

September 17, 2013

*Submitted electronically*

## **Reply to Comments Re: Proposal to Mitigate Name Collision Risks**

The Association for Competitive Technology (“ACT”) was founded in 1998 by independent software developers to address issues which concern software developers and small businesses. Today ACT is an established institution with an ongoing relationship with the clearly delineated mobile application community. ACT’s membership includes more than 5,000 small and mid-size mobile application (“app”) developers and information technology firms. In addition to its small business membership, ACT includes sponsors such as Apple, AT&T, BlackBerry, eBay, Facebook, Intel, Microsoft, Oracle, PayPal, VeriSign, and Verizon.

ACT is a prominent advocate and educational organization for the app industry (“Industry”). ACT filed comments regarding ICANN’s proposal on new gTLD collision risk management on August 27, 2013.

### **Cost and Insecurity of Proposed Plan**

ICANN’s current proposal could do more to mitigate the costs of DNS collision faced by mobile app developers and small businesses. Companies, large and small, have set up their intranets to make use of internal TLDs (iTLDs) with the expectation that certain strings would not be valid DNS TLDs. These companies, which range from the giants of industry to small mobile app companies with fewer than ten employees, depend on reliable access both to their intranets and to the internet to run their businesses.

ICANN has taken important steps to create a more diverse internet environment and minimize the costs of DNS growth for businesses. However, name collisions have the potential to cause significant harm and the potential costs of problems and re-programming would fall hard on small businesses. ICANN’s mitigation proposal fails to take steps to reduce costs for small businesses.

ACT’s previous filing made several suggestions to help reduce the costs to software developers, including: conduct a public awareness campaign to better inform the public; slow-down or temporarily suspend delegating TLDs at risk of causing problems for a significant number of persons; and reserve for internal use only specific TLDs at high risk for collision. Based on the comments filed, ACT would like to propose additional suggestions to reduce the costs associated with DNS collision.

## Additional Suggestions

ACT's previous suggestions address the largest causes of costs associated with domain name collision: lack of awareness and inadequate time and resources to mitigate impact of collisions. In order to properly anticipate potential problems associated with the delegation of new TLDs, businesses need advance notice and technical direction.

First, comments filed by other entities have raised concerns which ACT hopes ICANN considers before moving forward with delegations. Additional study is needed to assess the cost and other impact of name collision with new gTLDs. According to the Interisle study, there is potential for name collision in almost any of the distinct applied-for strings.<sup>1</sup> Interisle recommended:

[a]n additional qualitative analysis of the harms that might ensue from those collisions would be necessary to definitively establish the risk of delegating any particular string as a new TLD label, and in some cases the consequential harm might be apparent only after a new TLD label had been delegated.<sup>2</sup>

It is concerning that some commenters minimized the impact of name collisions. Commenters such as CloudNames and DotGreen argue that because previously assigned TLDs did not cause significant name collision problems, the risks associated with the current proposed TLD assignment should be ignored. However, the costs of mitigation have yet to be assessed. It is premature to make blanket statements as to the magnitude of impact and costs associated with collisions.

Second, the proposal does not fully leverage the 120-day activation waiting period for delegated TLDs to serve the goal of reducing costs. The 120-day period should allow for gathering additional information about the TLD collision impact and the imposition of cost on businesses. Additional reporting requirements would allow for the gathering and use of this information either to move forward with the use of the TLD or to allow for additional time to mitigate costs. This is time ICANN has already built into the TLD process and should be used in a way that reduces costs to those who currently use iTLDs.

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<sup>1</sup> "Name Collision in the DNS" Interisle Consulting Group (2 August 2013) *available at* [www.icann.org/en/about/staff/security/ssr/name-collision-02aug13-en.pdf](http://www.icann.org/en/about/staff/security/ssr/name-collision-02aug13-en.pdf).

<sup>2</sup> *Id.* at 2-3.

ACT is a supporter of further growth of the internet that the gTLDs can bring. Thank you for the opportunity to address these important issues.

Sincerely,

A handwritten signature in black ink that reads "Jonathan Zuck". The signature is written in a cursive, slightly slanted style.

Jonathan Zuck  
President