



Armed Forces Support Foundation
Hire A Hero

2625 Alcatraz Avenue
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(866) 440-4424 (telephone)



July 15, 2010

Peter Dengate Thrush, Chairman
Members of the Board of Directors
International Corporation for Assigned Names and Numbers
Internet Corporation for Assigned Names and Numbers
4676 Admiralty Way, Suite 330
Marina del Rey, CA 90292-6601
USA

RE: Opposition to Employ Media Request to Change sTLD Charter

Dear Chairman Dengate Thrush and Members of the Board:

Hireahero.org is a 501 (c)(3) job board that exclusively focuses on returning service members, and their families, to connect with military friendly employers nationwide to find a rewarding career. Since 2006 our successful and innovative approach been recognized by Time and Infoworld magazines (2008) for being one of the top 21 ways to "Fix America" and one of the top 100 websites in the world for creative and effective merging of business savvy and technical solutions to veterans employment. To date Hireahero.org averages 260,000 unique visits a month, making us the largest non profit job board and have successfully placed thousands of returning service members into a rewarding career.

I am writing on behalf of Hireahero.org to urge you to reject Employ Media's request for authority to permit second level registration of strings that do not correspond to an employer's name in the .jobs sponsored top level domain Hireahero.org, which would be directly and adversely affected, opposes the unilateral expansion of the .jobs charter to encompass regional and industry-specific second-level registrations.

Under the terms of ICANN's request for proposals for new sTLDs dated 15 December 2003 (the "sTLD RFP"), applicants – including Employ Media - were required to demonstrate that the proposed sTLD addresses the needs and interests of a clearly defined community (the Sponsored TLD Community). In addition, applicants were required to demonstrate that the policy-formulation procedures for the sTLD operate primarily in the interests of the Sponsored TLD Community, and that the proposed sTLD enjoys broad based support of the Sponsored TLD Community.¹

In its application, Employ Media proposed to serve the needs of human resources professionals responsible for human resources management in the corporate setting, and pledged to maintain .jobs as "a name space for employers."² The limited nature of the

¹ <http://www.icann.org/en/tlds/new-stld-rfp/new-stld-application-part-15dec03.htm>

² sTLD Applicant responses to request for further information, at page 48 of 177
<http://www.icann.org/en/tlds/stld-apps-19mar04/PostAppC.pdf>



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.jobs Sponsored Community is reflected by the applicant's commitment to limit registrations to the legal name of an employer and/or a name or abbreviation by which the employer is commonly known. According to the sTLD Application, "due to restrictions set forth in this proposal, *a registration in the .jobs sTLD will be associated with an employer,*"³ and Employ Media committed to prohibit registration of occupational and industry, and geographic identifiers."⁴ The bottom line is that as proposed by Employ Media and approved by ICANN, the .jobs sTLD is intended to serve HR professionals and recruiting firms representing *direct employers only, in each case by using the legal name of such employers as a registration at the second level.* That community does not include online employment services providers like Hireahero.org nor did Employ Media demonstrate the support of online employment services providers in connection with the .jobs sTLD Application.

Employ Media's current request for authority to permit the "registration, use, and promotions of domains that are not the company names of the registrant"⁵ would fundamentally alter the Sponsored Community for the .jobs sTLD and eliminate its pledge not to create second level registrations of regional and industry-specific job boards. Employ Media did not attempt to demonstrate the support of online employment services providers and their vendors, and in fact went out of its way to avoid contacting job board operators about the proposed expansion.⁶ This is not surprising, given that Employ Media intends to add second level registrations that will be confusingly similar to established job boards. For example, the survey submitted in support of the Employ Media request specifically contemplates addition of a registration for Hireahero.jobs not withstanding our long standing Hireahero.org branding.

As a material change to the .jobs Registry Agreement, this request must be reviewed by the ICANN Board based on applicable criteria from the sTLD RFP. Under those criteria, the request should be rejected as an attempt to "route around" the sponsorship eligibility requirements in the sTLD RFP and the protections built into the .jobs Registry Agreement to prevent "abusive registration activities and other activities that affect the legal rights of others."⁷ Approval of the .jobs Phased Allocation Program would threaten the integrity of the RSEP process and undermine the credibility of ICANN's commitments in connection with the introduction of new top level domains in general

Sincerely,

A handwritten signature in blue ink that reads "Rob Barr".

Rob Barr
Executive Director

³ Id.

⁴ Id.

⁵ <http://www.icann.org/en/registries/rsep/jobs-proposal-09jun10-en.pdf> (hereinafter, Employ Media RSEP Request")

⁶ Id.

⁷ .jobs Registry Agreement, Appendix S Part VII: Other Provisions (2. "Community Value Criteria")