



Adobe Systems Incorporated

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April 1, 2010

Internet Corporation for Assigned Names and Numbers (ICANN)
4676 Admiralty Way, Suite 330
Marina del Rey, CA 90292-6601

Re: Revised Draft Uniform Rapid Suspension System (URS) – February 2010

Dear Sir/Madam:

Adobe Systems Incorporated (“Adobe”) respectfully submits the following comments regarding the Revised Draft Proposal for a Uniform Rapid Suspension System (“URS”), published on February 15, 2010.

Originally proposed in the Implementation Recommendation Team’s Final Report on Trademark Protection (“IRT Report”), the URS was also included in the Special Trademark Issues Review Team Recommendations Report (“STI Report”). While Adobe continues to support the idea of having a low cost mechanism to obtain a rapid suspension of infringing domain names, the proposed Draft Uniform Rapid Suspension System (URS) does not provide adequate protections for trademark owners.

Adobe believes that domain names that have been found to infringe the rights of existing trademark owners and accordingly suspended should be transferred immediately to the trademark owner. Currently, the URS only allows for the suspension of a domain for the remainder of the registration period or for an extension of that period for an additional year. No provisions are made for when this period expires and suspended domains could potentially become registered again, necessitating that trademark owners continue to monitor these domains and possibly file subsequent URS actions against the same domain names.

The URS proposal also affords registrants the ability to respond to default cases for a period of up to two years after a favorable ruling for the Complainant, placing a considerable burden on brand owners to continually monitor and manage these cases over an extended time period. These provisions run contrary to the URS’s conceived purpose as an expedient and cost effective rights protection mechanism.

Adobe acknowledges the efforts put forth by ICANN on further developing these proposed trademark protections and we appreciate these revised proposals being made available for comment and discussion. However, we feel strongly that these proposals as currently constituted fall far short of successfully resolving the overarching issue of trademark protection. Rather than building on and strengthening the rights protection

mechanisms put forth in the IRT Report, with the STI Report and these revised proposals, ICANN continues to offer only modified and limited trademark protections.

Adobe continues to believe that trademark protection is an issue of primary importance that must be fully and satisfactorily addressed before the new gTLD launch can proceed. We contend that there is still much work that needs to be done by ICANN to address the concerns of trademark owners regarding the new gTLD proposal.

Adobe thanks you for your time and attention to this matter. We look forward to working with ICANN to further identify solutions that would better address the concerns of Adobe and other trademark owners. Please feel free to contact the undersigned if you have any questions about this submission.

Sincerely,

A handwritten signature in blue ink, appearing to read "Daniel C. Poliak".

Daniel C. Poliak
Associate General Counsel
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