



ICANN Registry Request Service

Ticket ID: P2C8I-3G9J6
Registry Name: dotBERLIN GmbH & Co. KG
gTLD: .BERLIN
Status: ICANN Review
Status Date: 2014-09-01 19:54:44
Print Date: 2014-09-02 17:18:03

Proposed Service

Name of Proposed Service:

Registry Service Request

Technical description of Proposed Service:

Name of Proposed Service:\r\n\r\nRelease of Certain Two Character ASCII Labels\r\n\r\nTechnical description of Proposed Service:\r\n\r\nPursuant to Section 2 of Specification 5 of the Registry Agreement, we request the release of all two-character ASCII labels that do not appear on the ISO 3166-1 alpha-2 list and for which there is no corresponding government or country-code operator. Given that there is no relevant government or corresponding country-code operator, there is no way for a Registry operator to obtain permission for the release of such characters. More importantly, the release of these two-character ASCII labels poses no risk of confusion with any country-code. Therefore, the restrictions placed on this set of two-character ASCII labels are unwarranted and should be lifted forthwith.\r\n\r\nThis request applies to the following TLD:\r\n\r\nberlin\r\n\r\n

Consultation

Please describe with specificity your consultations with the community, experts and or others. What were the quantity, nature and content of the consultations?:

We refer to the multiple letters and RSEPs sent to ICANN establishing the reasoning behind why the release of two-character ASCII labels that do not appear on the ISO 3166-1 alpha-2 list and for which there is no corresponding government or country-code operator should be released as soon as possible.\r\n\r\nAs stated in the letter, the release of these two-character ASCII labels poses no risk of confusion with any country-code, as this initial request relates only to two character labels where there is no corresponding country code and no relevant government or corresponding country-code operator. Therefore, the restrictions placed on this set of two-character ASCII labels are unwarranted and should be lifted forthwith.\r\n\r\nWe issued a request for comments on 01 August 2014 on our website at <http://www.dotberlin.de/de/blog/berlin-bittet-um-feedback-zu-2-zeichen-domains> and consulted with our community about our plans.\r\n\r\nWe spoke with ICANN Senior Staff, who instructed us that the ICANN team, which seemingly meant the legal team and Sr. Leadership, had identified the RSEP as the appropriate process for releasing the 2 character SLDs. This is in line with the prior releases of 2 characters in existing TLDs. We were encouraged by ICANN staff to initiate a RSEP as soon as we were ready.\r\n\r\nWe spoke with multiple GAC members on this issue. Those we spoke with were sympathetic to our project and expressed their support of this particular initiative, and more generally with the idea of releasing 2 character SLDs. \r\n\r\nWe have discussed the issue with our technical backend provider and there are no unique or technical issues



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particular to these names. This request follows other similar requests by other registry operators which are currently open to public comments. In summary the feedback of the community was concordantly positive towards our proposal.

a. If the registry is a sponsored TLD, what were the nature and content of these consultations with the sponsored TLD community?:

We issued a request for comments on 01 August 2014 on our website at <http://www.dotberlin.de/de/blog/berlin-bittet-um-feedback-zu-2-zeichen-domains> and consulted with the community about our plans.

b. Were consultations with gTLD registrars or the registrar constituency appropriate? Which registrars were consulted? What were the nature and content of the consultation?:

We had been asked proactively by many ICANN accredited Registrars when we are going to release the two-character ASCII labels.

c. Were consultations with other constituency groups appropriate? Which groups were consulted? What were the nature and content of these consultations?:

We informed and consulted with major stakeholders of the community.

d. Were consultations with end users appropriate? Which groups were consulted? What were the nature and content of these consultations?:

There is a high demand from end users to make two-character labels available for registration. We received numerous requests from end users and also from other stakeholders including the government demanding the release of these labels.

e. Who would endorse the introduction of this service? What were the nature and content of these consultations?:

Potential registrants interested in two character labels would support this proposal. The release of two-character domains has been addressed in detail from the technical perspective in several previously approved Service Requests. For example, the RSTEP report on GNR's two-character name proposal



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(<http://www.icann.org/registries/rsep/RSTEP-GNR-proposal-review-team-report.pdf>) provides an exhaustive review of the issues and addresses them in a positive manner. The GNSO Council approved the recommendations sent to the ICANN Board for the introduction of new gTLDs, including endorsement of the recommendations of the Reserved Names Working Group set forth in the RN-WG Report, which included the following recommendation: (1) registries be permitted to release any combination of two letter and/or digit strings provided that measures to avoid confusion with any corresponding country codes are implemented. The RN-WG Report can be found at <http://gnso.icann.org/en/issues/new-gtlds/final-report-rn-wg-23may07.htm>. Also, importantly, individuals and brands with names that can reasonably be represented two-character strings and who are interested in promoting their products and services using a .berlin domain name have expressed interest in the release of such domains.

f. Who would object the introduction of this service? What were(or would be) the nature and content of these consultations?:

By the nature of this initial request, there should not be an objection to the release of these two-character labels given that these labels do not appear on the ISO 3166-1 alpha-2 list and therefore do not correspond to a government or country-code operator.

