

Comment on .NET RFP from Global Name Registry

Dear ICANN,

The long-anticipated .NET redelegation is one of the most important tasks you will undertake in 2005. As you know, Global Name Registry submitted RFPs in 2000 (for .NAME - successful) and in 2002 (for .ORG - unsuccessful) and would like to submit to you our comments from an applicant's point of view, as well as a current gTLD Registry Operator and an Internet citizen with significant stake in the success and stability of the Internet addressing space.

To be clear, Global Name Registry will not be submitting an RFP for the .NET redelegation in this round, and only has a significant interest in the outcome of the process as an Internet citizen and network operator, so we hope our comments and previous experience as an applicant can be seen as unbiased and hopefully be helpful in your further work towards the conclusion of the process.

Our comment to the draft RFP focus on only three matters, but in our view, of critical importance.

The panellists must be a balanced group with transparent criteria

It seems clear that in this process, ICANN will rely extensively on the selected Panellists. They will, in effect, score the proposals and produce an *ordered* shortlist of applicants for negotiation, where the highest scorer will be assumed the de-facto winner of the RFP and enter into speedy negotiations. Both the composition of Panellists and the weighting of the balanced scorecard are two critical factors potentially causing randomness and volatility.

Firstly, given this extraordinary power over the process by a third party, ICANN must create balanced group comprised of individuals with various backgrounds and affiliations. The Internet addressing-space industry is small and the circulation of people worldwide with in-depth knowledge of the complexities and challenges of transitioning a "hot" gTLD, is limited. Contrary to common opinion, perhaps, it may be unwise to limit the selection of Panellists to individuals with no current affiliations or financial

interests in any current operators or potential applicants, since the best evaluators in the world would possibly be touched by our industry in some form or another. For the stability of the Internet, it is our view that it is better to have excellent evaluators with individual biases, than mediocre evaluators with no biases. To avoid a group bias, the group should be constituted by several individuals with conflicting interests, to create a dynamic, professional, but in aggregate, balanced group. As a further check-and-balance, the applicants should be privy to the constitution of the panel have an opportunity to comment to ICANN on its constitution and aggregate balance.

Secondly, it is clear that the Panellists will create a balanced scorecard for each applicant and thereby create higher scorers and lower scorers. However, as is inherent in any balanced scorecard, and more importantly, as in Global Name Registry's experience from the .ORG RFP, the weight assigned to each criteria in the scorecard is of critical importance. A balanced scorecard cannot be fair unless the weights are known in advance of their application to the input data. Otherwise, almost any outcome can be produced by slight modification of weights where the ordered outcome is overly sensitive to weighting changes, which especially happens if several applicants have similar scores. Determination of weighting values in the scorecard prior to applying the input data will help eliminate this volatility and randomness in the balanced scorecard selection process.

The timeline for the transition is extremely short and most likely a threat to the .NET stability

The timeline for the process is short, but the selection process timeline is not our main concern. We are, however, concerned that the Successor Operator is supposed to take over the .NET gTLD in a timeframe of three months from selection. This not only relates to the ability of a new operator to take over the .NET TLD in a timely and stable fashion, but also to the ability of stakeholders in the .NET TLD to evaluate and possibly mitigate, the risks of the transition.

It is by now well known that .NET is extensively used as critical infrastructure by many large Internet businesses, network operators and other stakeholders. Their exposure is significant and they would want to assess the risk of a new operator. Naturally, this cannot happen until the operator for the next term is selected. It is conceivable that a stakeholder with significant exposure would choose to migrate the most critical infrastructure away from the .NET gTLD (i.e. change domain name to another TLD that will not suffer a transition risk in the same period) if the risk of internal migration is



lower than the .NET redelegation risk. However, performing the risk analysis will take time for all but the most involved stakeholders, and the internal systems migration could take far longer. Therefore, transitioning the .NET TLD in just three months would most likely make such a risk assessment and possibly mitigation by moving critical infrastructure to another TLD, impossible.

Letters of reference are difficult to evaluate objectively

It is extremely difficult to find an objective way to build a scorecard based on letters of reference. As with the .ORG redelegation, where letters of support created an important volatility in the decision, this seems to also become an issue for .NET, and it is not clear which role this will play in the .NET process. In the .ORG selection, each letter of support was divided in two categories and counted, producing a score. In our opinion, the importance of the stakeholders, and by inference, the exposure of the Internet community to any such stakeholder's downtime or risk, should be a more important weighting factor than the eloquence, vocality, or sheer numbers of letters of support or references. We strongly encourage ICANN to carefully evaluate how to assess the importance of letters from affected stakeholders.

Finally, we are sure that all parties participating in the RFP process will find their upcoming holiday season dramatically shortened or cancelled :), and we would like to wish everyone good luck and look forward to seeing the process go forward in a fair, transparent and responsible manner, and concluded without controversy or acrimony from any side. We should all have the best interest of the Internet in mind.

Yours truly,

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