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ICANN
New gTLD Board Committee

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Statement by Börsenverein des Deutschen Buchhandels e.V.

Retail Booksellers Committee

**Börsenverein des
Deutschen Buchhandels e.V.**

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On 11 April 2013, the Governmental Advisory Committee (GAC) issued its Beijing Communiqué in which it provided advice on new generic TLDs. The Board New gTLD Committee has asked for public input on how they should address the advice, in particular the safeguards applicable to broad categories of New gTLD strings provided in section IV.1.b and Annex I of the GAC Beijing Communiqué.

Börsenverein des Deutschen Buchhandels e.V. represents around 1800 publishers and 6000 booksellers in Germany. One of our core goals is the protection of the interests of our members and a level playing field for their commercial interests. In this capacity, we strongly urge ICANN to support and implement the GAC's advice on New gTLDs. In general, the GAC is a valuable source of independent advice on matters affecting the citizens who are the creators and consumers of the very internet economy ICANN exists to facilitate. The value of GAC's advice is especially evident in this present case, where questions of competition and consumer choice are at the forefront.

Governments legislate in the area of Intellectual Property to promote creativity and innovation and to protect the interests of creators and rights holders. In this regard, the Börsenverein supports GAC's six safeguards applicable to all new gTLDs as set out in Annex I of the GAC Beijing Communiqué. We agree that these safeguards should be implemented for all new gTLDs and be subject to contractual oversight.

Börsenverein also supports the GAC's assertion that further safeguards are needed for "sensitive strings". In particular, the Börsenverein is naturally most concerned with the category of strings (like ".book" and ".author") that are particularly dependent on copyright, and which are included in the GAC advice under the designation "Intellectual Property" (p. 9).

Börsenverein also supports the GAC's advice that "exclusive registry access" for strings representing generic terms "should serve a public interest goal." The GAC advice identifies ".book" as one of the "non-exhaustive list of strings that it considers to be generic terms, where the applicant is currently proposing to provide exclusive, registry access."

As we have stated before, 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 and would be a public interest goal as per the GAC advice.

Whilst the above has been argued in particular with the ".book" domain name in mind, it applies to any other applicant who wishes to maintain the exclusive use of the gTLD, and has an ulterior motive to influence or exert economic pressure on potential registrants.

If ICANN should require any clarification or further information, Börsenverein would be pleased to supply it.

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