eligibility requirement conformance and abuse detection, as described in Q18 and earlier in Q28 will operate as a deterrent to abusive registration use.

29. Rights Protection Mechanisms

29.1. Rights Protection Mechanisms

The dotMusic Registry is firmly committed to the protection of Intellectual Property rights and to implementing the mandatory rights protection mechanisms contained in the Applicant Guidebook. .music recognizes that although the New gTLD program includes significant protections beyond those that were mandatory for a number of the current TLDs, a key motivator for .music's selection of Neustar as its registry services provider is Neustar's experience in successfully launching a number of TLDs with diverse rights protection mechanisms, including many the ones required in the Applicant Guidebook. More specifically, .music will implement the following rights protection mechanisms in accordance with the Applicant Guidebook and its Community requirements as further described below:

- Trademark Clearinghouse: a one-stop shop so that trademark holders can protect their trademarks with a single registration.
- Sunrise and Trademark Claims processes for the TLD.
- Implementation of the Uniform Dispute Resolution Policy to address domain names that have been registered and used in bad faith in the TLD.
- Uniform Rapid Suspension: A quicker, more efficient and cheaper alternative to the Uniform Dispute Resolution Policy to deal with clear cut cases of cybersquatting.
- Implementation of a Thick WHOIS making it easier for rights holders to identify and locate infringing parties
- Sunrise Eligibility Requirements (SERs).
- Music Eligibility Dispute Resolution Process (MEDRP).
- The .music TLD will use a variety of online scanning tools that search for key words that are commonly used to signal the availability of music distributed without appropriate authorization or in violation of intellectual property rights to aid in mitigating copyright infringement.
- We will engage an abuse detection and prevention team

A. Trademark Clearinghouse Including Sunrise and Trademark Claims

The first mandatory rights protection mechanism ("RPM") required to be implemented by each new gTLD Registry is support for, and interaction with, the trademark clearinghouse. The trademark clearinghouse is intended to serve as a central repository for information to be authenticated, stored and disseminated pertaining to the rights of trademark holders. The data maintained in the clearinghouse will support and facilitate other RPMs, including the mandatory Sunrise Period and Trademark Claims service. Although many of the details of how the trademark clearinghouse will interact with each registry operator and registrars, .Music is actively monitoring the developments of the Implementation Assistance Group ("IAG") designed to assist ICANN staff in firming up the rules and procedures associated with the policies and technical requirements for the trademark clearinghouse. In addition, .music's back-end registry services provider is actively participating in the IAG to ensure

that the protections afforded by the clearinghouse and associated RPMs are feasible and implementable.

Utilizing the trademark clearinghouse, all operators of new gTLDs must offer: (i) a sunrise registration service for at least 30 days during the pre-launch phase giving eligible trademark owners an early opportunity to register second-level domains in new gTLDs; and (ii) a trademark claims service for at least the first 60 days that second-level registrations are open. The trademark claim service is intended to provide clear notice to a potential registrant of the rights of a trademark owner whose trademark is registered in the clearinghouse.

B. Uniform Dispute Resolution Policy (UDRP) and Uniform Rapid Suspension (URS)

1. UDRP

The UDRP is intended as an alternative dispute resolution process to transfer domain names from those that have registered and used domain names in bad faith. Although there is not much of an active role that the domain name registry plays in the implementation of the UDRP, Neustar has closely monitored UDRP decisions that have involved the TLDs for which it supports and ensures that the decisions are implemented by the registrars supporting its TLDs. When alerted by trademark owners of failures to implement UDRP decisions by its registrars, Neustar either proactively implements the decisions itself or reminds the offending registrar of its obligations to implement the decision.

2. URS

In response to complaints by trademark owners that the UDRP was too cost prohibitive and slow, and the fact that more than 70 percent of UDRP cases were "clear cut" cases of cybersquatting, ICANN adopted the IRT's recommendation that all new gTLD registries be required, pursuant to their contracts with ICANN, to take part in a Uniform Rapid Suspension System ("URS"). The purpose of the URS is to provide a more cost effective and timely mechanism for brand owners than the UDRP to protect their trademarks and to promote consumer protection on the Internet.

