



## The Internet Corporation for Assigned Names and Numbers

30 June 2015

Ms. Lorri Christou  
Senior Vice President, Strategic Marketing and Communications  
Cruise Lines International Association  
1201 F Street NW, Suite 250  
Washington, DC 20004

Re: New gTLD Applications for .CRUISE

Dear Ms. Lorri Christou:

Thank you for your letter of 18 June 2015, regarding the new gTLD applications for .CRUISE, and the recent change request submitted by Viking River Cruises (Bermuda) Ltd. We have posted the letter to the gTLD correspondence page (<https://www.icann.org/en/system/files/correspondence/christou-to-chalaby-18jun15-en.pdf>).

We acknowledge your concern that Viking River Cruises submitted a change request to address GAC Category 2 Advice two years after the GAC Advice was originally issued in the Beijing Communiqué.<sup>1</sup> However, New gTLD applicants may request to change their applications at any time prior to signing a Registry Agreement with ICANN. ICANN considers all application change requests against the criteria published on the New gTLD microsite.<sup>2</sup> As you know, the change request process provides a 30-day window for certain application changes to be published so that members of the community may review them and submit comments for ICANN's consideration. We note that Cruise Lines International Association (CLIA) submitted an application comment on 19 June 2015,<sup>3</sup> and this comment has been considered and addressed in this correspondence along with the points raised in your letter. Your letter states, "[. . .] after such a fundamental change to the nature of the original application, affected parties ought to be afforded an opportunity to file a formal objection as if those changes were part of the original application in 2012." As you are aware, the formal objections filing window closed in March 2013, and the Applicant Guidebook does not provide a mechanism for parties to file formal objections after the close of the filing window. This rule has been applied consistently to all other applications and objectors.

We would also like to provide some additional information regarding ICANN's implementation of GAC Category 2 Advice. Under Section 3(d) of Specification 11 of the Registry Agreement, a registry operator of a "generic string" TLD may not impose eligibility criteria for registering names in the TLD that limit registrations exclusively to a single person or entity and/or that person's or entity's "Affiliates" (as defined in Section 2.9(c) of the Registry Agreement). If an applicant agrees to enter into the Registry

<sup>1</sup> See: <https://www.icann.org/en/system/files/correspondence/gac-to-board-11apr13-en.pdf>

<sup>2</sup> See: <http://newgtlds.icann.org/en/applicants/customer-service/change-requests#determination>

<sup>3</sup> See: <https://gtldcomment.icann.org/comments-feedback/applicationcomment/commentdetails/12672>



Agreement including Specification 11, and their application is consistent with Specification 11, the application may move forward in the New gTLD Program (once all other eligibility criteria are met).

For those applicants that were not prepared to enter into the Registry Agreement as approved, ICANN did not define a deadline for applicants to decide whether to operate their registry as exclusive or non-exclusive. Applicants had the option to wait for the ICANN Board New gTLD Program Committee (NGPC) to address GAC Category 2 Advice before determining how to proceed with their applications.

As you may know, on 21 June 2015, the NGPC passed a resolution to address GAC Category 2 Advice.<sup>4</sup> This resolution “requests that the GNSO specifically include the issue of exclusive registry access for generic strings serving a public interest goal as part of the policy work it is planning to initiate on subsequent rounds of the New gTLD Program” and directs staff to proceed with initiating other New gTLD Program processes for the applications that propose to provide exclusive access for generic strings. ICANN will proceed accordingly.

We acknowledge that not all applicants have chosen to address GAC Advice the same way, but the methods that CLIA and Viking River Cruises have used to address GAC Category 2 Advice allow both applications to proceed within the Program. The next step for these applications is contention resolution. ICANN encourages self-resolution among applicants, however, if the contention set is not resolved by 7 July 2015, as a last resort, the applications will be scheduled to participate in an ICANN Auction.

We hope that this information is helpful to you. If you have any questions, please contact our Customer Service Center at [newgtld@icann.org](mailto:newgtld@icann.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Christine Willett", is written in a cursive style.

Christine A. Willett  
Vice President, GDD Operations  
ICANN

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<sup>4</sup> See: <https://www.icann.org/resources/board-material/resolutions-new-gtld-2015-06-21-en#2.a>