



The Internet Corporation for Assigned Names and Numbers

7 April 2015

Mr. Thomas J. Embrescia
Chairman
.JOBS

Mr. Vincent Huang
Chairman
Hu Yi Global

Dear Mr. Embrescia and Mr. Huang:

Thank you for your letter of 8 February 2015, regarding the String Confusion Objection filed by Employ Media LLC against Hu Yi Global Information Resources' new gTLD application for .招聘 ("recruitment"). We have posted your letter to the gTLD correspondence page (<https://www.icann.org/en/system/files/correspondence/embrescia-huang-to-atallah-08feb15-en.pdf>).

As you know, Employ Media LLC filed a String Confusion Objection against Hu Yi Global Information Resources' new gTLD application for .招聘 (application ID 1-1158-95080). Hu Yi Global Information Resources did not provide a response to the objection within the allotted time period. Pursuant to Article 11(g) of the New gTLD Dispute Resolution Procedures, "If the Applicant fails to file a Response to the Objection within the 30-day time limit, the Applicant shall be deemed to be in default and the Objection shall be deemed successful." Per Section 3.2.2.1 of the Applicant Guidebook, "In the case where an existing TLD operator successfully asserts string confusion with an applicant, the application will be rejected." Accordingly, on 15 March 2014, when ICANN began updating application statuses to reflect objection outcomes, the status of application ID 1-1158-95080 was changed to "Will Not Proceed."

Hu Yi Global Information Resources' new gTLD application for .招聘 has completed all relevant New gTLD Program processes as defined by the Applicant Guidebook.¹ ICANN and the dispute resolution service provider adhered to the processes and procedures defined in Module 3 of the Guidebook and the Attachment to Module 3 ("New gTLD Dispute Resolution Procedure"),² and the International Centre for Dispute Resolution (ICDR) administered the objection according to these procedures and the ICDR Supplementary Procedures for ICANN's New gTLD Program.³ As the objection proceeding has

¹ See: <http://newgtlds.icann.org/en/applicants/agb/guidebook-full-04jun12-en.pdf>

² See: <http://newgtlds.icann.org/en/applicants/agb/dispute-resolution-procedure-04jun12-en.pdf>

³ See: https://www.icdr.org/icdr/faces/i_search/i_rule/i_rule_detail?doc=ADRSTG_017409



concluded and the objection has been deemed successful,⁴ there are no further avenues for this application to pursue within the New gTLD Program. However, as you may know, ICANN is in the process of reviewing the New gTLD Program in anticipation of another application round. You may wish to apply for this TLD when the application window for the next round opens, subject to all of the rules and requirements of the next round.

Your letter states, "It is both parties sincere desire to have the Objection removed and ultimately allow the string 招聘 (A label: xn—otu796d) to proceed." We understand that you have reached an agreement and are requesting that ICANN permit the objection to be withdrawn. However, there is no provision within the Applicant Guidebook to allow an objection to be withdrawn after the conclusion of the proceedings.

Your letter also highlights your desire to "come to a swift resolution to this matter in a way that complies with all of ICANN's procedures and rules so that Hu Yi Global can move forward with .招聘. Perhaps the NGPC could be the correct vehicle to resolve [the] matter." With respect to your request that this matter be taken up by the Board, please note that ICANN's Accountability Mechanisms do allow matters to be considered, to the extent timely and appropriate, by designated Board committees. ICANN's Accountability Mechanisms (Reconsideration/Independent Review/Ombudsman) are described in detail on the ICANN website at (<https://www.icann.org/resources/pages/mechanisms-2014-03-20-en>).

We hope that this information is helpful to you. Thank you for your participation in the New gTLD Program and in ICANN's multistakeholder process.

Sincerely,

A handwritten signature in black ink that reads "Christine A. Willett". The signature is written in a cursive, flowing style.

Christine A. Willett
Vice President, GDD Operations

⁴ See objection result published to the New gTLD Program's microsite on 25 September 2013:
<http://newgtlds.icann.org/sites/default/files/drsp/25sep13/determination-1-1-1158-95080-en.pdf>