

**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*