



20 May 2013

Re: Valideus comments on ICANN's Proposed Final [29-Apr] New gTLD Registry Agreement

Mindful that ICANN has revised its new gTLD Registry Agreement recently, which revised terms address some concerns raised, applicants who have applied for a new gTLD string that matches their brand name (in which they have substantial goodwill and intellectual property rights), i.e., ".brand applicants" have specific and common outstanding concerns with parts of the Proposed Final New gTLD Registry Agreement. These include:

| | |
|--|--|
| Domain and Designation | Renewal/Termination by ICANN |
| Compliance with Consensus & Temporary Policies | Transition of Registry on Termination of Agreement |
| Publication of Registration Data | Mediation; Arbitration |
| Reserved Names | Limitation of Liability |
| Two-character labels | Indemnification of ICANN |
| Country and Territory Names | Change of Control; Assignment and Subcontracting |
| Protection of Legal Rights of Third Parties | Amendment and Waivers |
| Registrars | Ownership Rights [in the string] |
| Contractual & Operational Compliance Audits | Zone File Access |
| Emergency Transition | Rights Protection Mechanisms |
| Registry Operator Code of Conduct | Dispute Resolution Mechanisms |
| Cooperation with Economic Studies | Public Interest Commitments [& PICDRP] |

We understand that .brand applicants have been in contact with ICANN with respect to the above-listed Registry Agreement concerns including through the BRG – the Brand Registry Group *in formation*.

We support the shared efforts of the BRG and look forward to further coordinated dialogue with ICANN on a Registry Agreement more cognizant of the particular interests of .brand applicants.

Yours sincerely,

/s/

Brian Beckham
Head of Legal Policy
Valideus Ltd.