

If our comments were the only ones that pointed out deep problems with the Amazon .MOI RSEP comments, then we might understand the vehemence of the Ms. King's response. However, four out of five of the comments (not counting Amazon's) reflected deep concerns with the changes proposed in Amazon's .MOI RSEP proposal – and all of the critiques center around similar contractual and competitive reasons. The opposition count is actually 15 out of 16 commenters, if you include each of the 12 Registrars that signed on to the comment submitted by Ms. Southwell on April 24, 2016.

The overlap of concerns by commenters is profound:

“Amazon filed a material change Request to its .MOI Registry Agreement that appears to resemble policies for an exclusive access registry... Amazon's Request for .MOI appears to be another attempt by Amazon to find a workaround for its original exclusive access language that DotMusic opposed on generic strings....” *DotMusic's Comments, April 25, 2016.*

“Nothing in Amazon's amendment identifies products or services meeting the requirements of RSEP, e.g., critical registry operations, required to be provided because of a consensus policy, or that only a registry operator is capable of providing. Ultimately, permitting such material and significant modification of the operation of any gTLD by manner of an RSEP (i.e., short of Consensus Policy via PDP or other mechanisms) disregards the value of the new gTLDs application, review and approval process... Based on the current proposal, we respectfully request that ICANN not allow retroactive ‘closing’ of open/generic TLDs by way of this RSEP.” *Astutium, Blacknight, Domain.com, EuroDNS, GoDaddy, Hosting Concepts, Key-Systems, Netistrar, Network Solutions, Nordreg, Realtime Register and Tucows, April 24, 2016.*

“All of Amazon's New gTLDs were supposed to be open for anyone to register a domain name. Any attempt to close, restrict and limit any of those is opposed to the NEW gTLD ICANN registry agreement. Amazon is looking at a policy change that will be a workaround of the closed-generic ban imposed by ICANN and could lead to other registries asking for the same privilege.” *Konstantinos Zournas, OnlineDomain.com, April 22, 2016.*

We thank ICANN for taking into account the array of deep and overlapping concerns represented in this proceeding, and the array of comments earlier received by ICANN that reaffirmed the importance of open gTLDs.

Sincerely,

Kathy Kleiman