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GAC Secretariat
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As PDF per email to gacsec@gac.icann.org and chair@gac.icann.org

Berlin, 22 February 2007

Information on how dotBERLIN will respect and incorporate other locations with the name BERLIN into its application for the .berlin TLD

Dear Mr. Tarmizi

GeoTLDs will become an important part of the DNS in the future. Our company dotBERLIN GmbH & Co. KG appreciates the extensive work and discussion the GAC is pursuing in terms of GeoTLDs, publically last-mentioned at the GAC-GNSO forum at the ICANN meeting in Sao Paulo. The .berlin TLD is the first GeoTLD showing up at ICANN with a serious intent to get approved, but several other applicants awaiting the next opportunity to apply for a GeoTLD string as well, including .paris, .nyc (New York City), .sco (Scots), .cym (Wales), .bzh (Brittany), .gal (Galicia), .lac (Latin American Community) and .africa.

dotBERLIN used many opportunities to get in contact and discuss GeoTLD topics with GAC representatives. We also contributed substantive papers on GeoTLDs issues for information and discussion at the IGF meeting, ICANN meetings and in ICANN discussion forums. One important point in the discussions has been, from the beginning, the question how to respect and incorporate other locations which are signified by the same string that a TLD applicant is heading for.

Although the proposed TLDs for metropolises like Berlin, Paris or New York will be targeted primarily for the communities of these metropolises, we always emphasised how important it is for us, to respect and incorporate, in our case, the legitimate interests of other locations with the name Berlin into our application. It should be mentioned that, worldwide, the name Berlin is mainly associated with Germany's capital Berlin. Approximately 98% of all Berliners live in Berlin, Germany.

Please find attached to this letter the original text and a courtesy translation of a resolution of the German parliament (Bundestag) from March 7th, 2007, which supports the introduction of GeoTLDs for German cities and regions.

Most locations with the name Berlin have roots in people, culture or relations deriving from Berlin, Germany; sometimes going back centuries. A .berlin TLD will bring awareness to all locations with the name Berlin. It is assumed that especially some of the smaller locations might gain, in comparison, more out of the .berlin TLD in terms of marketing and tourism for the location than the metropolis Berlin itself.

Since the topic is sensitive and relevant to countries, regional authorities and the Internet community at large, we would like to inform the GAC how we prepare to respect and incorporate other locations with the name Berlin. For this reason we have formulated a couple of questions, which will help also other potential GeoTLD applicants to get a clarification.

1. *What is our opinion regarding the .berlin application, taking into account the fact that there are other locations which are signified by the string "berlin"?*

Our clear opinion is that other locations with the name Berlin have to be respected and incorporated into the application for the .berlin TLD.

2. *How do we identify other locations with the name Berlin?*

We think that we have identified other locations with the name Berlin effectively. Basis of our research is the book "From Berlin via Berlin to Berlin" by a Berlin based photo journalist who did a round trip visiting 65 Berlins worldwide. He also did extensive outreach about locations with the name Berlin and found all together 72 locations with the name Berlin. We additionally asked the government of the city of Berlin, Germany, if they may provide us with a list of the Berlins which are known to them. We additionally used search engines and tools like Wikipedia, Google Earth/Maps and MSN maps to identify further locations with the name Berlin. Our, almost complete, list of locations with the name Berlin is attached to this letter.

3. *Which locations should be incorporated?*

We think that legally autonomous or incorporated authorities (self-governing entities) should be included. A brief definition of these entities can be found on Wikipedia: http://en.wikipedia.org/wiki/Autonomous_area and http://en.wikipedia.org/wiki/Local_government. Our research revealed that there should be at least 20 locations eligible to be called a self-governing Berlin. Not eligible should be locations like New Berlin, Berlinchen, Berlyn or haciendas, mountains or lakes with the name Berlin.

4. *How should the other Berlins be contacted and informed about the .berlin TLD application in order to obtain a feedback?*

To obtain a feedback of the respective locations we followed different ways. One way we've gone so far is to write a letter to all embassies of countries in Germany with locations with the name Berlin, to make the .berlin TLD initiative known to the respective governmental officers. Another way is that we contacted local authorities of Berlins where there was at least an address of the local authorities available. Additionally we visited a smaller Berlin and presented the .berlin TLD at a municipal council meeting.

