

**Reply Comments of CTIA in Support of GAC Advice on Annex I, Category 2 –
Restricted Registration Policies: Exclusive Access of the Beijing Communiqué**

CTIA-The Wireless Association® is an international nonprofit membership organization that has represented the wireless communications industry since 1984. CTIA represents companies and organizations associated with the mobile industry globally, including mobile carriers, suppliers, providers and manufacturers that contribute to mobile data services and products.

CTIA joins commenters in this proceeding who support the GAC Advice to ICANN in Annex I, Category 2 – *Restricted Registration Policies: Exclusive Access of the Beijing Communiqué* (“GAC Advice”). In particular, CTIA supports and endorses the comments of GSMA, filed in this proceeding on May 14, 2013.

Collectively, CTIA and GSMA represent close to 800 mobile service providers operating in more than 220 countries and serving billions of subscribers, as well as hundreds of suppliers of mobile network infrastructure, mobile devices and mobile applications.

CTIA supports the GAC Advice that “for string representing generic terms, exclusive access should serve a public interest goal.” As established by GSMA, the delegation of .MOBILE to either of the two New gTLD Applicants who propose to operate it as a “Closed Generic” and an “Exclusive Access” gTLD **will not serve a public interest goal, but will instead create real and significant harm and material detriment to the Mobile Wireless Community.**

GSMA has shown that “exclusive access” by a single company – a single industry competitor – to all domain names in the .MOBILE gTLD will:

1. **Create an Anti-Competitive Advantage for the Registry:** Allowing that single company to be the .MOBILE Registry and establish exclusive control over all .MOBILE domain names will enable a single competitor to capture the direct navigation and online search requests of virtually all mobile consumers online. It further will constrain and limit the opportunities of mobile companies worldwide to reach consumers in an intuitive manner and to offer them mobile-enabled products and services including mobile applications, mobile advertising and mobile commerce on a fair and level online playing field.
2. **Lead to Significant Consumer Confusion and an Erosion of Consumer Confidence:** Given the generic nature of .MOBILE, “those seeking out apps, operators, and other mobile industry services and information will believe they are engaging with the full set of providers in the marketplace, and will make decisions and choices without the benefit of real alternatives.” (GSMA letter). Further, consumers may blame members of the Mobile Wireless Community for their confusion and for not having websites within the .MOBILE TLD where they would expect them to be.

On behalf of the worldwide Mobile Wireless Community, which we and GSMA represent, we urge the ICANN Board and New gTLD Committee to pay particular attention to these concerns in light of the further GAC Advice set out in the same Communiqué, section IV(1)(e):

“that in those cases where a community, which is clearly impacted by a set of new gTLD applications in contention, has expressed a collective and clear opinion on those applications, such opinion should be duly taken into account, together with all other relevant information.”

CTIA respectfully submits that, together with GSMA, it has provided a “collective and clear opinion” on the “Closed Generic “ and “exclusive access” applications for the .MOBILE gTLD.

We urge the ICANN Board and New gTLD Committee to deny these “closed generic” .MOBILE applications, or alternatively, to seek their modification to “Open TLDs.”

Sincerely,



Michael F. Altschul
Senior Vice President and General Counsel
CTIA-The Wireless Association®
Expanding the Wireless Frontier
1400 16th Street, NW Suite 600
Washington, DC 20036
www.ctia.org