Annex 26

GAC Early Warning – Submittal Halal-AE-60793

Application ID:	1-2131-60793
Entity/Applicant Name:	Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.
String:	HALAL
Early Warning Issue Date:	20 November 2012

Early Warning Description – This will be posted publicly:

The government of UAE would like to express its serious concerns toward ".halal" new gTLD application made by Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. specifically in the areas highlighted below:

(1) private entity control over sensitive name
(2) Insufficient community support.
(3) Sensitivity of the name and domain name use policy

Reason/Rationale for the Warning – This will be posted publicly:

(1) private entity control over sensitive name

"Halal (Arabic: حلال halāl, "permissible") is a term designating any object or an action which is permissible to use or engage in, according to Islamic law. The term is used to designate food seen as permissible according to Islamic law.

Religious terms and subjects are very sensitive areas. The applicant is a commercial entity. Strict boundaries, measures and policies must be set to ensure that applicant business activities do not conflict with the religion objectives, principles, beliefs and laws. Therefore any religious terms must be only applied as a gTLD by a government or not-for-profit organization acting on behalf of that community as oppose to a private entity. It is unacceptable for a private entity to have control over religious terms such as Halal without significant support and affiliation with the community its targeting.

(2) Insufficient community support.

The application targets a specific community of those interested in Halal products and producers supporting Halal products. This covers wide range of community covering over 50 countries where significant Halal products are produced and consumed (over 1.6 Billion populations). The applicant has presented couple of letter of supports from organizations mostly associated with one country. The support letters presented by the applicant constitute a minority (less than 5% of the community) hence it clearly does not constitute as a sufficient community support.

If there is lack of support from the community to this application then it will most probably be

dominated by subgroup from the religion and will ignore the interests of the remaining majority. This will adversely affect the interest of the community to register in the TLD and therefore limit its growth.

Furthermore there is lack of information regarding background and affiliation of the applicant and its leader. In all cases they will not represent the entire Muslim community and hence the support of community is an essential prerequisite and must be in a form of letter from known NGOs and inter-governmental organizations that do represent majority of the community such as the IOC.

(3) Sensitivity of the name and domain name use policy

Religious topics such as Halal are extremely sensitive subject. Within religions there are different sub groups and sects who may have many differences and diversities. It is very difficult task to unite all of these differences under one TLD unless it is run and supported by an organization that represents the community or its majority. There are many organizations that do represent significant parts of the community and it is vital that those organizations endorse and support this application.

As with all religious terms, Halal is closely associated with Islamic law. Anything that would conflict with Islamic law would be unacceptable for the followers and believers of Islam (hence the community) in general which naturally brings issue of registration and use policies. A very important question must be raised as to how the applicant will ensure that the use of the domain name is in line with Islamic Law and Halal principles? These issues will be eliminated if this TLD is supported and supervised by an IGO which represents majority of the community. Furthermore, the application lacks any sort of protection to ensure that the use of the domain names registered under the applied for new gTLD are in line with Islam laws and Halal principles. There are no clear mechanisms to prevent any abuses related to the above.

For the above reasons, the TRA on behalf of the government of UAE would like to **raise its disapproval and non-endorsement** to this application and request the ICANN and the new gTLD program evaluators to not approve this application.

Possible Remediation steps for Applicant – This will be posted publicly:

The applicant should withdraw their application based on the information provided above

Further Notes from GAC Member(s) (Optional) – This will be posted publicly:

INFORMATION FOR APPLICANTS

About GAC Early Warning

The GAC Early Warning is a notice only. It is not a formalobjection, nor does it directly lead to a process that canresult in rejection of the application. However, a GAC EarlyWarning should be taken seriously as it raises the likelihoodthat the application could be the subject of GAC Adviceon New gTLDs or of a formal objection at a later stage in theprocess. Refer to section 1.1.2.4 of the Applicant Guidebook (http://newgtlds.icann.org/en/applicants/agb) for more information on GAC Early Warning.

Instructions if you receive the Early Warning

ICANN strongly encourages you work with relevant parties as soon as possible to address the concerns voiced in the GAC Early Warning.

Asking questions about your GAC Early Warning

If you have questions or need clarification about your GAC Early Warning, please contact gacearlywarning@gac.icann.org.As highlighted above, ICANN strongly encourages you to contact gacearlywarning@gac.icann.org as soon as practicableregarding the issues identified in the Early Warning.

Continuing with your application

If you choose to continue with the application, then the "Applicant's Response" section below should be completed. In this section, you should notify the GAC of intended actions, including the expected completion date. This completed form should then be sent to gacearlywarning@gac.icann.org.If your remediation steps involve submitting requests for changes to your application, see the change request process at http://newgtlds.icann.org/en/applicants/customer-service/change-requests.

In the absence of a response, ICANN will continue to process the application as submitted.

Withdrawing your application

If you choose to withdraw your application within the 21-day window to be eligible for a refund of 80% of the evaluation fee (USD 148,000),please follow the withdrawal process published at http://newgtlds.icann.org/en/applicants/customer-service/withdrawal-refund. Note that an application can still be withdrawn after the 21-day time period; however, the available refund amount is reduced. See section 1.5 of the Applicant Guidebook.

For questions please contact: gacearlywarning@gac.icann.org

Applicant Response:

Annex 27

THE INTERNATIONAL CENTRE FOR EXPERTISE OF THE

INTERNATIONAL CHAMBER OF COMMERCE

CASE No. EXP/430/ICANN/47

TELECOMMUNICATIONS REGULATORY AUTHORITY OF THE UNITED ARAB EMIRATES

(UAE)

vs/

ASIA GREEN IT SYSTEM BILGISAYAR SAN. VE TIC. TLD. STI.

(TURKEY)

This document is an original of the Expert Determination rendered in conformity with the New gTLD Dispute Resolution Procedure as provided in Module 3 of the gTLD Applicant Guidebook from ICANN and the ICC Rules for Expertise.