5. *To what extent should the feedback of the locations be taken into account regarding the decision of approving the TLD?*

We think that substantive and legally reasonable objections should be taken into account by dotBERLIN, but that such objections should be able to stop our well-founded application for the Berlin community in Germany only in exceptional circumstances. No answer of embassies or locations should not be withheld to our application. If there are objections we will have to show how to arbitrate and mediate them.

6. *How do we intend to respect and incorporate other locations in our application?*

We think that other Berlins should be encouraged to participate in the .berlin TLD and should facilitate the advantages a .berlin TLD could have for their community. To support the well-established bottom-up multi-stakeholder approach we will provide a dotBERLIN-Wiki for all Berliners worldwide to give the community of Berliners the opportunity to get involved in our project, make proposals and work on the registration policies. Ideally there should be agreements for governance of the .berlin TLD between dotBERLIN and local authorities interested in the TLD. We already set out, in the draft of our registration guidelines, the participation of Berliners in other Berlins. We appreciate if authorities, organizations or individuals from other locations worldwide named Berlin would register Second-Level-Domains (SLDs) like cityhall.berlin, like alcadale.berlin or snyders.berlin.

The respect and incorporation of interests of other Berlins should not exceed an extent which threatens the operational aims of the dotBERLIN business plan and thereby the overall success of the TLD for the Berlin, Germany, community.

Since the whole topic may be important to future GeoTLD applicants, we kindly ask you that in your capacity of chair of the GAC, you review, and ask committee members to review, the information we provided and to give feedback to our company.

Sincerely yours,

Dirk Krischenowski
Managing Director

Attachments

List of locations with the name Berlin
Courtesy translation of German Bundestag Resolution 16/4564