The URS is not meant to address Questionable cases of alleged infringement (e.g., use of terms in a generic sense) or for anti-competitive purposes or denial of free speech, but rather for those cases in which there is no genuine contestable issue as to the infringement and abuse that is taking place.

Unlike the UDRP which requires little involvement of gTLD registries, the URS envisages much more of an active role at the registry-level. For example, rather than requiring the registrar to lock down a domain name subject to a UDRP dispute, it is the registry under the URS that must lock the domain within 24 hours of receipt of the complaint from the URS Provider to restrict all changes to the registration data, including transfer and deletion of the domain names.

In addition, in the event of a determination in favor of the complainant, the registry is required to suspend the domain name. This suspension remains for the balance of the registration period and would not resolve the original website. Rather, the nameservers would be redirected to an informational web page provided by the URS Provider about the URS.

Additionally, the WHOIS reflects that the domain name will not be able to be transferred, deleted, or modified for the life of the registration. Finally, there is an option for a successful complainant to extend the registration period for one additional year at commercial rates.

.music is fully aware of each of these requirements and will have the capability to implement these requirements for new gTLDs. In fact, during the IRT's development of the URS, Neustar began examining the implications of the URS on its registry operations and provided the IRT with feedback on whether the recommendations from the IRT would be feasible for registries to implement.

Although there have been a few changes to the URS since the IRT recommendations, Neustar

continued to participate in the development of the URS by providing comments to ICANN, many of which were adopted. As a result, Neustar is committed to supporting the URS for all of the registries that it provides back-end registry services.

3. CEDP

The mission of .music is to serve and represent the interests and defining elements of its membership. Appropriately, .music will develop a dispute process for members of the .music community to dispute .music domain activity that violates the RRA, RA, published acceptable use policy and/or community eligibility requirements for .music community membership. The CEDP will be available from the initiation of Sunrise through the ongoing operation of the registry during general availability. .music will engage ICANN accepted dispute resolution providers such as WIPO to adjudicate the CEDP and bind all relevant parties through the RRA and RA to comply with the finding of the arbitrators.

C. Implementation of Thick WHOIS

The .music registry will include a thick WHOIS database as required in Specification 4 of the Registry agreement. A thick WHOIS provides numerous advantages including a centralized location of registrant information, the ability to more easily manage and control the accuracy of data, and a consistent user experience.

D. Policies Handling Complaints Regarding Abuse

In addition the Rights Protection mechanisms addressed above, <tApplicant> will implement a number of measures to handle complaints regarding the abusive registration of domain names in its TLD as described in .music's response to Question 28.

Registry Acceptable Use Policy

One of the key policies each new gTLD registry is the need to have is an Acceptable Use Policy that clearly delineates the types of activities that constitute "abuse" and the repercussions associated with an abusive domain name registration. The policy must be incorporated into the applicable Registry-Registrar Agreement and reserve the right for the registry to take the appropriate actions based on the type of abuse. This may include locking down the domain name preventing any changes to the contact and nameserver information associated with the domain name, placing the domain name "on hold" rendering the domain name non-resolvable, transferring to the domain name to another registrar, and/or in cases in which the domain name is associated with an existing law enforcement investigation, substituting name servers to collect information about the DNS queries to assist the investigation. .music's Acceptable Use Policy, set forth in our response to Question 28, will include prohibitions on phishing, pharming, dissemination of malware, fast flux hosting, hacking, and child pornography. In addition, the policy will include the right of the registry to take action necessary to deny, cancel, suspend, lock, or transfer any registration in violation of the policy.

Monitoring for Malicious Activity

.music is committed to ensuring that those domain names associated with abuse or malicious conduct in violation of the Acceptable Use Policy are dealt with in a timely and decisive manner. These include taking action against those domain names that are being used to threaten the stability and security of the TLD, community requirements, or is part of a real-time investigation by law enforcement.

