



November 27, 2009

Big Room Inc.  
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Vancouver BC Canada  
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Dear ICANN and the Internet Community,

**Re: Big Room Inc. Comment to ICANN Expressions of Interest in new gTLDs**

Big Room Inc., a Canadian company and prospective applicant for the Dot Eco Top Level Domain (TLD), has considered the questions posed by ICANN on the Expressions of Interest in new gTLDs proposal.

We encourage ICANN and the Internet community as a whole to consider this input going forward and integrate it as appropriate. We welcome questions and comments from the community.

At this time, we neither support nor oppose the EOI process. We look forward to the results of the Board's discussion and, should the proposal move ahead, commenting on a more detailed plan.

Our responses are as follows:

*1. How do we ensure that participation in the EOI accurately represents the level of interest?*

Approximate the true proposed application round. This could include up to the full application fee (US\$ 185k) and range down to the initial maximum refundable amount proposed in DAGv3 (US\$130k). The lower the EOI cost and shorter the timeline between a final EOI being issued and the deadline for submissions under the EOI, the more difficult it will be to link the EOI to a true picture of the applicant pool.

*2. Should only those who participate in the EOI be eligible to participate in the first round when the program officially launches?*

We have no opinion but note that by allowing an Expression of Interest round in advance of the Applicant Guidebook being finalized ICANN is potentially constraining the applicant pool.

*3. Should a deposit be required for participation in the EOI?*

Yes. A rationale and a range of amounts are provided at our response to Question 1.

*4. If there is a fee, under what circumstances should there be refund?*

We recommend a refund be possible if the applicant's string is disqualified prior to the formal opening of the round as a result of changes to the applicant guidebook that occur after the EOI is completed. The burden of proof should rest with the applicant.

*5. What information should be collected from EOI participants?*

*5.1 What subset of applicant questions found in the Applicant Guidebook at <http://www.icann.org/en/topics/new-gtlds/draft-evaluation-criteria-clean-04oct09-en.pdf> should be answered?*

- In order to give ICANN a complete picture of the applicant pool, we recommend Questions 1-16, 18 and 21. Noting, however, that applicants should be able to update this information when they submit their complete application(s).
- Applicants may choose to submit draft responses to additional questions if they feel it would help ICANN refine the DAG.

*5.2 Including applied-for strings?*

Yes.

*5.3 Should information be made public?*

We recommend the following information be made public:

- Complete list of strings applied for, including:
  - Corresponding legal name of applicant(s) for every string.
  - Country where applicant is based.
- Total numbers of community, geographic and open applications.
- Total number of uncontested strings, as well as community and open contention sets.

*6. Must the responder commit to go live within a certain time of delegation?*

Yes. We also recommend that applicants:

- Be required to agree that the applicant entity listed in the EOI must be the same entity that takes the application live.
- That specify a preference for community priority agree to operate that string for a set period (e.g. 5 years).

*7. What are the implications for potential changes to the Applicant Guidebook after the EOI participation period closes?*

The bottom-up policy process should be free to run to consensus. To ensure this, EOI applicants should accept and agree that the applicant guidebook may yet change as a result of continued work of ICANN staff, outstanding or yet to be commissioned studies, and community feedback.

Further, all applicants must recognize the uncertain timelines associated with any regulatory process. This is a business risk that must be managed carefully by all applicants, and a risk that should not be transferred to ICANN.

*8. What are the potential risks associated with the EOI?*

As noted in our response to question one, we feel that the lower the cost and shorter the timeline, the more difficult it will be to link the EOI to a true picture of the applicant pool. ICANN can minimize this risk by closely approximating or matching the fees and prior advertising timelines expressed in public documentation to date.