List of locations with the name BERLIN

No.	Berlin	Country	Federal State	County	Inhab.	Latitude	Longitude	Hight o. N.N.	Time	ZIP	URL
1	Berlin	Argentinia	Jujuy			0.0000 S	0.0000 W		-4h MEZ		
2	Berlin	Argentinia	Salta Sa			0.0000 S	0.0000 W		-4h MEZ		
3	Berlin	Bolivia		Departamento de Oruro		18.5833 S	68.2333 W	3726m	-4h MEZ		
4	Berlin	Bolivia		Departamento de Beni		0.0000 S	0.0000 W		-4h MEZ		
5	Berlin	Bolivia		Departamento de Pando		10.7833 S	66.3333 W	203m	-4h MEZ		
6	Berlin	Chile		Isla Prat		48.2200 S	74.4700 W		-4h MEZ		
7	Berlin	Columbia		Departamento de Santander		0.0000 N	0.0000 W		-5h MEZ		
8	Berlin	Columbia		Departamento del Tacna		17.7719 N	70.4825 W	590m	-5h MEZ		
9	Berlin	Columbia		Departamento del Valle del Cauca		3.6542 N	76.3814 W	666m	-5h MEZ		
10	Berlin	Columbia		Departamento del Huila		3.0531 N	75.4239 W	646m	-5h MEZ		
11	Berlin	Columbia		Departamento de Cordoba		8.3167 N	75.7500 W	116m	-5h MEZ		
12	Berlin	Columbia		Departamento de Antioquia		7.0733 N	75.6289 W	2146m	-5h MEZ		
13	Berlin	Columbia		Departamento de Tolima		3.2328 N	75.6372 W	2073m	-6h MEZ		
14	Berlin	Columbia		Departamento de Sucre		8.6833 N	74.7667 W	18m	-5h MEZ		
15	Berlin	Columbia		Departamento de Caldas		5.7000 N	74.9333 W	836m	-5h MEZ		
16	Berlin	Columbia		Departamento de Boyaca		5.7833 N	74.6500 W	153m	-5h MEZ		
17	Berlin	Columbia		Departamento del Magdalena		9.3167 N	74.3833 W	25m	-5h MEZ		
18	Berlin	Columbia		Departamento del Guaviare		2.6394 N	72.7742 W	299m	-5h MEZ		
19	Berlin	Columbia		Departamento de Casanare		4.8283 N	72.1861 W	158m	-5h MEZ		
20	Berlin	Columbia		Departamento del Vaupes		0.2472 N	71.6083 W	132m	-5h MEZ		
21	Berlin	Costa Rica		Provincia de Alajuela	2700	10.0167 N	84.4833 W	1217m	-7h MEZ		
22	Berlin	Costa Rica		Provincia de San Jose		9.4167 N	83.7500 W	1033m	-7h MEZ		
23	Berlin	Ecuador		Provincia del Guayas		2.1333 N	79.6000 W	75m	-5h MEZ		
24	Berlin	El Salvador		Departamento de Usulutan		13.5000 N	88.5330 W		-7h MEZ		
25	Berlin	Germany	Berlin		3404000	52.4667 N	13.5667 E	30m	+1h MEZ	23823	www.berlin.de
26	Berlin	Germany	Schleswig-Hostein	Bad Segeberg	480	54.0333 N	10.4500 E	23m	+1h MEZ	10117	www.seefeld-berlin.de
27	Berlin	Haiti		Departement du Centre		18.8167 N	72.1667 W	195m	-5h MEZ		
28	Berlin	Honduras		Departamento de Santa Barbara		14.8333 N	88.5000 W	1104m	-6h MEZ		
29	Berlin	Honduras		Departamento de Cortes		15.4500 N	88.0833 W	753m	-6h MEZ		
30	Berlin	Honduras		Departamento de Atlantida		15.6000 N	86.5667 W	1033m	-6h MEZ		
31	Berlin	Jamaica		Parish of Saint Elizabeth		17.9167 N	77.6500 W	540m	-5h MEZ		
32	Berlin	Mexiko		Estado de Durango	1680	23.5833 N	103.9167 W	2008m	-6h MEZ		
33	Berlin	Mexiko		Estado de Chiapas		16.3167 N	93.8000 W	436m	-6h MEZ		
34	Berlin	New Zealand		Akaroa County	3	41.8667 N	171.8333 E	139m,	+12h MEZ		
35	Berlin	Nicaragua		Departamento de Rivas		11.5833 N	86.0500 W	226m	-6h MEZ		
36	Berlin	Peru		Departamento de Tacna	1200	17.7719 S	70.4825 W	590m	-5h MEZ		
37	Berlin	Peru		Departamento de Loreto		5.6500 S	74.7333 W	138m	-5h MEZ		
38	Berlin	South Africa	Eastern Cape		1500	32.8833 S	27.5833 E	494m	+1h MEZ	5660	