Once a complaint is received from a trusted source, third-party, or detected by the Registry, the Registry will use commercially reasonable efforts to verify the information in the complaint. If that information can be verified to the best of the ability of the Registry, the sponsoring registrar will be notified and be given 12 hours to investigate the activity and either take down the domain name by placing the domain name on hold or by deleting the domain name in its entirety or providing a compelling argument to the Registry to keep the name in the zone. If the registrar has not taken the requested action after the 12-hour period (i.e., is unresponsive to the request or refuses to take action), the Registry will place the domain on "ServerHold". Although this action removes the domain name from the TLD zone, the domain name record still appears in the TLD WHOIS database so that the name and entities can be investigated by law enforcement should they desire to get

Involved.

Reducing Opportunities for Behaviors such as Phishing or Pharming

Due to the extensive and exhaustive mark requirements and trademark validation protocols during Sunrise, the registration of effective Phishing domains during the startup period is effectively prevented. Pharming opportunities will be diminished since pharming requires an initially resolving domain and because Sunrise application will only result in resolving domains after the close of the Sunrise period.

Question 28 ("Abuse Prevention and Mitigation") outlines our considerable and strong anti-abuse program. Our program has been effective in shutting down phishing and pharming and has the ability for quick takedown of domain name abuses. This program will prove a deterrent to the criminal element since it greatly reduces attempts to initiate phishing domains without infringing upon the rights of legitimate registrants. Similarly, pharming is typically done by redirecting traffic at the recursive DNS level; therefore, intervention at the ISP level has proven effective in curtailing this activity. By producing and maintaining related educational FAQs on related DNS security together with providing educational materials on how pharming works on the Registry's public website, we will support ISP mitigation initiatives. These programs are designed for use in the Land Rush and Open Registration periods.

29.2 Safeguards against Unqualified Registrations

Robust Sunrise Program

Sunrise

In order to fully maximize the awareness of potential trademark holders, the .Music Sunrise will be strategically marketed both directly to the general public as well as Reseller channels. Domains that are open to application will be specified through our Sunrise policy.

The Sunrise period will include a two week quiet period and will operate for a minimum of 30 days prior to the general availability of domain names. While the work connected to Trademark Clearinghouse matches and related notifications are being completed, the registration functions will not be available throughout the quiet period.

Eligible Rights

The proposed Sunrise Eligibility Requirements (SERs) will be congruent to the following qualifications which were taken from many previous TLD Sunrise programs:

- (i) Ownership of a qualifying mark.
 - a. See Section 7.2, number (i): The registry will honor and recognize all word marks that are regionally or nationally registered. The Trademark Clearinghouse would have had to have received and validated proof of use of the word mark – either by a declaration or a single specimen of current use.
 - b. Trademarks not listed in the Clearinghouse but which are verified by a third party validation contractor and which conform to the following standards will be honored and recognized:
 - i. the Domain Name is identical to the textual or word elements of the trademark or service mark registration on which the registration of the Domain Name is based , AND
 - ii. the trademark or service mark registration on which the registration of the Domain Name is based is of national effect; AND
 - iii. the trademark or service mark registration on which the registration of the Domain Name was based was issued (registered) prior to [a cutoff date to be determined].
 - iv. representation that all provided information is true and correct; and
 - v. provision of data sufficient to document rights in the trademark.

(ii) Applicant must be verified as a member of the .Music community.

- i. Applicant must have declared related membership in an accredited .music member association.
- ii. Submitted Applicant information will be submitted to their declared member association. Applicants not found on the rosters of the member association may be declared invalid by the member association. Applicants found to have applied for a domain without community membership will be subject to the Acceptable Use Policy and will forfeit the domain.

iii. Applicant must be clear of all dispute processes (including the Community Eligibility Dispute Process prior to acceptance of their Sunrise applications.

Application Process

Submissions received during Sunrise will be accepted as applications only. Once the Trademark has been declared to conform to the SERs listed above, it will be accepted as a full registration. Multiple applications for the same string will be allowed from multiple Trademark holders. Where more than one qualifying applicant exists, contention will be resolved through auction. The application will be promoted to a full domain registration if there is a single qualifying applicant or if an auction has been won in the case of more than one qualifying applicant.