INTERNATIONAL CENTRE FOR EXPERTISE OF THE INTERNATIONAL CHAMBER OF COMMERCE

CASE NO. EXP/430/ICANN/47

TELECOMMUNICATIONS REGULATORY AUTHORITY
OF THE UNITED ARAB EMIRATES
(UNITED ARAB EMIRATES)

OBJECTOR

V.

ASIA GREEN IT SYSTEM BILGISAYAR
SAN. VE TIC. LTD. STI.
(REPUBLIC OF TURKEY)

RESPONDENT

EXPERT DETERMINATION BY BERNARDO M. CREMADES

OCTOBER 24, 2013

Parties' Representatives:

Telecommunications Regulatory Authority of the United Arab Emirates

Talal Abu Ghazaleh Legal Member to Talal Abu Ghazaleh Organization
Mr. Badr El-Dein Abdel Khalek
Contact Information Redacted

Contact Information Redacted

Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.

Rodenbaugh Law
Mr. Mike Rodenbaugh
Contact Information
Redacted

Contact Information
Redacted

ANNEX 27

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LIST OF ABBREVIATIONS

Term	Meaning
Appendix III	Means Appendix III to the Rules for Expertise of the International Chamber of Commerce, Schedule of expertise costs for proceedings under the new gTLD dispute resolution procedure
Applicant	Means Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.
Centre	Means the International Centre for Expertise of the International Chamber of Commerce
DNS	Means Domain Name System
Expert	Means Bernardo M. Cremades
Expert Determination	Means this expert determination rendered on October 24, 2013
gTLD	Means generic top level domain
Guidebook	Means the gTLD Applicant Guidebook
ICANN	Means Internet Corporation for Assigned Names & Numbers
ICC	Means International Chamber of Commerce
ICC Practice Note	Means the ICC Practice Note on the Administration of Cases under the New gTLD Dispute Resolution Procedure
ICCIA	Means Islamic Chamber of Commerce, Industry and Agriculture
ICRIC	Means Islamic Chamber Research and Information Center
Objection	Means the community objection filed by the Objector against Respondent's application for the String on March 13, 2013
Objector	Means the Telecommunications Regulatory Authority of the United Arab Emirates
OIC	Means the Organization of Islamic Cooperation
OIC's Letter	Means the letter from the OIC dated January 29, 2013 (attached as Annex 1 to the Objection in English and as Annex 10 to the Reply in both Arabic and French)
Procedure	Means the Attachment to Module 3 of the gTLD Applicant Guidebook, New gTLD Dispute Resolution Procedure
Rejoinder	Means the rejoinder to the Reply filed by the Respondent on August 12, 2013

Reply	Means the reply to the Response filed by the Objector on August 1, 2013
Respondent	Means Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.
Response	Means the response to the Objection filed by the Respondent on May 15, 2013
Rules	Means the Rules for Expertise of the International Chamber of Commerce
String	Means the applied-for gTLD ".ISLAM" by the Applicant (Application No. 1-2130-23450)
Telecom Law	Means the UEA's Federal Law by Decree No. 3 of 2003
UAE	Means the United Arab Emirates

1. This expert determination (the "**Expert Determination**") is issued under the Rules for Expertise of the International Chamber of Commerce (the "**Rules**"), supplemented by the ICC Practice Note on the Administration of Cases (the "**ICC Practice Note**"), and under the Attachment to Module 3 of the gTLD Applicant Guidebook, New gTLD Dispute Resolution Procedure (the "**Procedure**") of the gTLD Applicant Guidebook (the "**Guidebook**").

I. THE PARTIES AND THE EXPERT

A. Objector

2. The Objector is:

Name	Telecommunications Regulatory Authority of the United Arab Emirates
Contact person	Mr. Abdulrahman Almarzouqi
Address	Contact Information Redacted
City, Country	Contact Information Redacted
Telephone	Contact Information Redacted
Email	Contact Information Redacted

3. The Objector is represented herein by:

Name	Talal Abu Ghazaleh Legal Member to Talal Abu Ghazaleh Organization
Contact person	Mr. Badr El-Dein Abdel Khalek
Address	Contact Information Redacted
City, Country	Contact Information Redacted
Telephone	Contact Information Redacted
Email	Contact Information Redacted

4. The Objector has appointed its legal representative to receive all communications and notifications in the present proceeding.

B. Respondent

5. The Respondent (also referred to as the Applicant) is:

Name	Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.
Contact person	Mr. Mehdi Abbasnia
Address	Contact Information Redacted
City, Country	Contact Information Redacted
Telephone	Contact Information Redacted
Email	Contact Information Redacted

6. The Respondent is represented herein by:

Name	Rodenbaugh Law
Contact person	Mr. Mike Rodenbaugh
Address	Contact Information Redacted
City, Country	Contact Information Redacted
Telephone	Contact Information Redacted
Email	Contact Information Redacted

7. The Respondent has appointed its legal representative to receive all communications and notifications in the present proceeding.

C. Expert

8. The Expert is:

Name	Mr. Bernardo M. Cremades
Firm	B. Cremades & Asociados
Address	Contact Information Redacted
City, Country	Contact Information Redacted
Telephone	Contact Information Redacted
Email	Contact Information Redacted

II. APPLIED-FOR GTLD

9. The applied-for generic top level domain ("**gTLD**") is ".ISLAM" (the "**String**").

III. PROCEDURAL MATTERS

10. On March 13, 2013, the Objector filed a community objection against Respondent's application for the String in accordance with Article 3.2.1 of the Guidebook and Article 2 of the Procedure (the "**Objection**").[1]

11. According to Article 3.2.1 of the Guidebook, a community objection is filed when "[t]here is substantial opposition to the gTLD application from a significant portion of the community to which the gTLD string may be explicitly or implicitly targeted".