#	Name	Country	State	County	Pop	Latitude	Longitude	Elevation	Timezone	ZIP	Website
39	Berlin	South Africa	Free State			29.0167 S	26.5000 E	1333m	+1h MEZ		
40	Berlin	Sweden		Sodermanlands Lan		59.3000 N	16.2833 E	33m	0h MEZ		
41	Berlin	USA	Alabama		150	32.2592 N	87.0083 W	51m	-6h MEZ		
42	Berlin	USA	Connecticut	Hartford County	19116	41.6214 N	72.7461 W	28m	-5h MEZ	06037	www.town.berlin.ct.us
43	Berlin	USA	Arkansas	Ashley County		33.0806 N	91.7631 W	46m	-6h MEZ	71646	
44	Berlin	USA	Florida			30.3983 N	81.5528 W	0m	-5h MEZ		
45	Berlin	USA	Illinois	Sanagmon County	140	39.7589 N	89.9031 W	193m	-6h MEZ	62670	
46	Berlin	USA	Georgia	Colquitt County	595	31.0681 N	83.6239 W	65m	-5h MEZ	31722	
47	Berlin	USA	Iowa			42.4186 N	93.1603 W	343m	-6h MEZ		
48	Berlin	USA	Indiana	Steuben County		41.6400 N	85.0000 W		-5h MEZ	46703	
49	Berlin	USA	Kansas	Bourbon County		37.9214 N	94.8958 W	275m	-6h MEZ		
50	Berlin	USA	Kentucky	Bracken County	400	38.6947 N	84.1625 W	279m	-5h MEZ	41043	Wikipedia.org
51	Berlin	USA	Maryland	Worcester County	3491	38.3225 N	75.2181 W	8m	-5h MEZ	21811	www.townofberlinmd.com
52	Berlin	USA	Tennessee			35.5297 N	86.8244 W	212m	-6h MEZ		
53	Berlin	USA	Vermont	Washington County	2864	44.2100 N	72.5764 W	335m	-5h MEZ	05602	www.berlinvt.org
54	Berlin	USA	Virginia			36.8575 N	76.9778 W	15m	-5h MEZ		
55	Berlin	USA	West Virginia	Lewis County	90	39.0525 N	80.3553 W	364m	-5h MEZ		Wikipedia.org
56	Berlin	USA	Wisconsin	Green Lake County	5305	43.9681 N	88.9433 W	234m	-6h MEZ	54923	www.1berlin.com
57	Berlin	USA	Massachusetts	Worcester County	2800	42.3811 N	71.6375 W	89m	-5h MEZ	01503	www.townofberlin.com
58	Berlin	USA	Missouri	Gentry County		40.0536 N	94.3508 W	301m	-6h MEZ		
59	Berlin	USA	Nevada			38.8819 N	117.6067 W	2096m	-8h MEZ		
60	Berlin	USA	New Hampshire	Coos County	10331	44.4686 N	71.1856 W	316m	-5h MEZ	03570	www.ci.berlin.nh.us
61	Berlin	USA	New Jersey		6149	74.9273 N	39.7594 W		-5h MEZ	08009	www.berlinnj.org
62	Berlin	USA	New York	Rensselaer County	1901	42.6931 N	73.3725 W	336m	-5h MEZ	12022	Wikipedia.org
63	Berlin	USA	North Dakota	Lamoure County	35	46.3786 N	96.4456 W	445m	-6h MEZ	58415	Wikipedia.org
64	Berlin	USA	Ohio	Holmes County	3500	81.4740 N	40.3344 W	364m	-5h MEZ	44610	Wikipedia.org
65	Berlin	USA	Oklahoma	Roger Mills County		35.4510 N	99.6250 W	657m	-6h MEZ		Wikipedia.org
66	Berlin	USA	Oregon	Linn County		44.4981 N	122.7467 W	151m	-8h MEZ		
67	Berlin	USA	Pennsylvania	Somerset County	2192	39.9206 N	78.9581 W	655m	-5h MEZ	15530	
68	Berlin	USA	South Carolina	Aiken County	863	33.6736 N	81.3039 W	135m	-5h MEZ	29137	
69	Berlin	Venezuela		Estado Sucre		10.6406 N	62.6372 W	136m	-4h MEZ		
70	Berlin	Venezuela		Estado Barinas		8.2514 N	68.5492 W	62m	-4h MEZ		
71	Berlin	Venezuela		Estado Lara		9.6683 N	69.8717 W	1160m	-4h MEZ		
72	Berlin	Venezuela		Estado Falcon		10.8489 N	70.6967 W	228m	-4h MEZ		

Sources:

Book 'From Berlin via Berlin to Berlin" / www.alle-berlins.de

Web search at Google and Yahoo

Google Maps www.maps.google.com

MSN maps mappoint.msn.com

www.wikipedia.org

www.allplaces.us

www.epodunk.com

www.placesnamed.com/b/e/berlin.asp

http://de.wikipedia.org/wiki/Berlin_(Begriffskl%C3%A4rung)

Deutscher Bundestag
16th legislative period

Printed matter 16**/4564**
07.03.2007

Resolution
made by the following members of the German Bundestag: Dorothee Bär, Wolfgang Börnsen, Peter Albach, Renate Blank, Gitta Connemann, Reinhard Grindel, Monika Grütters, Dr. Günter Krings, Hartmut Koschyk, Johann-Henrich Krummacher, Maria Michalk, Philipp Mißfelder, Rita Pawelski, Ruprecht Polenz, Dr. Norbert Röttgen, Marco Wanderwitz, Volker Kauder, Dr. Peter Ramsauer and the parliamentary party of the CDU/CSU as well as the following of the German Bundestag: Jörg Tauss, Martin Dörmann, Christoph Pries, Monika Griefahn, Siegmund Ehrmann, Kerstin Griese, Fritz-Rudolf Körper, Angelika Krüger-Leißner, Dr. Uwe Küster, Markus Meckel, Petra Merkel, Steffen Reiche, Michael Roth, Renate Schmidt, Olaf Scholz, Wolfgang Thierse, Simone Violka, Dr. Peter Struck and the parliamentary party of the SPD.

