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January 29, 2014

Ms. Christine Willett
Vice President, gTLD Operations
ICANN
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094

Dear Christine,

During ICANN's applicant webinar on January 22, 2014, a number of questions were raised regarding the status of the New gTLD Program Committee's (NGPC) consideration of the outstanding Governmental Advisory Committee (GAC) Advice on Category 1 and 2 and the impact to applicants subject to that Advice. There are hundreds of applications that cannot proceed through ICANN's consideration process until this Advice is resolved and we respectfully request the NGPC communicate a timeline for it to complete its work as expeditiously as possible.

Referencing the NGPC's implementation plan for GAC Category 1 Advice detailed in Dr. Stephen Crocker's letter to Ms. Heather Dryden on October 29, 2013, we seek your confirmation that:

- The requirement to implement the additional 1-8 safeguards, once approved by the NGPC, would be through mandatory Specification 11 Public Interest Commitments (PICs) consistent with the approach ICANN used when it resolved on June 25, 2013, to adopt the four safeguards that are applicable to all new gTLD registries; and
- Upon NGPC's acceptance and implementation of the additional 1-8 safeguards through mandatory PICs, GAC Advice will be considered resolved for those applicants, and they will be permitted to continue through ICANN's consideration phases (e.g., Community Priority Evaluation, contracting, auction, etc.) provided no other issue exists.

With regard to Category 2 Advice, the CTAG would like to understand what process is ICANN undertaking to verify that application submissions that clearly demonstrate exclusive access have been appropriately disclosed in those applicants' responses to ICANN's request for replies to this Advice? Further, in cases where there is a clear discrepancy between what the application states and what the applicant provided in their response to ICANN, what is ICANN doing to ensure that these applicants are required to submit a change request since "the Registry Agreement provides that registry operators of a "generic string" TLD may not impose eligibility criteria for registering names in the TLD that limit registrations exclusively to a single person or entity and/or that person's or entity's "Affiliates" (as defined in Section 2.9(c) of the Registry Agreement)?¹

¹ See this reference at <http://newgtlds.icann.org/en/announcements-and-media/announcement-4-09oct13-en>.

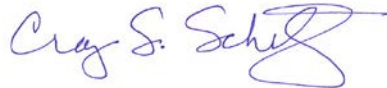
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We look forward to your response and the clarity and predictability it will create for all new gTLD applicants.

Sincerely,



Craig S. Schwartz
CTAG Coordinator

cc: Mr. Fadi Chehadé, President and CEO, ICANN
Mr. Akram Atallah, President, Generic Domains Division, ICANN
Mr. Cherine Chalaby, Board Chair, New gTLD Program, ICANN
Ms. Heather Dryden, Chair, GAC, ICANN

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4. BARCELONA - Municipi de Barcelona
5. BERLIN - dotBERLIN GmbH & Co. KG
6. CORP, INC, LLC, LLP - Dot Registry LLC
7. CPA - American Institute of Certified Public Accountants
8. ECO - Big Room Inc.
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11. GMBH - TLDDOT GmbH
12. GREE - GREE, Inc.
13. HAMBURG - Hamburg Top-Level-Domain GmbH
14. HOTEL - HOTEL Top-Level-Domain S.a.r.l
15. KIDS - DotKids Foundation Limited
16. MED - HEXAP SAS
17. MUSIC - DotMusic / CGR E-Commerce Ltd
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20. OSAKA - Interlink Co., Ltd.
21. QUEBEC - PointQuebec Inc
22. RADIO - European Broadcasting Union (EBU)
23. SCOT - Dot Scot Registry Limited
24. SHOP - Commercial Connect LLC
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26. TATAR - Coordination Center of Regional Domain of Tatarstan Republic LLC
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