Timeline

Please describe the timeline for implementation of the proposed new registry service:

We would like to make these two-character ASCII labels available for registration immediately.

Business Description

Describe how the Proposed Service will be offered:

These two-character labels will be offered in the same manner as all other domain names.

Describe quality assurance plan or testing of Proposed Service:

n/a

Please list any relevant RFCs or White Papers on the proposed service and explain how those papers are relevant.:



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n/a\r\n

Contractual Provisions

List the relevant contractual provisions impacted by the Proposed Service:

Registry Agreement, Specification 5, Section 2:\r\n2. Two-character labels. All two-character ASCII labels shall be withheld from registration or allocated to Registry Operator at the second level within the TLD. Such labels may not be activated in the DNS, and may not be released for registration to any person or entity other than Registry Operator, provided that such two-character label strings may be released to the extent that Registry Operator reaches agreement with the related government and country-code manager of the string as specified in the ISO 3166-1 alpha-2 standard. The Registry Operator may also propose the release of these reservations based on its implementation of measures to avoid confusion with the corresponding country codes, subject to approval by ICANN. Upon conclusion of Registry Operator's designation as operator of the registry for the TLD, all such labels that remain withheld from registration or allocated to Registry Operator shall be transferred as specified by ICANN. Registry Operator may self-allocate and renew such names without use of an ICANN accredited registrar, which will not be considered Transactions for purposes of Section 6.1 of the Agreement.\r\n\r\n

What effect, if any, will the Proposed Service have on the reporting of data to ICANN:

none\r\n

What effect, if any, will the Proposed Service have on the Whois?:

none\r\n

Contract Amendments

Please describe or provide the necessary contractual amendments for the proposed service:

As permitted under Specification 5, Section 2, Registry Operators may propose the release of the two-character ASCII label reservations where there is the ability to avoid confusion with the corresponding country codes, subject to approval by ICANN.\r\n\r\nWe are not seeking an amendment to the Registry Agreement, rather we seek approval from ICANN in the form of a written waiver stating that Registry Operator is permitted to make available for registration those two-character ASCII labels that do not appear on the ISO 3166-1 alpha-2 list and for which there are no corresponding country-code



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operators.\r\n\r\n

Benefits of Service

Describe the benefits of the Proposed Service:

Registrants and end users will benefit from the availability of these two-character ASCII labels. These labels are short and memorable and will add to consumer choice and competition in the new gTLD marketplace.\r\n

Competition

Do you believe your proposed new Registry Service would have any positive or negative effects on competition? If so, please explain.:

The release of these two-character ASCII labels will enhance competition. It will provide registrants with the ability to register attractive names that will help them compete in the Internet marketplace. It also will help new registries to compete with incumbent TLDs.\r\n

How would you define the markets in which your proposed Registry Service would compete?:

All markets\r\n

What companies/entities provide services or products that are similar in substance or effect to your proposed Registry Service?:

Incumbent registries are already permitted to sell two character labels, regardless of whether they appear on the ISO 3166-1 alpha-2 list.\r\n

In view of your status as a registry operator, would the introduction of your proposed Registry Service potentially impair the ability of other companies/entities that provide similar products or services to compete?:

no\r\n

Do you propose to work with a vendor or contractor to provide the proposed Registry Service? If so, what is the



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name of the vendor/contractor, and describe the nature of the services the vendor/contractor would provide.:

nolrn

Have you communicated with any of the entities whose products or services might be affected by the introduction of your proposed Registry Service? If so, please describe the communications.:

n/a\rn

Do you have any documents that address the possible effects on competition of your proposed Registry Service? If so, please submit them with your application. (ICANN will keep the documents confidential).:

n/a\rn

Security and Stability

Does the proposed service alter the storage and input of Registry Data?:

na\rn

Please explain how the proposed service will affect the throughput, response time, consistency or coherence of responses to Internet servers or end systems:

n/a\rn

Have technical concerns been raised about the proposed service, and if so, how do you intend to address those concerns?:

nolrn

Other Issues

Are there any Intellectual Property considerations raised by the Proposed Service:



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No. Our proposal to release two-character ASCII labels that do not appear on the ISO 3166-1 alpha-2 list does not pose additional intellectual property risk. All existing ICANN IP Rights Protection Mechanisms would apply to such names.

Does the proposed service contain intellectual property exclusive to your gTLD registry?:

no

List Disclaimers provided to potential customers regarding the Proposed Service:

n/a

Any other relevant information to include with this request:

no