Advancement of address space in the Internet

The Bundestag wants to pass a resolution:

I. The German Bundestag notes:

The Internet pervades all areas of modern society so that, today, it is hard to imagine economically and socially significant processes that do not include its use. Answering questions about its legal framework in a worldwide information and communications network, its technical specifications and fair access to its infrastructure are thus of great social, cultural, legal and economic significance for Germany and for all other nations.

The issuing of unique addresses is a fundamental characteristic of the Internet as a worldwide data, information and communications network, so that users can easily find content worldwide, in a comprehensible way. Control of the Internet's address space, of domains and top-level-domains (TLDs), i.e. the highest level of the domain hierarchy, is a decisive part of this infrastructure. ICANN, the "Internet Corporation for Assigned Names and Numbers" has this control; it is a private, non-profit-making organisation under US law, with its headquarters in Marina del Rey. It makes decisions about the fundamentals of managing names and addresses in the Internet and about standards for the technology and procedures.

Even if the ICANN cannot make binding laws, it does coordinate the technical aspects of the Internet and its power to set standards effectively has major economic and political implications worldwide. And, although the ICANN should long be part of the autonomous self-regulation of the Internet or should be legitimised by increased international cooperation, it is today only connected to the US administration via government supervision and a contract. This has long been the subject of discussion about the future structure of the political control of the Internet, most recently at the UN world summit on the information society.

Germany is represented by the German government in the ICANN Governmental Advisory Committee (GAC) and, together with other governments from around the world, participates in the decisions taken by this committee. It can thus participate, together with a large number of economic and scientific institutions, as well as private users, in the further development of the Internet, which also includes the address space.

The further development of the Internet address space is of particular significance for Germany: In Germany, the top-level-domain ".de" is by far the most successful top-level-domain worldwide which is commercially operated at a national level. Over 10 million domains have already been registered under ".de".

Even if the Internet is globally structured, owing to the great success of this and of other national addresses, a worldwide trend has started to further develop the addressing in the area of top-level-domains. Apart from the familiar addresses such as ".com", ".org" and the national addresses such as ".de", the address space is being extended for regional addressing, to encourage increased local and regional use and to make homogenous markets and usage areas more visible and recognisable already through the top-level-domains. The usability is also increased by the option of restricting search enquiries to the local area and by keeping more of the Internet traffic local. In the past, ICANN has only approved regional top-level-domains for nation states. In the meantime however, following this trend, the first regional top-level-domains have been created with the introduction of ".eu" for Europe, ".asia" for Asia and ".cat" for Catalonia. At the same time, there is increasing support for the approval of characters from other languages within the scope of Internet addresses. Since 1st April 2004, umlauts and accents such as ä, ö, é, etc. can be used in addresses.

For Germany, this development provides good opportunities for the Länder, regions and cities to better present their special features commercially and culturally, worldwide. For example, in cities such as London, New York City or Berlin, today there are more domain registrations than in over 150 countries which already have their own top-level-domain.

As, so far, neither metropolitan areas nor comparably large regions have their own top-level-domains, private initiatives have been formed worldwide, which intend to apply to ICANN for the registration of top-level-domains for cities such as London, Paris, Berlin and New York City. To avoid German cities, communities and regions from being put at a disadvantage to other regions and large cities, the Bundestag expressly supports initiatives like this from Germany, provided they are supported or backed by the responsible public authorities.

This subject was discussed at the ICANN meeting from 2nd to 8th December 2006, in Sao Paulo, Brazil and, at the next meeting from 26th to 30th March 2007, in Lisbon, Portugal, the introduction of such regional top-level-domains will be discussed and procedures and schedules for their introduction agreed.

ICANN will also use this opportunity to discuss new rules for the "Whois" service. The "Whois" service for a domain is a protocol and an information service based on that protocol, with which personal data can be requested about the owners of domains, contact persons and the responsible technical administrators. To date, this information is available to everyone, even though it includes sensitive personal information such as telephone numbers, email addresses, IP addresses and postal addresses, thus far exceeding the amount of information available in public telephone directories.

