



INTERNATIONAL  
OLYMPIC  
COMMITTEE

Internet Corporation for Assigned  
Names and Numbers ("ICANN")  
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Legal Affairs

Lausanne, 27 January 2010

**DRAFT EXPRESSIONS OF INTEREST:  
Pre-Registrations Model for New gTLDs.**

Dear Sir/Madam,

The International Olympic Committee ("IOC") submits this letter in response to ICANN's invitation for public comment on the Expressions of Interest Pre-Registration Model for New gTLDs.

The IOC remains opposed to the introduction of new gTLDs as a whole. Without waiving this opposition, IOC has sought to contribute helpful information to ICANN regarding proposals for trademark protection in new gTLDs. Accordingly, we write to oppose the draft expressions of interest pre-registration model as premature.

The IOC agrees with previously filed comments, "moving forward with an EOI process will be perceived as moving forward without having resolved the overarching issues," especially trademark protection. The speculative benefits of unlimited expansion of the domain name system represented by the proposed new gTLDs are outweighed by the risks, harms and costs it poses to trademark owners and the public. Specifically, the proposed pre-registration process will force trademark owners to defensively pre-register to protect their trademarks at great expense. This is not a "minority view" – contrary to that characterization by ICANN staff. Many trademark owners, including the IOC, have expended an inordinate amount of time and resources to ensure that new gTLDs do not result in unmitigated cyber-piracy. Most notably, the Governmental Advisory Committee has stressed "the need for more effective protection of intellectual property rights" and the "lack of analysis of end user confusion and/or harm."<sup>1</sup>

Offering pre-registration for new gTLDs before ensuring meaningful trademark protection is unacceptable to all those who have opposed ICANN's new gTLD program or sought to temper a hasty rush to implementation. Again, these statements should not be taken as a waiver of the IOC's right to proceed against ICANN for damages resulting to the IOC or the Olympic Movement from the implementation of an unlimited number of new gTLDs.

Yours Sincerely,

Urs LACOTTE  
Director General

Howard M. Stupp  
Legal Affairs Director

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<sup>1</sup> Governmental Advisory Counsel, GAC Communique – Sydney, available at <http://www.unic.pl/images/stories/Sydney%20communique%20vFINAL.pdf> (29 October 2009).