

## **Daniel M Schindler**

### **Comments on Dag v4**

As always, I thank ICANN and the community for the opportunity to comment and I do so in my personal capacity.

Whilst giving my 'two cents', it would also be remiss of me not to state my appreciation for the tremendously long hours and patience of the Staff and volunteers involved in creating, what I desperately hope, is the last 'draft' applicant guide book – DAG 4.

#### **Community**

Ultimately, it must be logical to conclude that the higher the bar to justifying 'community' the more appropriately community status has been proven. I am in the camp that says a minimum of 14 points should be the benchmark. In my opinion, without a 14-point threshold this category will be 'gamed'.

#### **Trademark Protections**

- **Uniform Rapid Suspension**
- **Post Delegation Dispute Resolution Procedure**
- **Trademark Clearing House**

It would be an understatement to say that a considerable amount of thought and input has been injected into the issue surrounding the protection of trademark holders, by all parties. Every possible apocalyptic scenario has been envisioned and debated to death. Dare I even say, far more protection is now afforded than in any existing TLD and certainly more than in the 'offline' world! Consequently, I respectfully suggest, this subject should be considered more than suitably complete and I fully endorse the measures illustrated in DAG 4.

I think it is fair to say that we have all been given ample opportunity to shape the future of the Internet and especially this new round of Top Level Domains. As I have said before, we have been debating this topic for many years and even since the Board's resolution passing new TLDs in Paris in June of 2008, we have expounded our verbiage at microphones from Sydney to Seoul and Cairo to New Delhi. It is now time to trust the process, open the application window and let new TLDs find their place. No more scaremongers without evidence, no more crystal ball economic studies and no more delays resulting in credibility lost. And not just to ICANN, but to all of us – how many times a week do you have to answer a colleague, employer, investor, family or friend that you are still working on the introduction of new TLDs?

To the Board, I reiterate that you can't please all the people all the time, especially when we all have very different motives and divergent interests. Nobody could accuse you of not giving full, thorough and appropriate consideration to this opportunity and so I implore you to finish the job you started, with immediate effect, and turn DAG 4 into the Final Applicant Guidebook.

Assuring you of my best intentions at all times.

**Daniel M Schindler**