

INTA Internet Committee Comments on:  
Proposal for a Specification 13 to the ICANN Registry Agreement to Contractually Reflect  
Certain Limited Aspects of ".Brand" New gTLDs  
January 9, 2014

The Internet Committee of the International Trademark Association (INTA) is pleased to provide comments generally supporting the Proposal for a Specification 13 to the ICANN Registry Agreement to Contractually Reflect Certain Limited Aspects of ".Brand" New gTLDs.

We applaud the efforts of the Brand Registry Group, and ICANN staff in particular, for opening this public consultation on the proposed Specification 13 to the ICANN's new gTLD Registry Agreement ("RA").

The Internet Committee continues to recommend that ICANN recognize branded gTLDs and make the necessary revisions to the Registry Agreement to reflect the unique operation of a single registrant registry or one that is restricted to only authorized affiliates of the brand owner registry operator. The Committee is pleased to see that progress is being made in this regard with the introduction of a proposed Specification 13. However, ICANN remains behind schedule so the Committee urges it to continue to expeditiously address these concerns and adopt the proposed Specification 13 as a matter of priority.

The Committee believes that the definition of a <brand> gTLD is generally sufficient to capture what is commonly recognized as a corporate brand. However, it appears that the requirement of *Section 5.1(a)* is unnecessary: if all other elements of the proposed criteria can be established, then all nationally registered trademarks should qualify (and not only those deposited in the Trademark Clearinghouse). In addition, ICANN should ensure that applicants have a clear process to request consideration for designation as a <brand> gTLD.

Thank you for considering our views on these important issues. Should you have any questions or comments regarding our submission, please contact INTA External Relations Manager, Claudio DiGangi at [cdigangi@inta.org](mailto:cdigangi@inta.org)

### **About INTA & The Internet Committee**

The International Trademark Association (INTA) is a more than 135-year-old global organization with members in over 190 countries. One of INTA's key goals is the promotion and protection of trademarks as a primary means for consumers to make informed choices regarding the products and services they purchase. During the last decade, INTA has served as a leading

voice for trademark owners in the development of cyberspace, including as a founding member of ICANN's Intellectual Property Constituency (IPC).

INTA's Internet Committee is a group of nearly two hundred trademark owners and professionals from around the world charged with evaluating treaties, laws, regulations and procedures relating to domain name assignment, use of trademarks on the Internet, and unfair competition on the Internet, whose mission is to advance the balanced protection of trademarks on the Internet.