Modern Whois servers, such as the DENIC registry, which looks after German domains, only permit a limited number of enquiries. However this does not yet provide effective protection from bulk-requests for addresses from so-called "spammers" and direct marketing organisations. The protection of personal information is thus at odds with the necessity of being able to contact the owner of a

domain, presenting an important subject which, in the opinion of the Bundestag, should also be raised by the German government at the coming ICANN meeting.

II. The German Bundestag calls upon the German Government,

1. within the scope of its participation in ICANN's Governmental Advisory Committee (GAC), to support the approval of new top-level-domains, particularly those for regional and urban communities in Germany, such as ".bayern", ".nrw" and ".berlin", provided the initiatives concerned are supported or backed by the responsible public authorities. The introduction of new, regional, top-level-domains is a sensible addition to the national identifier ".de" and is also suited for the stimulation of regional economies and to promote local identities in the Internet for business, culture, politics and citizens. Particularly the semantic, i.e. the meaningful character, of top-level-domains using the name of the region, offers a long-term and economically relevant location-based advantage for the local authorities affected in the national and global competition for resources, encouraging self-confidence and a sense of community for each region concerned. Germany has an opportunity here to participate in a worldwide trend and must not be put at a disadvantage compared to other regions and metropolitan areas.

2. within the scope of its participation in the UN's Internet Governance Forum (IGF) to work towards the administration of the domains and top-level-domains remaining in the framework of self-administration by the Internet community, under the supervision of an international cooperation. At the same time, the protection of the rights of the owners of the rights to the names must be appropriately guaranteed.
    Following the usual international practice for the administration of domains, the German Bundestag has excluded the national administration of the ".de" domain from the responsibility for the administration of numbers by the Bundesnetzagentur (Federal Network Authority), leaving it in the responsibility of the privately organised institutions of self-regulation. This has proven successful, even in the area of reducing bureaucracy, and could also apply in future as a model for the new regional top-level-domains. At the same time, the owners of rights to names must be granted an appropriate interest in the issuing of domains below the top-levels, both as far as the rules for issuing names is concerned, as well as the reservation of domains at no cost, which are associated with their function (e.g. "staatskanzlei.rheinland-pfalz", tourismus.nrw").

3. within the framework of their participation in ICANN's Governmental Advisory Committee (GAC) to promote the introduction of flexibility in character sets for the domain name systems through so-called Internationalised Domain Names (IDNs = umlauts and other special characters) in top-level-domains (e.g. ".köln").
    Umlaut domains and umlaut top-level-domains promote the use of the Internet, the German language as well as business and culture at local and regional level. The successful and positive implementation of umlaut domains below the ".de" top-level-domain has already confirmed this (e.g. www.köln.de).

4. within the framework of their participation in ICANN to promote further development of the storage and transmission of Whois data, so as to better guarantee the protection of personal data, and particularly to prevent identity theft and to prevent unwanted advertising (so-called "spam").

    Whois data which relates to individuals who have registered a domain, contains a variety of personal details and thus need particular protection. However, it must also be possible to quickly identify the corresponding person and contact them. The law enforcement agencies will also be interested in this. At the moment however, this data is massively abused by "spammers" and swindlers. A better guarantee than is currently available is thus required so that the stored information may not be used for anything other than its intended purpose. An exact check is thus required as to who is to be permitted to have access to the Whois data, for which technical or any other reasons, and if mechanisms can't be made available which link the calling up of the data with proof of having a justified interest in the information. The starting point for the considerations

should be the question as to whether, as a first step, if it wouldn't be sufficient for public access to the information to go via the technical domain administrators. In addition, it should also be clarified which other access options are necessary for national authorities on the basis of common international regulations.

5. to attentively follow the ICANN process, in close cooperation with the German users of the Internet, as well as European partners and, in the medium term, to pursue the internationalisation of the supervision of the domain name administration.

Berlin, 8th March 2007

Volker Kauder, Dr. Peter Ramsauer and the parliamentary party

Dr. Peter Struck and the parliamentary party