12. Prior to filing the Objection, the Respondent had secured funding from the Internet Corporation for Assigned Names & Numbers ("**ICANN**") to cover the objection filing fees and the advance payment costs payable to the International Centre for Expertise of the International Chamber of Commerce (the "**Centre**").[2]

13. On May 15, 2013, the Respondent filed a response disputing "both standing and grounds for the Objection" and "pray[ed] that it be dismissed" (the "**Response**").[3]

14. On June 12, 2013, the Chair of the Standing Committee of the Centre appointed Mr. Bernardo M. Cremades as Expert in accordance with Article 7 and Article 3(3) Appendix I of the Rules. On July 17, 2013, the Centre transferred the file to the Expert and confirmed in writing that: (i) the estimated costs had been paid in full by each Party; and (ii) the full constitution of the Expert Panel had taken effect as of that same day.[4]

15. On July 18, 2013, the Expert issued Procedural Order No.1 directing both Parties to submit their views on certain procedural matters. The Parties replied on July 22, 2013. On July 23, 2013, the Expert issued Procedural Order No. 2 directing the Parties to submit additional evidence and allegations on very limited matters (Articles 17(a) and 18 *in fine* of the Procedure). The Expert also found that no hearing was necessary in this

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[1] Objection, p. 3.

[2] Email from ICANN to Mr. Abdulrahman Almarzouqi, dated March 12, 2013.

[3] Response, p. 4.

[4] Letter from the Centre to the Parties and Expert, dated July 17, 2013.

proceeding (Article 19 of the Procedure) and that the Expert Determination should be published in full (Article 21(g) of the Procedure).

16. On August 1, 2013, the Objector filed its reply memorial together with the additional evidence requested by the Expert (the "**Reply**"). On August 12, 2013, the Respondent filed its second memorial, together with the supporting evidence, in response to the Reply (the "**Rejoinder**").

17. In the Rejoinder, the Respondent requested the Expert to disregard the section "Further points raised in the response" of the Reply because, in its opinion, it was outside the scope of Procedural Order No. 2.[5] Alternatively, the Respondent requested additional time to reply to the new allegations of the Objector.[6] On August 20, 2013, the Expert invited the Objector to comment on the Respondent's request. The Objector submitted its comment on August 21, 2013. On August 22, 2013, the Expert issued Procedural Order No. 3 and refused to accept the section "Further points raised in the response" of the Reply. In the Expert's opinion, the Objector did not sufficiently justify the reasons to disobey the Expert's instructions contained in Procedural Order No. 2. For this reason, such portion of the Reply will not be taken into consideration by the Expert to render the Expert Determination. However, as will be seen below, the Expert's reasoning would not be affected by such disregarded allegations.

18. In accordance with Articles 5(a) and 6(a) of the Procedure, as well as Articles 3.3.1 and 3.3.3 of the Guidebook, all of the Parties' communications were submitted electronically in English, which is the official language of this proceeding. The Expert notes, however, that Annex 9 to the Response and Annex 3 to the Rejoinder contain portions in languages other than English. Likewise, the Objector filed with the Reply the Arabic and French versions of Annex 1 to the Objection. In all cases, the Expert does not consider it necessary to provide certified or official translations pursuant to Article 5(b) of the Procedure.

19. For all purposes, the place of the proceedings is Paris (France), where the Centre is located (Article 4(d) of the Procedure).

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[5] Rejoinder, p. 1.

[6] *Id.*

IV. OBJECTOR'S STANDING

20. In this section, the Expert will summarize the Parties' positions as to the Objector's standing to file the Objection. Thereafter, the Expert will draw his conclusions in this regard.

A. Objector's Position

21. As described in section I.A above, the Objector is the Telecommunications Regulatory Authority of the United Arab Emirates ("**UAE**"), which claims to be a governmental agency representing both the people and Government of said country.[7] The Objector asserts that it is acting following an "invitation" of the Organization of Islamic Cooperation ("**OIC**"), of which the UAE is member, to file the Objection that triggered the present proceeding.[8] Such "invitation" was furnished by the Objector in English as Annex 1 to the Objection and in both Arabic and French as Annex 10 to the Reply (collectively, "**OIC's Letter**"). The English version of the OIC's Letter provides in its relevant portion as follows:

> [T]he OIC would like to draw the attention to the fact that new applications were already submitted for new gTLDs and these new applications are being evaluated according to the consensus-based mechanism determined by ICANN. The period for submitting any objections, if any, has been expanded until 13th March 2013 for any group and/or community that holds objection on religious or ethical values. The OIC Member States may kindly like to avail of this opportunity to act quickly through their representation in the organs of the ICANN, to avoid any misuse and misrepresentation of gTLDs of concern to them, including the ones like .ISLAM or .HALAL.[9]

22. Together with the Reply, the Objector submitted a draft resolution of the OIC and letters of support from governmental agencies of Bahrain, Qatar, Kuwait, Egypt, Oman

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[7] Objection, p. 4.

[8] *Id.*

[9] Annex 1 to the Objection, p. 1.

Turkey and Malaysia, as well as from the Gulf Cooperation Council.[10] For these reasons, the Objector claims to represent a substantial portion of the Muslim community.

23. The Objector was incorporated by Federal Law by Decree No. 3 of 2003 (the "**Telecom Law**").[11] The Objector argues that, since its inception, it has been charged with a "wide range of responsibilities related to the Telecommunications and Information Technology Sector, both within and outside the UAE."[12] The Objector lists a number of its "functions and powers" – none of which relate to religious or public policy matters – but fails to provide documental support.[13] The Expert notes, however, that such functions and powers are contained in Article 13 of the Telecom Law.