Trademark Validation and Safeguards

Sunrise applications will be examined by a third party Trademark validator as permitted/approved by ICANN. This validator will have global experience and thus be well versed in intellectual property law and will engage the following process and functions:

Examination of Trademark

Trademarks will be validated against either the Trademark Clearinghouse, or against a National Trademark Database from a qualifying country. This is a strict requirement for a Sunrise application to be considered "qualified or validated".

Additional Information

Any Sunrise application will be subject to a request for additional information or clarifying documents as decided by the Trademark Validator. This may include direct verification of the applicant's identity with respect to the cited trademark.

Deterrents

Administration fees associated with filing Sunrise applications are NOT refundable. We will make this abundantly clear in policy documents, training materials and FAQs. This administration fee is designed to recover validation costs and will discourage frivolous applications.

Contending Applications, Sunrise Auctions

Following the close of the Sunrise period, the Registry will complete all Sunrise application validations. The only three outcomes and subsequent actions are as follows:

- Outcome: Only one valid application is received for a given string.

Action: The domain will be awarded to that applicant.

- Outcome: Two or more valid applications are received for the same string.

Action: The domain will be offered to the applicants at auction. The highest bidder will be awarded the domain.

- Outcome: No valid applications are received for a given string.

Action: The domain will be offered in subsequent phases of the Registry but without Trademark requirements.

Additional Considerations

It may take some time to conduct a Sunrise auction and these will likely overlap other phases such as Landrush. If no applicant places a bid at auction, then the domain will be awarded to the first valid application.

Parties who may wish to file a UDRP or CEDP challenge will have 60 days in which to do so.

During this time, domains awarded under Sunrise will be locked (Sunrise lock status)

Once a Sunrise domain is awarded, it will be promoted to a full registration and the relevant (RDDs) Whois data will be published as per standard Registry (RDDs) Whois policy.

Conflict of Interest restrictions will be applied to employees, contractors, consultants and significant investors of the Registry disallowing participation in Sunrise auctions.

29.3 Resourcing Plans

The rights protection mechanisms described in the response above involve a wide range of tasks, procedures, and systems. The responsibility for each mechanism varies based on the specific requirements. In general the development of applications such as sunrise and IP claims is the responsibility of the Engineering team, with guidance from the Product Management team. Customer Support and Legal play a critical role in enforcing certain policies such as the rapid suspension process. These teams have years of experience implementing these or similar processes.

The necessary resources will be pulled from the pool of available resources described in detail in the response to Question 31. The following resources are available from those teams:

Development/Engineering – 19 employees

Product Management- 4 employees

Customer Support – 12 employees

Abuse and Compliance Monitoring Team – 4 employees

.Music, as noted in our financials, has provisioned for a community compliance and support function. Oncall 24/7/365, this team supports both the community eligibility verification functions as well as providing response and support required for the related dispute process beyond Neustar customer support. We estimate the community and compliance support function will spend no more than 5% of their collective time responding to related dispute procedures in view of the estimated registration volumes and for the following reasons:

– Registrants are verified members of an accredited .Music community organization or association in order to have an “active” registration and are held to strict community eligibility requirements

– Registrants are well informed that IP protection is a fundamental priority to attain a .Music domain. They risk substantial investment loss by risking non-compliance to the participation requirements in .Music

– Registrants who lose their .Music registrations due to non-compliance can put their related music organization or association memberships at risk

30(a). Security Policy: Summary of the security policy for the proposed registry

30.(a).1 Security Policies

.MUSIC LLC and our back-end operator, Neustar recognize the vital need to secure the systems and the integrity of the data in commercial solutions. The .music registry solution will leverage industry-best security practices including the consideration of physical, network, server, and application elements.

Neustar’s approach to information security starts with comprehensive information security policies. These are based on the industry best practices for security including SANS (SysAdmin, Audit, Network, Security) Institute, NIST (National Institute of Standards and Technology), and CIS (Center for Internet Security). Policies are reviewed annually by Neustar’s information security team.

