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#### Statement of the Börsenverein des Deutschen Buchhandels e.V

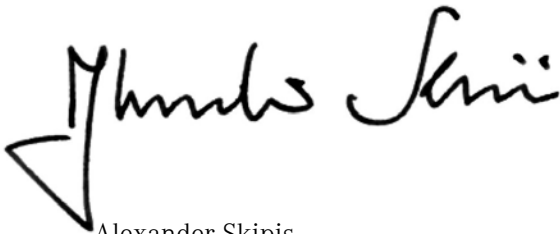
The Börsenverein des Deutschen Buchhandels e.V. represents around 1800 publishers and 6000 booksellers in Germany. One of our goals is the protection of the interests of our members and a level playing field for their commercial interests. In this capacity, we strongly object to the awarding of closed generic TLDs such as „book“ to individual commercial entities, especially to those operating within the book industry.

In the gTLD Applicant Guidebook, ICANN's President and CEO Rod Beckstrom states the goals of the new gTLDs to “promote[s] competition and consumer choice” (<http://archive.icann.org/en/topics/new-gtlds/rfp-clean-19sep11-en.pdf>). In our view, the creation of closed gTLDs of generic words runs completely contrary to these goals: in fact, competition will decline and consumers will have less choice. In the long run, granting use of closed gTLDs could promote a shift in the Internet from being a public space to a collection of privatized islands or walled gardens. Similarly to the case of trade marks (where generic terms may not be registered), reserving the use of generic terms as gTLDs for individual companies is not desirable. From the point of view of consumer choice, locating a class of goods and a choice of suppliers with the help of the TLD is by far preferable to its leading to a single producer or retailer.

Closed gTLDs should only be granted for brand names or terms in which the applicant possesses established intellectual property rights and / or trademarks. Otherwise nation-states' established legal procedures for obtaining intellectual property rights and trademark protections could be circumvented or undermined.

Nine different entities have applied for the „book“ gTLD – despite the high fee which applies. This clearly shows the high level of interest in this particular gTLD and gives an indication of the enormous potential it would offer an exclusive proprietor. If any of these applicants were granted the exclusive use of the gTLD this could de facto further strengthen the position of a single, already powerful operator and would be detrimental to the book industry as a whole. In e-commerce markets for books and e-books which are already dominated by a small number of strong players, this could lead to damaging foreclosure effects and the reinforcement of oligopolistic market structures, to the detriment of consumers.

At the very least, the winning applicant must be obliged to make the gTLD available without discrimination for registrations by all eligible parties, including all commercial entities within the book industry. Granting the “book” gTLD exclusively to a single company would also make it impossible for the public to participate by registering and using second level domains under this TLD. Such participation, however, would advance the development of topic-related groups of domains which are beneficial to all Internet users.



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