24. In light of the foregoing, the Objector claims to be "an established institution associated with the Arabian and Islamic UAE community having an institutional purpose related to the benefit of the community".[14]

25. For the Objector, because the Respondent allegedly gained neither the support of the Muslim Community nor of the OIC, it lacks legitimacy to register the String.[15] The Objector concludes by stating that, since religious matters are very sensitive, the Respondent – a commercial entity – should not be authorized to register or control a new gTLD of a religious nature.[16]

B. Respondent's Position

26. The Respondent takes the opposite view regarding the Objector's standing to file the Objection. First, the Respondent sustains that the Objector is the regulatory authority of just one Islamic country – namely, the UAE – which "demonstrates no

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[10] Reply, p. 1. *See also* Annexes 1-9 to the Reply.

[11] Objection, p. 4 (*citing* Federal Law by Decree No. 3 of 2003). The Expert notes that the Objector has not provided an electronic copy of the Telecom Law. However, the Expert has been able to obtain a copy of the Telecom Law by following a link included in the Objection (p. 4). The incorporation of the Objector is set forth in Chapter 3 (Part 1) of the Telecom Law under the official name "General Authority for Regulating the Telecommunication Sector".

[12] Objection, p. 4.

[13] *Id.*, p. 5.

[14] *Id.*

[15] *Id.*

[16] *Id.*

relevance to the global Muslim population".[17] The Respondent adds that the Objector merely provides a domestic technical function within the UAE and that, far from defending a community interest, is pursuing its own commercial interest.[18]

27. Second, the Respondent advances an argument based on Article 3.2.2.4 of the Guidebook,[19] which provides in the part quoted by Respondent as follows:

> Established institutions associated with clearly delineated communities are eligible to file a community objection. The community named by the objector must be a community strongly associated with the applied-for gTLD string in the application that is the subject of the objection.

28. For the Respondent, the Objector has "no association whatsoever with any Muslim community, other than it is one of 57 member states of the [OIC]".[20] Furthermore, the Respondent criticizes the Objector for grasping support from OIC's Letter, specifically because such letter does not contain an invitation from the OIC to its members to file an objection (but is rather a simple instruction to review ICANN's new gTLD program and act if necessary).[21]

29. Third, the Respondent points out that the OIC did not file an objection itself and that only the regulatory authority of one of its members (of a total of 57) filed an objection. Accordingly, for the Respondent, this represents no "semblance of the global Muslim community" and thus the Objector lacks standing.[22] Had there been substantial opposition, either the OIC itself or a significant number of States would have filed an objection.

30. Fourth, the Respondent asserts that all the functions and powers mentioned by the Objector are circumscribed to the territory of the UAE and that, in any case, they are of technical nature without relationship whatsoever to the global community of Muslim

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[17] Response, p. 4.

[18] *Id. See also id.*, p. 6.

[19] *Id.*, p. 4.

[20] *Id.*

[21] *Id.*, p. 5.

[22] *Id.*

individuals.[23] The Respondent adds that, even if the Objector were to have governmental authority within the UAE, it would only represent a small percentage (*i.e.*, 0.01%) of the Muslims of the world as of 2009.[24] In addition, the Respondent notes that the OIC did not entrust the Objector to act on its behalf or in the name of any other of its remaining 56 members.[25] For this reason, in the Respondent's opinion, the Objector only "purport[s] to represent less than 2% of the OIC's collective weight", which does not amount to a representation of the "global Muslim community to which the .Islam TLD will be targeted".[26]

31. Finally, the Respondent argues that one of the OIC's most relevant affiliates – the Islamic Chamber Research and Information Center ("**ICRIC**") – has endorsed Respondent's application to register the String, which would support its argument that the Objector is not backed by the OIC, that the Objector does not represent any greater Muslim community than the UAE and, in sum, that it lacks standing overall.[27]

C. Expert's Conclusion

(a) Standard

32. Article 3.2.2.4 of the Guidebook provides guidance on who may file a community objection. As the Respondent has correctly quoted in its Response, such article provides in its very first paragraph as follows:

> Established institutions associated with clearly delineated communities are eligible to file a community objection. The community named by the objector must be a community strongly associated with the applied-for gTLD string in the application that is the subject of the objection. . . .[28]

33. The Guidebook provides some explanation regarding the main requirements set forth in the quoted passage. In this regard, the Guidebook states that, "[t]o qualify for standing for a community objection, the objector must prove both of the following", which

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[23] *Id.*

[24] *Id.*

[25] *Id.*

[26] *Id.*

[27] *Id.*, pp. 5-6.

[28] Guidebook, Article 3.2.2.4 (emphasis added).

makes abundantly clear that the two requirements that follow must be met.[29] These two requirements are: (i) the objector must be an "established institution"; and (ii) the objector must have "an ongoing relationship with a clearly delineated community".[30] Each of them will be analyzed separately below.

34. For each requirement, the Guidebook lists some "factors" to steer the Expert's judgment. As a threshold matter, the Expert will analyze the value of the "factors" outlined in Article 3.2.2.4 of the Guidebook. In this regard, the Guidebook states that the "[f]actors that may be considered [by the Expert] in making its determination include, but are not limited to. . . ." The use of the optional term "may" instead of any other mandatory term clearly implies that the Expert has absolute discretion to apply or not the factors expressly included in the Guidebook. In addition, the final portion of the quoted passage – "but are not limited to" – opens the door to other factors not expressly listed in the Guidebook. This conclusion is also supported by the last paragraph of Article 3.2.2.4 of the Guidebook, which states that the Expert "will perform a balancing of the factors listed above, as well as other relevant information, in making its determination".[31] The reference to "other relevant information" eliminates any doubt as to the orientative nature of the factors contained in the Guidebook.

35. All the above is consistent with the last phrase of Article 3.2.2.4 of the Guidebook, which provides that "[i]t is not expected that an objector must demonstrate satisfaction of each and every factor considered in order to satisfy the standing requirements".

(b) Analysis

36. As advanced, according to Article 3.2.2.4 of the Guidebook, only "[e]stablished institutions associated with clearly delineated communities are eligible to file a community objection".

