



Environmental Bankers Association
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July 15, 2010

Peter Dengate Thrush, Chairman
Members of the Board of Directors
International Corporation for Assigned Names and Numbers
Internet Corporation for Assigned Names and Numbers
4676 Admiralty Way, Suite 330
Marina del Rey, CA 90292-6601

RE: Opposition to Employ Media Request to Change sTLD Charter

Dear Members of the Board:

EBA is a non-profit trade association that represents the financial services industry, including bank and non-bank financial institutions, insurers, asset management firms and those who provide services to them. The EBA has more than 300 members. The EBA was established in 1994 in response to heightened sensitivity to environmental risk issues, and the need for environmental risk management, sustainable development, and due diligence policies and procedures in financial institutions. Its members are not limited to financial institutions. Currently, our membership includes property & casualty insurers and brokers, environmental consultants, appraisers and environmental information management firms, and environmental, real estate and trust attorneys in addition to the financial sector across the United States and in nearly 50 countries around the world.

The EBA meets formally twice a year at a location hosted by one of its members. The meetings provide not only a forum to promote the exchange of environmental risk management and sustainable development lending information and technical expertise but also provides the opportunity for our members to network.

EBA's career center and the premier job board for our environmental professional. EBA's jobsite (<http://www.envirobank.org/careers.php>), began operating online in 2004, has been a success helping current members looking for jobs find new work through the Association. It has also allowed us to network and form partnership of job boards run by our current member's organization. It has also helped promote the association and generated new inquires and new prospective members.

On behalf of the Environmental Bankers Association, we want to urge you to reject Employ Media's request for authority to permit second level registration of strings that do not correspond to an employer's name in the .jobs sponsored top level domain. Environmental Bankers Association hosts a job site on our web page, which would be directly and adversely affected, and therefore opposes the unilateral expansion of the .jobs charter to encompass regional and industry-specific second-level registrations.

Under the terms of ICANN's request for proposals for new sTLDs dated 15 December 2003 (the "sTLD RFP"), applicants – including Employ Media - were required to demonstrate that the proposed sTLD addresses the needs and interests of a clearly defined community (the Sponsored TLD Community). In addition, applicants were required to demonstrate that the policy-formulation procedures for the sTLD operate primarily in the interests of the Sponsored TLD Community, and that the proposed sTLD enjoys broad based support of the Sponsored TLD Community.¹

In its application, Employ Media proposed to serve the needs of human resources professionals responsible for human resources management in the corporate setting, and pledged to maintain .jobs as “a name space for employers.”² The limited nature of the .jobs Sponsored Community is reflected by the applicant’s commitment to limit registrations to the legal name of an employer and/or a name or abbreviation by which the employer is commonly known. According to the sTLD Application, “due to restrictions set forth in this proposal, a registration in the .jobs sTLD will be associated with an employer,”³ and Employ Media committed to prohibit registration of occupational and industry, and geographic identifiers.”⁴ The bottom line is that as proposed by Employ Media and approved by ICANN, the .jobs sTLD is intended to serve HR professionals and recruiting firms representing direct employers only, in each case by using the legal name of such employers as a registration at the second level. That community does not include online employment services providers like [insert Association Name/Job Board Name], nor did Employ Media demonstrate the support of online employment services providers in connection with the .jobs sTLD Application.

Employ Media’s current request for authority to permit the “registration, use, and promotions of domains that are not the company names of the registrant”⁵ would fundamentally alter the Sponsored Community for the .jobs sTLD and eliminate its pledge not to create second level registrations of regional and industry-specific job boards. Employ Media did not attempt to demonstrate the support of online employment services providers and their vendors, and in fact went out of its way to avoid contacting job board operators about the proposed expansion.⁶ This is not surprising, given that Employ Media intends to add second level registrations that will be confusingly similar to established job boards.

As a material change to the .jobs Registry Agreement, this request must be reviewed by the ICANN Board based on applicable criteria from the sTLD RFP. Under those criteria, the request should be rejected as an attempt to “route around” the sponsorship eligibility requirements in the sTLD RFP and the protections built into the .jobs Registry Agreement to prevent “abusive registration activities and other activities that affect the legal rights of others.”⁷ Approval of the .jobs Phased Allocation Program would threaten the integrity of the RSEP process and undermine the credibility of ICANN’s commitments in connection with the introduction of new top level domains in general.

Sincerely,

For the Members of the Environmental Bankers Association (EBA)
