



December 19, 2011

Mr. Steve Crocker, Chair
Internet Corporation for Assigned Names & Numbers (ICANN)
Marina del Rey, CA, USA
4676 Admiralty Way, Suite 330
Marina del Rey, CA 90292-6601

Dear Chairman Crocker,

The letter supersedes the letter previously submitted on December 15 in error. In light of the discussions and concerns being raised regarding the anticipated expansion of the generic top level domains (gTLDs), OTA is submitting an update on our position and concerns. We believe ICANN plays a critical role in safeguarding the Internet to help preserve trust for both consumers and businesses. As such it is crucial that the anticipated expansion of the gTLDs is carried out with that mission in mind.

As an independent non-profit, OTA is a global organization addressing the end-to-end trust issues and challenges faced by consumers, online merchants and online financial services companies. A primary goal of OTA is to increase consumer protection and transparency and ensure consumer control over their data, online activities and transactions, thereby enhancing online trust and confidence. OTA represents a wide variety of constituencies ranging from leading interactive marketers, government organizations, domain registrars, advertisers, and technology and solution providers to privacy advocates, academics, and merchant card processors.

Our diversity and autonomy fosters the development of balanced recommendations and policies which are in the best interest of the consumer and we are not beholden to any single business sector. As a global organization, OTA has members in Australia, Canada, Denmark, England, Germany, Mexico, Netherlands, Romania, Singapore, Switzerland, Taiwan and the United States.

As addressed in our letter dated November 2009 and our participation at ICANN meetings held in San Francisco in March 2011 and Singapore in June 2011, OTA remains concerned about the impact to consumer confusion, abuse, brand erosion and other unintended consequences. As previously submitted,

“the advent of gTLDs along with international character sets, introduces a wide range of concerns and potential implications, which may likely further diminish consumer trust and confidence if safeguards and ongoing monitoring are not established. Look-alike domains, drop catching, domain tasting, domain hijacking, and various deceptive practices have eroded consumer trust in domain names as a reliable Internet navigation method.”¹

Reviewing the “Applicant Guidebook”, OTA is encouraged to see several of our past concerns addressed.² While it is understood that the implementation details are to be finalized over the next several months, many open issues persist. It is critical that we do not lose sight of the key issues to ensure we do not “break the web” or introduce any variables which risk tarnishing consumer trust and confidence.

¹ <https://otalliance.org/docs/ICANN-gtldr2.pdf>

² <http://newgtlds.icann.org/applicants/agb>



In summary, we are at a critical juncture. The Internet is woven into the fabric of our daily lives and is an increasing part of worldwide commerce and government services. ICANN plays a critical role and responsibility in the protection and resiliency of this critical infrastructure. This includes the need to invest in processes, policies and resources to prevent unintended consequences. Circuit breakers must be created and tested as part of a methodical roll out to respond to potential abuses, without placing a financial burden on any stakeholder including brand owners.

Based on these pre-existing concerns and the uncertainty of the status of these issues, we continue to have serious reservations about the pending roll out.

OTA and our members are committed to working towards the shared goals and objectives of enhancing online trust and confidence and the long-term vitality of Internet. We're prepared to work with ICANN to ensure that its commitments to protect consumers and prevent abuse are honored.

Respectfully,

A handwritten signature in black ink that reads "Craig D. Spiegle". The signature is written in a cursive style.

Craig Spiegle
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Cc:
Senator Jay Rockefeller
Chairman U.S. Senate Committee on Commerce, Science, and Transportation

Honorable Greg Walden
Chairman, U.S. House of Representatives, Subcommittee on Communications and Technology



OTA Members – December 2011

Adperio	Global Sign	Quepasa Corporation
AG Interactive	Goodman & Associates	RatePoint
AgeLight LLC	High-Tech Bridge SA	Reputy
Anti-Phishing Working Group	Hogan & Lovells	Responsys
Armorize Technologies	Iconix	Return Path *
Authentication Metrics	Identity Theft Council	RiskIQ
Brand Protect	InfraGard	Sailthru
Browsium	IntegrityID	Secunia
CA/Browser Forum	IID (Internet Identity)	Silverpop
ClickFacts	Internal Revenue Service	Simplycast
Comscore	Internet Security Alliance	Singapore DMA
Constant Contact	Intersections *	Star Marketing Group
CPMI Professional	Ipensatori	StopBadware
Cypra Media	Kindsight	Subscriber Mail
Dasient	LashBack	Superintendencia de Servicios de Certificación Electrónica
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DigiCert *	Market Fish	TrueDomains
Dutch DMA	Marketo	TRUSTe *
eBay	Melbourne IT	TrustSphere *
eCert	Message Systems *	University of Washington
eco - German Internet Assoc.	Microsoft	UnsubCentral
e-Dialog	National Cyber-Forensics & Training Alliance	U.S. Department of Commerce
eHarmony	NSS Labs	U.S. Department of Homeland Security
Email Service & Provider Coalition (ESPC)	Optizmo	U.S. Postal Service
Epsilon	Osterman Research	U.S. Senate
Evidon	PayPal *	VeriSign
Exact Target	Pitney Bowes	White Image
Future of Privacy Forum	PrivacyChoice	Zynga
George Washington University	Public Interest Registry	Zedo
Genius.com	Publishers Clearing House *	
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