

April 1, 2010

## **Registrar Stakeholder Group Position on Process for gTLD Registry Agreement Amendment**

### **BACKGROUND**

In March 2010, the Registrar Stakeholder Group (“RrSG”) was asked to provide feedback regarding the Process for gTLD Registry Agreement Amendment. This position paper captures the overall sentiment expressed by the RrSG members who provided feedback about this matter. Due to time constraints, however, no formal vote regarding this position paper was taken.

### **RrSG POSITION**

Consistent with its previously stated position<sup>1</sup>, the RrSG strongly opposes any version of unilateral contract amendment authority, including the amendment process proposed in the New gTLD Draft Applicant Guidebook Version 3.

The RrSG also opposes the creation of any new amendment process meant to address contract matters within the "picket fence." There are well-developed mechanisms already in place that allow the community to modify registry contracts for issues inside the picket fence when necessary. These mechanisms are also appropriate for picket fence-related issues in the New gTLD Registry Agreements, and thus no new amendment process is necessary.

With respect to issues outside the picket fence, RrSG members are currently discussing and evaluating a variety of alternative amendment processes, including the proposals outlined in ICANN's Explanatory Memorandum. At this time, however, the RrSG reaffirms its position that any process which permits unilateral contract amendments is unacceptable.

### **CONCLUSION**

The opinions expressed by the RrSG in this position paper should not be interpreted to reflect the individual opinion of any particular RrSG member.

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<sup>1</sup> See Registrar Stakeholder Group Position on Proposed New gTLD Registry Agreement, *available at* <http://forum.icann.org/lists/3gtld-guide/msg00101.html> (published Nov. 22 2009).