37. In relation to the question of whether the Objector is an established institution, the Expert will take into consideration several factors. First, the orientative factors outlined

[29] *Id.* (emphasis added).

[30] *Id.*

[31] Emphasis added.

in Article 3.2.2.4 of the Guidebook include "validation by a government" of the objector. In this case, the Objector was incorporated under Article 6 of the Telecom Law, which states as follows:

> It is hereby established an independent public authority, called the "General Authority for Regulating the Telecommunication Sector" for the purpose of performing the functions and implementing the duties given to it under this Federal Law by Decree and its Executive Order.[32]

38. Furthermore, it is worthwhile noting that the Telecom Law was signed by Mr. Zayed bin Sultan Al Nahyan, the UAE's President at the time.[33]

39. According to the Telecom Law, the Objector "shall have an independent legal personality and shall have full capacity to act accordingly and to perform legal actions in accordance with this Federal Law by Decree, including the capacity to enter into contracts of all types and to own and lease movable and immovable assets of all types and the capacity to sue".[34] Therefore, the Objector has an independent legal personality under UAE's law and the capacity to sue, which most certainly includes the capacity to file the Objection.

40. Second, the Telecom Law was enacted in 2003, which is almost a decade ago. In the Expert's view, this period of time is sufficient to consolidate a governmental agency. More importantly, this evidences that the Objector was not "established solely in conjunction with the gTLD application process".[35]

41. For the foregoing reasons, the Expert finds that the Objector is an established institution for the purposes of filing the Objection.

42. The Expert will now turn to analyze whether the Objector is "associated with clearly delineated communities" or, in other words, whether it "has an ongoing relationship with a clearly delineated community", such as the Muslim community.[36] The Expert notes

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[32] Telecom Law, Article 6.

[33] *Id.*, p. 34.

[34] *Id.*, Article 7.

[35] Guidebook, Article 3.2.2.4.

[36] *Id.*

that, as opposed to Article 3.5.4 of the Guidebook, the word association in Article 3.2.2.4 is not preceded by the adjective "strong".[37] As a consequence, in the Expert's opinion, the threshold is lower for the purposes of Article 3.2.2.4 than for Article 3.5.4 of the Guidebook.

43. The question of whether the Muslim community is "clearly delineated" will be dealt with in section V.B below. For the time being and for the sake of argument, the Expert will assume that it is a clearly delineated community, an assumption that will be confirmed below (*see* ¶¶ 62-67 below).

44. Each Party places a great deal of emphasis on its association or relationship with the relevant community. In a few words, the Objector claims to represent a number of Muslim countries and to have been invited by the OIC to file the Objection whereas the Respondent sustains that the Objector is acting solely on behalf of the Muslims of the UAE and that, on the contrary, the Respondent's position is the one endorsed by the OIC though one of its affiliates (*i.e.*, ICRIC). Additionally, the Respondent asserts that the Objector provides domestic technical functions with no relevance whatsoever to the relevant community.

45. In the Expert's view, the threshold requires a "relationship" or an "association" with a clearly delineated community but does not require an objector – for the purpose of establishing standing – to represent a substantial portion, not to mention the majority, of the members of such community. Therefore, the discussion regarding whether the Objector represents a wider Muslim community than the one circumscribed to the UAE is irrelevant for the purpose of analyzing the Objector's standing. The important question is whether the "relationship" or "association" between the Objector and UAE's Muslim community in fact exists.

46. A few issues should be taken into consideration. First, under public international law, the government of a nation is entitled to represent the interests of its constituents. Second, it has been established that the Objector is a governmental entity with certain functions and powers.[38] Among these functions and powers, the Objector has

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[37] According to Article 3.5.4 of the Guidebook, there should be "a strong association between the community invoked and the applied-for gTLD string". Emphasis added.

[38] *See* ¶¶ 37-41, *supra*. *See also* Telecom Law, Article 13.

been charged with registering and managing the UAE's country code top-level domains (ccTLD).[39] For these reasons, the Objector is undoubtedly a relevant governmental agency to represent the people of the UAE in proceedings dealing with the registration of domain names, including the String.

47. Indeed, the Objector provides services to the people of the UAE, a country with a population of 4.7 million (as of 2010).[40] There is no doubt that the UAE is a Muslim country. This is evidenced by its membership to the OIC and Article 7 of the UAE's Constitution:

> Islam is the official religion of the Union. The Islamic Shari'ah shall be a main source of legislation in the Union. The official language of the Union is Arabic.[41]

48. The telecommunication services provided by the Objector in the UAE certainly benefit the people of the UAE, including its Muslim community. For this reason, the Expert is of the view that there is a relationship with the Muslim community. As a result, in the Expert's opinion, two of the factors listed in the relevant subsection of Article 3.2.2.4 of the Guidebook are satisfied:

- "Institutional purpose related to the benefit of the associated community"; and
- "Performance of regular activities that benefit the associated community".

49. In addition, the Expert is convinced that the Objector takes a leadership role in matters related to domain names within the territory of the UAE, which is part of another factor listed in the same subsection of the Guidebook.[42] Hence, the Expert finds that three out of four factors of the relevant subsection of Article 3.2.2.4 of the Guidebook favor the Objector's position.

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[39] Annex 1 to the Response.

[40] Annex 3 to the Response.

[41] *See* Constitution of the UAE at http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=category&category=LEGAL&publisher=&type=&coi=ARE&docid=48eca8132&skip=0. *See also* Annex 4 to the Response (map showing demographics of Islam at p. 19) and Annex 1 to the Rejoinder.

[42] Guidebook, Article 3.2.2.4 ("The presence of mechanisms for participation in activities, membership, and leadership").

