



January 9, 2014

Via Electronic Submission

Re: Yahoo Inc. Comments in Support of Specification 13 for .Brand TLDs

Yahoo! Inc. (“Yahoo”), applicant for .yahoo and .flickr, and member of the Brand Registry Group, is pleased to submit this public comment in support of the proposed .Brand Specification 13 to ICANN’s standard Registry Agreement and encourages the ICANN Board to approve the Specification for eligible .Brand applicants. We believe it is appropriate and necessary to classify certain TLDs as .Brand TLDs, which have unique needs within the ICANN ecosystem. The .Brand business model is completely different from the traditional “open” model of domain registrations and is in support of a separate pre-existing business as opposed to being based on the registration of second-level domains by totally independent third parties. The definition of .Brand is sufficiently narrow to capture this distinction and what is commonly recognized as a corporate brand.

It is impossible to know for sure the full extent of any “unintended consequences” that may arise from the implementation of Specification 13 and the recognition of .Brands; however, Specification 13 in its current form establishes a useful framework for handling what are likely to be the most common shared concerns, characteristics and needs of .Brands. Its acceptance and implementation will efficiently eliminate the need for ICANN staff to negotiate these same critical issues over and over again in connection with Registry Agreements for the many .Brand applications (which represent about one third of the total new gTLD applications).



.Brand TLDs should be allowed the discretion to work with the registrar(s) of their choice. ICANN's Core Value of "introducing and promoting competition in the registration of domain names" relates to its original open domain registration model and is not relevant in the context of a closed domain operated for the more limited purpose of protecting a brand owner's brand, partners and other affiliates.

Finally, a two-year cooling off period prior to the re-delegation of a .Brand TLD upon expiration or termination of the Registry Agreement is entirely appropriate. In the context of brands and trusted sources, the potential for collision or consumer confusion is too great to allow for immediate transition; building in a period of time to allow for a winding down of operations and a shift in consumer expectations is both reasonable and practical business practice.

While Specification 13 does not by itself resolve all issues of concern .Brands, and some additional discussion may be needed to finalize individual Registry agreements with .Brand applicants, Specification 13 is a critically important first step in ICANN's support and public recognition of the .Brand model, giving eligible .Brands the flexibility and freedom to innovate and create a more secure environment in the new world of hundreds, some day, thousands, of TLDs. We appreciate the collaborative spirit in which ICANN has approached .Brand issues and look forward to moving forward with Specification 13.



Thank you for your consideration of our comments

Sincerely,

Laura Covington

Vice President of Intellectual Property Policy

Yahoo! Inc.