Comments to the 4th Draft Applicant Guidebook   **.berlin**

We participated in and contributed to the new gTLD process from the very beginning in 2005. Together with our supporters we represent thousands of Berlin based SMEs, Federal State of Berlin owned or shared organizations, major Berlin based companies, hotels, Internet businesses, registrars, individuals and other members which form an unparallelled community for a city top-level domain application at ICANN.

For the 4th Draft Applicant Guidebook we have comments and change requests by which we are aiming to get a fair and timely treatment on our way to acquire our own identity on the Internet:

RE Timeline / ICANN Summit

Again we urge ICANN to finalize the gTLD process and start accepting new gTLD applications. Any actions which may facilitate this are highly welcome, like the proposed "ICANN Summit" in September.

RE 4.2.3 Community Priority Evaluation Criteria

The ccTLDs are geographically and geopolitically based top-level domains which are based on the RFC 1591 which states for the administrator of a ccTLD:

> *"These administrators are performing a public service on behalf of the Internet community."*

> *"The designated manager is the trustee of the top-level domain for both the nation, in the case of a country code, and the global Internet community."*

We ask that the same is self-evident for applicants for a GeoTLD (incl. cities, regions, cultural and other geographical and geopolitical strings).

For this reason we claim:

> ▶ **One extra point in the Community Priority Evaluation should be given if the organization of a GeoTLD applicant is based on a sound multi-stakeholder community of the GeoName concerned.**

Many of the recently emerged new gTLD applicants may take advantage of the immense delay the new gTLD program has been facing since its start in 2005. The tentative timeline published with the Board's approval of the new gTLD program in June 2008 stated an application window for March 2009. We think that applicants which were planning with this timeline already had a ripe application, while a number of new applicants who came in during the last 18 month sometimes seem to rather copy existing concepts and projects or have questionable business models.

For this reason we claim:

▶ **One extra point in the Community Priority Evaluation should be given if organization of an applicant was already established before the approval of the new gTLDs program by the ICANN Board on 26 June 2008 or before the first communicated application window in March 2009.**

RE Treatment of incomplete Applications

We expect that the provisions in paragraph 1.1.2.8 (String Contention)

"… if an application is identified as being part of a contention set, string contention resolution procedures will not begin until all applications in the contention set have completed all aspects of evaluation, including dispute resolution, if applicable."

will be used in competing applications (contention sets) to take speculative advantage of intentionally caused delays by incomplete applications.

For this reason we claim:

▶ **Applicants should be given limited time of max. 4 weeks to mend incomplete applications parts.**

Author is Dirk Krischenowski, Founder and CEO of the .berlin top-level domain initiative, Berlin, July 13 2010