50. In sum, in the Expert's view, the Objector can be considered an established institution with an ongoing relationship with the Muslim community in the UAE. In section V.B below, the Expert will analyze whether the relevant community is "clearly delineated" for the purpose of this community objection.

V. SUBSTANCE OF THE OBJECTION

51. In this section, the Expert will consider the substance of the Objector's community objection. First, the Expert will set the applicable standard. Thereafter, the Expert will analyze the Parties' submissions point by point and will reach a number of conclusions.

A. Standard

52. Article 3.5.4 of the Guidebook establishes the four tests that enable the Expert to "determine whether there is substantial opposition from a significant portion of the community to which the string may be targeted". Article 3.5.4 expresses the four tests as follows:

> For an objection to be successful, the objector must prove that:
>
> • The community invoked by the objector is a clearly delineated community; and
>
> • Community opposition to the application is substantial; and
>
> • There is a strong association between the community invoked and the applied-for gTLD string; and
>
> • The application creates a likelihood of material detriment to the rights or legitimate interests of a significant portion of the community to which the string may be explicitly or implicitly targeted. Each of these tests is described in further detail below.[43]

53. The Expert notes that each one of the four tests transcribed is separated by the term "and", which implies that each one of them must be met in order to sustain an objection. This is further confirmed by the last sentence of Article 3.5.4 of the Guidebook, which states that "[t]he objector must meet all four tests in the standard for the objection to

[43] *Id.*, Article 3.5.4 (emphasis added).

prevail". This leaves no room for interpretation and evidences the high threshold that a community objection must satisfy.

54. The Expert observes that the Guidebook provides some explanation of the above-transcribed four tests. For each test, the Guidebook lists some "factors" to steer the Expert's judgment. However, as with the factors relating to the standing discussed in ¶¶ 34-35 above, the language of the factors relating to each of the four tests is open. In particular, all factors set forth in Article 3.5.4 of the Guidebook are introduced with an optional language, such as "a panel could balance a number of factors to determine this" or "[f]actors that could be balanced by a panel to determine this include". Once again, this proves the mere orientative nature of these factors.

55. Additionally, in all instances the Guidebook mentions that the factors included therein are not exhaustive (*i.e.*, the Guidebook uses language in the fashion of "including but limited to" or "include but are not limited to"). Therefore, the Expert may weigh other factors if considered appropriate.

B. Is the Community Invoked by the Objector Clearly Defined?

(a) Objector's Position

56. The Objector sustains that the "notion of 'community' is wide and broad, and is not precisely defined by ICANN's guidebook for the new gTLD program".[44] For the Objector, such notion "can include a community of interests, as well as a particular ethnical, religious, linguistic or similar community".[45] In short, the Objector argues that a "community is a group of individuals who have something in common . . . or share common values. . . ."[46]

57. Hence, the notion of community includes the world's total number of Muslims, which the Objector claims to be 1.4 to 1.6 billion people.[47] For the Objector, these Muslims

[44] Objection, p. 6.
[45] *Id.*
[46] *Id.*
[47] *Id.*

are adherent to Islam and share common religious values and interests.[48] As a result, they form a clearly delineated community.

(b) Respondent's Position

58. The Respondent's argument begins with the following caveat:

> While Applicant would concede that the .Islam TLD is targeted generally to Muslim individuals throughout the globe, it will prove that there is no delineated community of global Muslims, there is no substantial opposition to the applications, and there is no likelihood of material detriment to anyone.[49]

59. The Respondent quotes the factors set forth in Article 3.5.4 of the Guidebook ("Community" subsection) to support the position that "[t]here are no formal boundaries around who can claim faith in Islam" and adds that "Islam is a religion open to anyone".[50]

60. The Respondent then draws a distinction between Catholicism and Islam in an attempt to evidence that there is no global hierarchy in Islam, mainly because there are different branches of Islam.[51] Additionally, the Respondent points out that nobody "can claim to speak for all Muslims, or even a majority of them, particularly on such a topic as new gTLD applications".[52]

61. For these reasons, the Respondent concludes that the global Muslim community is not "clearly delineated".[53]

(c) Expert's Conclusion

62. The subsection of Article 3.5.4 of the Guidebook regulating the issue at bar provides that "[t]he objector must prove that the community expressing opposition can be regarded as a clearly delineated community". The same subsection expresses that "[i]f opposition by a number of people/entities is found, but the group represented by the

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[48] *Id.*

[49] Response, p. 7.

[50] *Id.*

[51] *Id.*, pp. 7-8.

[52] *Id.*, p. 8.

[53] *Id.*

objector is not determined to be a clearly delineated community, the objection will fail". Therefore, the threshold for this test is not whether a great number of people or entities oppose, as the Objector appears to suggest, but rather whether the community may in fact be clearly delineated.

63. Both the Objector and the Respondent concede that the world's total population of Muslims is around 1.6 billion.[54] This figure is confirmed by the Wikipedia articles submitted by Respondent.[55]

64. The Expert finds that Muslims in general – regardless of the different branches of Islam – form a large group of individuals which share at least certain core values. Support for this consensus is found in a document submitted by Respondent, which evidences that all Muslims share at least the Five Pillars of Islam:

> The Pillars of Islam (*arkan al-Islam*; also *arkan ad-din*, "pillars of religion") are five basic acts in Islam, considered obligatory for all believers. The Quran presents them as a framework for worship and a sign of commitment to the faith. They are (1) the shahadah (creed), (2) daily prayers (salat), (3) almsgiving (zakah), (4) fasting during Ramadan and (5) the pilgrimage to Mecca (hajj) at least once in a lifetime. The Shia and Sunni sects both agree on the essential details for the performance of these acts.[56]

65. The Respondent agrees with the Expert in this regard, as evidenced in its application for the String ("[Muslims] are a disparate group, yet they are united through their core belief").[57] For this reason, the Respondent expressly recognized that the String will be "targeted" to the "the global Muslim community".[58] Therefore, even the Respondent

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[54] Objection, p. 6 ("All over the world there are approximately 50 countries having Muslim-majority. With over 1.4 to 1.6 billion followers amounting to approximately 25% of the earth's population, Islam is the second-largest and one of the fastest-growing religions in the world."); Response, p. 5 ("Whereas there were an estimated 1.57 billion Muslims in the world as of 2009. (Annex 4, Wikipedia article, p. 19.)").