The following is a summary of the security policies that will be used in the dotMusic Registry, including:

1. Summary of the security policies used in the registry operations
2. Description of independent security assessments
3. Description of security features that are appropriate for .music
4. List of commitments made to registrants regarding security levels

.MUSIC LLC is a newly formed entity to service the dotMusic Registry. As per our plans described in Qs46-50, most staffing and front office services required to operate the registry will be developed during our ramp-up period to launching the registry. As such, .music has decided to adopt the applicable security practices of our registry service provider Neustar for the following reasons: 1) Neustar’s policies and practices are far

more extensive than ICANN's requirements; 2) These security policies and practices fully envelop and exceed the considerations of registry front-end services; 3) Neustar's practices represent registry industry specialization and best of breed practices.

All of the security policies and levels described in this section are appropriate for the .music registry.

30.(a).2 Summary of Security Policies

Neustar has developed a comprehensive Information Security Program in order to create effective administrative, technical, and physical safeguards for the protection of its information assets, and to comply with Neustar's obligations under applicable law, regulations, and contracts. This Program establishes Neustar's policies for accessing, collecting, storing, using, transmitting, and protecting electronic, paper, and other records containing sensitive information.

-The policies for internal users and our clients to ensure the safe, organized and fair use of information resources.

-The rights that can be expected with that use.

-The standards that must be met to effectively comply with policy.

-The responsibilities of the owners, maintainers, and users of Neustar's information resources.

-Rules and principles used at Neustar to approach information security issues

The following policies are included in the Program:

1. Acceptable Use Policy

The Acceptable Use Policy provides the rules of behavior covering all Neustar Associates for using Neustar resources or accessing sensitive information.

2. Information Risk Management Policy

The Information Risk Management Policy describes the requirements for the on-going information security risk management program, including defining roles and responsibilities for conducting and evaluating risk assessments, assessments of technologies used to provide information security and monitoring procedures used to measure policy compliance.

3. Data Protection Policy

The Data Protection Policy provides the requirements for creating, storing, transmitting, disclosing, and disposing of sensitive information, including data classification and labeling requirements, the requirements for data retention. Encryption and related technologies such as digital certificates are also covered under this policy.

4. Third Party Policy

The Third Party Policy provides the requirements for handling service provider contracts,

including specifically the vetting process, required contract reviews, and on-going monitoring of service providers for policy compliance.

5. Security Awareness and Training Policy

The Security Awareness and Training Policy provide the requirements for managing the on-going awareness and training program at Neustar. This includes awareness and training activities provided to all Neustar Associates.

6. Incident Response Policy

The Incident Response Policy provides the requirements for reacting to reports of potential security policy violations. This policy defines the necessary steps for identifying and reporting security incidents, remediation of problems, and conducting lessons learned post-mortem reviews in order to provide feedback on the effectiveness of this Program. Additionally, this policy contains the requirement for reporting data security breaches to the appropriate authorities and to the public, as required by law, contractual requirements, or regulatory bodies.

7. Physical and Environmental Controls Policy

The Physical and Environment Controls Policy provides the requirements for securely storing sensitive information and the supporting information technology equipment and infrastructure. This policy includes details on the storage of paper records as well as access to computer systems and equipment locations by authorized personnel and visitors.

8. Privacy Policy

Neustar supports the right to privacy, including the rights of individuals to control the dissemination and use of personal data that describes them, their personal choices, or life experiences. Neustar supports domestic and international laws and regulations that seek to protect the privacy rights of such individuals.

9. Identity and Access Management Policy

The Identity and Access Management Policy covers user accounts (login ID naming convention, assignment, authoritative source) as well as ID lifecycle (request, approval, creation, use, suspension, deletion, review), including provisions for system/application accounts, shared/group accounts, guest/public accounts, temporary/emergency accounts, administrative access, and remote access. This policy also includes the user password policy requirements.

10. Network Security Policy

The Network Security Policy covers aspects of Neustar network infrastructure and the technical controls in place to prevent and detect security policy violations.

11. Platform Security Policy

The Platform Security Policy covers the requirements for configuration management of servers, shared systems, applications, databases, middle-ware, and desktops and laptops owned or operated by Neustar Associates.

