

## **Bayern Connect Comments on Draft Applicant Guidebook, Version 4**

First of all we want to mention that we thank ICANN to be able to comment on DAG 4.

ICANN has put tremendous work into this and we feel that the DAG is an amazing piece of work.

What is important now – for the credibility of ICANN, for the vast number of already existing applicants as well as upcoming applicants who plan to take their chance in the coming months - is to continue with the process, so a final DAG can be published as soon as possible.

Hence, we only want to comment on a few points:

### **Reduced Pricing for Bundled Variants**

Some applicants might face the “problem” that their desired strings can be written in different ways. They have more than one common name as well as IDN variants.

For example:

Koeln / Cologne / Köln

or

Bayern / Bavaria

We believe that it would be unfair to ask the applicant for 185.000 dollars for each TLD name that is not chosen, but already pre-existing. There for we ask for a reduction in fees for such scenario.

### **2.2.1.4.2. Geographical names Requiring Government Support**

Point 3:

“An application for any string that is an exact match of a sub-national place name, such as a county, province, or state, listed in the ISO 3166-2 standard.”

Here, it should be added that not only an “exact match” but also a “representation” of a sub-national place...are considered a geographical name.

This will solve the issue for NRW (german state that stands for Nordrhein-

Westfalen) for example.

### **Ban on Trademark Front--Running**

ICANN must make sure to guarantee same grounds and chances to everyone applicant and especially those who want to participate but might not have announced this yet.

Therefore it is important that a trademark on a TLD – “dot TLD” – will not put an applicant into any unjustified advantage. Also, it cannot be a ground for a later objection.

In the case of a geographical application, this would also compromise the position of a relevant government that wants to support the initiative that works in best interest for the geographical area.

### **No Advantaged Applicants**

Some applicants claim they should be treated “special” as they have been in the game longer as potential new applicants who might want to apply for a TLD when the final DAG is out or had the idea for years but only want to go public then. Of course, the idea behind new TLDs is that everyone has the same and fair chance to get their desired TLD. This is why there will be an official communication and marketing period to generate awareness and interest in order to give everyone the possibility (not just “insiders”) to get their community-, geographical or standard TLD.

This idea would again compromise communities or governments to find the best solution for their TLD.

Fair grounds as well as competition is important. I am sure that ICANN sees this the same way.

Once again, Bayern Connect wants to thank ICANN for a tremendous work on the DAG. We believe it is a great document and we would like to thank ICANN for the possibility to comment.

Sincerely,

Caspar von Veltheim  
Bayern Connect GmbH