[55] Annex 4 to the Response, p. 1; Annex 1 to the Rejoinder, p. 1.

[56] Annex 4 to the Response, p. 6 (emphasis added, footnotes omitted).

[57] Annex 13 to the Response, section 18(a). The Respondent further develops this point by expressly recognizing the following: "Religious concepts and practices include the five pillars of Islam, which are basic concepts and obligatory acts of worship, and following Islamic law, which touches on virtually every aspect of life and society, providing guidance on multifarious topics from banking and welfare, to warfare and the environment". *Id.*

[58] Response, p. 5.

acknowledges that the String will affect the Muslim community exclusively. On its part, the Objector has also recognized that all branches of Islam share certain common beliefs.[59]

66. In view of the above, the Expert has no hesitation in finding that all Muslims, regardless of the branch of their faith, form a large, clearly delineated community of approximately 1.6 billion people. As a result, the Expert concludes that the community invoked by the Objector is clearly delineated.

67. As a final check, the above discussion supports the conclusion that all factors included in Article 3.5.4 of Guidebook ("Community" subsection) are fulfilled:

Factor	Compliance with Factor
The level of public recognition of the group as a community at a local and/or global level.	Yes. Islam enjoys global recognition and is the second-largest religion in the world.[60]
The level of formal boundaries around the community and what persons or entities are considered to form the community.	Yes. Although there are different branches of Islam, all branches share the same core principles.[61]
The length of time the community has been in existence.	Yes. Islam was founded around approximately 1400 years ago.[62]
The global distribution of the community (this may not apply if the community is territorial).	Yes. Islam is widespread across the world, with special emphasis in certain areas of the globe.[63]
The number of people or entities that make up the community.	Yes. The community is formed of approximately 1.6 billion individuals.[64]

C. Is the Community Opposition to the Application Substantial?

(a) Objector's Position

68. The Objector sustains that "[a] substantial portion of the Muslim community is opposing the string .Islam".[65] Without providing documentary evidence in the Objection, the

[59] Reply, p. 1 ("Though all the Islamic groups share main common beliefs such as the reality of one God (Allah) and the existence of angels of Allah ... etc.").

[60] Annex 4 to the Response, p. 1.

[61] *Id.*, p. 6.

[62] *See* Annex 4 to the Response, p. 11; Annex 13 to the Response, section 18(a).

[63] Annex 4 to the Response, p. 19.

[64] *Id.*, p. 1; Annex 1 to the Rejoinder, p. 1.

Objector mentions that most of the one hundred comments regarding Respondent's application for the String are against its registration.[66] In addition, the Objector states that there have been early warnings from the UAE and India, together with expressions of concern by the Communications and Information Technology Commission (CITC) of the Kingdom of Saudi Arabia.[67] The Objector does not provide any evidence in support of such allegations.

69. Furthermore, as mentioned earlier, the Objector submitted together with the Reply letters of support from governmental agencies of Bahrain, Qatar, Kuwait, Egypt, Oman, Turkey and Malaysia, as well as from the Gulf Cooperation Council.[68]

70. The Objector also claims to have the support of the OIC. In this regard, the Objector heavily relies on the OIC's Letter, which claims to be an "invitation" from the OIC urging all its members to oppose and act against the registration of the String.[69] For the Objector, the OIC "is the collective voice of the Muslim world and ensur[es] to safeguard and protect the interests of the Muslim world in the spirit of promoting international peace and harmony among various people of the world".[70]

71. In addition, the Objector submitted with the Reply a draft resolution of the OIC (to be voted in November 2013) pursuant to which the OIC will presumably oppose the registration of the String by the Respondent.[71]

72. Per the Expert's request in Procedural Orders No. 1 and 2, the Objector explained in the Reply the relation between the OIC and both ICRIC and HalalWorld (because, as discussed below, the Respondent claims that the latter two institutions support its position). As to ICRIC, the Objector sustains that "no 'subsidiary' or even 'affiliation' relation ever existed between OIC and ICRIC".[72] The Objector mentions that

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[65] Objection, p. 6 (emphasis omitted).

[66] *Id.*

[67] *Id.*

[68] Reply, p. 1. *See also* Annexes 1-8 to the Reply.

[69] Objection, pp. 4, 6. As noted, this "invitation" has been provided as Annex 1 to the Objection (in English) and as Annex 10 to the Rejoinder (in both French and Arabic).

[70] Objection, p. 4.

[71] Annex 9 to the Reply.

[72] Reply, p. 1.

ICRIC neither appears listed as a subsidiary or affiliate of the OIC in the latter's official website nor is there a link to ICRIC included in the section "OIC Organs and Institutions" of such webpage.[73] Further, the Objector sustains that ICRIC's website does not introduce the organization as an affiliate of the OIC, but rather merely mentions that ICRIC was "established through a Memorandum of Understanding between [the Islamic Chamber of Commerce, Industry and Agriculture (ICCIA)] and the Iran Chamber of Commerce, Industries and Mines. . . ."[74] The Objector recognizes that ICCIA "is an affiliate organ of the OIC and represents the private sector of 57 member countries".[75] For the Objector, the fact that ICRIC was established through a Memorandum of Understanding between an affiliate of the OIC and a national chamber of commerce does not make ICRIC an affiliate of OIC and does not place ICRIC under OIC's umbrella.[76] On the contrary, for the Objector, ICRIC is an organization closely related to Iran.[77]

73. For the Objector, after analyzing the Charter of the OIC, unless OIC's Islamic Summit or the Council of Foreign Ministers recognize ICRIC as an affiliate or member of the OIC family, the Respondent cannot claim such relation.[78] For the Objector, the same is true for HalalWorld.