12. Mobile Device Security Policy

The Mobile Device Policy covers the requirements specific to mobile devices with information storage or processing capabilities. This policy includes laptop standards, as well as requirements for PDAs, mobile phones, digital cameras and music players, and any other removable device capable of transmitting, processing or storing information.

13. Vulnerability and Threat Management Policy

The Vulnerability and Threat Management Policy provides the requirements for patch management, vulnerability scanning, penetration testing, threat management (modeling and monitoring) and the appropriate ties to the Risk Management Policy.

14. Monitoring and Audit Policy

The Monitoring and Audit Policy covers the details regarding which types of computer events to record, how to maintain the logs, and the roles and responsibilities for how to review, monitor, and respond to log information. This policy also includes the requirements for backup, archival, reporting, forensics use, and retention of audit logs.

15. Project and System Development and Maintenance Policy

The System Development and Maintenance Policy covers the minimum security requirements for all software, application, and system development performed by or on behalf of Neustar and the minimum security requirements for maintaining information systems.

30.(a).3 Independent Assessment Reports

Neustar IT Operations is subject to yearly Sarbanes-Oxley (SOX), Statement on Auditing Standards #70 (SAS70) and ISO audits. Testing of controls implemented by Neustar management in the areas of access to programs and data, change management and IT Operations are subject to testing by both internal and external SOX and SAS70 audit groups. Audit Findings are communicated to process owners, Quality Management Group and Executive Management. Actions are taken to make process adjustments where required and remediation of issues is monitored by internal audit and QM groups.

External Penetration Test is conducted by a third party on a yearly basis. As authorized by Neustar, the third party performs an external Penetration Test to review potential security weaknesses of network devices and hosts and demonstrate the impact to the environment. The assessment is conducted remotely from the Internet with testing divided into four phases:

-A network survey is performed in order to gain a better knowledge of the network that was being tested

- Vulnerability scanning is initiated with all the hosts that are discovered in the previous phase
- Identification of key systems for further exploitation is conducted
- Exploitation of the identified systems is attempted.

Each phase of the audit is supported by detailed documentation of audit procedures and results. Identified vulnerabilities are classified as high, medium and low risk to facilitate management's prioritization of remediation efforts. Tactical and strategic recommendations are provided to management supported by reference to industry best practices.

30.(a).4 Augmented Security Levels and Capabilities

There are no increased security levels specific for .music. However, Neustar will provide the same high level of security provided across all of the registries it manages.

A key to Neustar's operational success is Neustar's highly structured operations practices. The standards and governance of these processes:

- Include annual independent review of information security practices
- Include annual external penetration tests by a third party
- Conform to the ISO 9001 standard (Part of Neustar's ISO-based Quality Management System)
- Are aligned to Information Technology Infrastructure Library (ITIL) and CoBIT best practices
- Are aligned with all aspects of ISO IEC 17799
- Are in compliance with Sarbanes-Oxley (SOX) requirements (audited annually)
- Are focused on continuous process improvement (metrics driven with product scorecards reviewed monthly).

A summary view to Neustar's security policy in alignment with ISO 17799 can be found in section 30.(a).5 below.

30.(a).5 Commitments and Security Levels

The .music registry commits to high security levels that are consistent with the needs of the TLD. These commitments include:

Compliance with High Security Standards

- Security procedures and practices that are in alignment with ISO 17799
- Annual SOC 2 Audits on all critical registry systems
- Annual 3rd Party Penetration Tests
- Annual Sarbanes Oxley Audits

Highly Developed and Document Security Policies

- Compliance with all provisions described in section 30.(b) and in the attached security policy document.
- Resources necessary for providing information security
- Fully documented security policies
- Annual security training for all operations personnel

High Levels of Registry Security

- Multiple redundant data centers
- High Availability Design
- Architecture that includes multiple layers of security
- Diversified firewall and networking hardware vendors
- Multi-factor authentication for accessing registry systems
- Physical security access controls
- A 24x7 manned Network Operations Center that monitors all systems and applications
- A 24x7 manned Security Operations Center that monitors and mitigates DDoS attacks
- DDoS mitigation using traffic scrubbing technologies