

Copenhagen June 4, 2013

Submitted via email to
comments-gac-safeguard-advice-23apr13@icann.org

Comments on GAC advice re new gTLDs

The Danish coalition of right holders (RettighedsAlliancen) appreciates the opportunity to comment on the GAC advice regarding safeguards applicable to the new gTLD program (GAC Advice).¹ RettighedsAlliancen is a coalition of right holders within the creative industries in Denmark with members from 17 different associations, unions and undertakings representing more than 85,000 workers and stakeholders within the sectors of music, film, games, design, text and literature.

RettighedsAlliancen encourages ICANN to adopt the main points of the new GAC Advice. These main points will foster competition and enhance consumer choice and safety. We believe it is of great importance to incorporate such safeguards when offering new gTLDs through Registry Operators.

New gTLDs as well as the digital environment as a whole creates many new opportunities for commerce and consumer outreach. At the same time the Internet poses unique questions of governance with international dimensions. Governance and the legal framework for online businesses including consumer safeguards are indeed challenged by the detachment of the physical world.

Some of the practical challenges that we see arise in new forms on the Internet are related to the ease of creating false identities. We see that people and entities act anonymously on the Internet by constructing fictive personae, and via these they create platforms for illegal distribution of products and services. Such illegal activities are usually motivated by financial gain. We also see that it is easy to escape liability from infringements by relocating servers, oneself or a company to physical locations in a country where laws cannot be enforced. When infringements of copyrights or trademarks occur we see that at the same time public authorities' safety instructions for consumer products are bypassed and ignored, and this can entail severe consequences for consumer health.

¹ GAC Communiqué – Beijing, People's Republic of China, Annex 1 at 7-8 April (April 11, 2013) (GAC Advice).


Adopting the GAC Advice is one step in the direction of enhanced safety and confidence in a functional framework on the Internet, and this is necessary to foster innovation and growth for sustainable online businesses. We therefore strongly recommend the GAC's list of "Safeguards Applicable to all New gTLDs" because these safeguards can significantly reduce the risk of abusive registrations. Identification of registrars, implementation of terms of use against abusive activities, periodic security checks, the maintenance of statistical reports, establishment of complaints channels and imposing consequences to violations are all common sense procedures and reasonable, as we see it.

Safeguards are especially essential for gTLDs at higher risk of abuse that harms consumers or the rights of others. This particularly includes applications targeted at sectors dependent on copyright protection, which have consistently experienced high levels of online infringement. Thus, meaningful steps to anticipate and manage these risks should be mandatory. Therefore, even if not required for all new gTLDs, the GAC's six basic safeguards should be mandatory for those listed as "sensitive strings" within the GAC Advice.

In light of the above stated we urge ICANN to incorporate the main elements of the GAC Advice into the new gTLD program and to take our comments into consideration. We believe that these safeguards will help promote a secure and sustainable online environment.

We remain at your disposal, should you have any comments or enquiries.

Yours sincerely



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RettighedsAlliancen works for a sustainable business for professionals in the creative industries, and to ensure a flourishing cultural life in the future.

RettighedsAlliancen is an association of organizations, unions and undertakings from the Danish film, music, text and design industries and represents more than 85,000 right holders. Its members are: IFPI Denmark, The Danish Video Association, The Association of Danish Film Distributors, Composer Rights in Denmark, Gramex, Nordic Copyright Bureau, The Association of Danish Artists, The Danish Musicians' Union, The Danish Producers' Association, The Danish Actors' Association, Danish Film Directors, The Danish Publishers' Association, The Association of Danish Fiction Writers, The Danish Union of Journalists, The Association of Danish Playwrights, The Committee on the Protection of Scholarly Work, and Louis Poulsen Lighting.