74. As to HalalWorld, the Objector points out that it has not provided its support for the registration of the String (HalalWorld has only supported the string ".Halal").[79] The Objector sustains that HalalWorld is nothing more than an affiliate of ICRIC with no connection with OIC.[80] For the Objector, neither the OIC nor the Islamic countries have entrusted HalalWorld with the task of issuing Halal certifications.[81] Instead, there are many

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[73] *Id.* *See* Annexes 10-12 to the Reply.

[74] Reply, p. 1 (emphasis omitted). *See* Annex 14 to the Reply. ICCA was formerly known as "ICCI". Both Parties agree on this point. *See* Reply p. 2 and Rejoinder, p. 2.

[75] Reply, p. 2.

[76] *Id.*

[77] *Id.*

[78] *Id.*, pp. 1-2. The Objector supports this statement on Articles 23 and 25 of the Charter of the OIC. *See* Annex 5 to the Response, Articles 23, 25.

[79] Reply, p. 2.

[80] *Id.*

[81] *Id.* *See* Annex 17 to the Reply.

Halal certification bodies and the requirements for Halal food labeling vary from one country to another (which may differ from HalalWorld's standards).[82]

75. For these reasons, the Objector claims to represent a substantial portion of the relevant community.

(b) Respondent's Position

76. The Respondent, on its part, relies on the language of the Guidebook to support its position.[83] First, the Respondent alleges to have presented "voluminous evidence and documented support from many community leaders and leadership organizations", as well as a letter from the Ministry of ICT of Iran (Information Technology Organization), in support of its application for the String.[84] These documents have been provided as Annexes 6 though 9 to the Response and Annexes 2 through 4 to the Rejoinder. The Respondent argues that support for its application generally comes from the following categories of entities:

> 1. Major Organizations / Associations / Leaders representing Muslim populations throughout the world -- from Belarus to Brazil, such as the ICRIC, HalalWorld, The Management Center for Islamic Schools of Thought, the ECO Cultural Institute, and Dr. Mahatir Bin Mohamed.
>
> 2. Islamic Institutes / NGOs in Muslim Countries -- some 17 of them, such as Islamic Unity Magazine, and The Association of Development, Promotion, Production and Trade of Halal, and Brasil Halal Foods.
>
> 3. Famous Muslim Researchers / Academic people -- three well-respected academics.
>
> 4. Newspapers / Media / Publications – eleven different popular media outlets.[85]

77. Among the letters of support, the Respondent argues that the most relevant entity within the OIC – ICRIC – has fully endorsed the Respondent's new gTLD

[82] Reply, p. 2.

[83] Response, p. 8.

[84] *Id.*; Annex 4 to the Rejoinder.

[85] Response, p. 6.

application.[86] In this regard, the Respondent has furnished a letter of support to its application signed by ICRIC's Director General.[87] Therefore, "by logical extension, the [Objector] effectively admits that a majority of the global Muslim community supports the Applicant".[88] In addition, the Respondent claims to have furnished a positive letter from HalalWorld, a widespread Halal certification body operated by ICRIC.[89]

78. Pursuant to the Expert's instructions in Procedural Orders No. 1 and 2, the Respondent further explained in the Rejoinder the relation between the OIC and both ICRIC and HalalWorld. The Respondent places emphasis on the fact that ICRIC was established via a Memorandum of Understanding between ICCIA – an affiliate of OIC – and a local chamber of commerce in order to evidence ICRIC's affiliation with the OIC.[90] In addition, the Respondent points out that ICCIA's Secretary General is a Vice Chairman of ICRIC and that ICRIC's Board Members are appointed by ICCIA.[91] As to HalalWorld, the Respondent first mentions that ICRIC operates HalalWorld.[92] Then, citing Annex 17 to the Reply, the Respondent claims that HalalWorld's "mandate stems from the OIC adoption of Halal Food Standards".[93]

79. Second, for the Respondent, the Objector refers in its Objection to around one hundred "unspecified public comments", which are "unsupported with evidence of [the] same".[94] For this reason, the Respondent argues that the Expert should disregard such comments.[95]

80. Third, the Respondent points out that neither India nor the Kingdom of Saudi Arabia – or anyone else besides the Objector – has filed objections to Respondent's

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[86] *Id.*, pp. 6, 8.

[87] Annex 6 to the Response.

[88] Response, p. 8.

[89] *Id.*, p. 6. *See also* Annex 7 to the Response.

[90] Rejoinder, p. 2. As mentioned earlier, ICCA was formerly known as "ICCI". Both Parties agree on this point. *See id.* and Reply p. 2.

[91] Rejoinder, p. 2 (*citing* Annex 6 to the Response, p. 7).

[92] *Id.*

[93] *Id.* Notably, the Respondent does not attempt to evidence any direct relationship between HalalWorld and the OIC.

[94] Response, p. 9.

[95] *Id.*

application.[96] The Respondent adds that only one of the 57 members of the OIC – namely, the UAE – has formally filed a community objection through the Objector, which would clearly indicate the lack of support for the Objection from the OIC.[97]

81. In the Rejoinder, the Respondent argues that Bahrain, Kuwait, Oman, Qatar, Turkey, Malaysia and the Gulf Cooperation Council, all of which have submitted letters of support to UAE's objection, amount to a "small fraction of the global Muslim population".[98] As to Malaysia, the Respondent asserts that the email from the Malaysian representative does not even clearly support the Objection.[99] In any case, the Respondent argues that all these countries cannot be deemed "substantial opposition".[100] In addition, for the Respondent, many Muslims live in non-OIC countries.[101]

82. Moreover, the Respondent points out that the OIC is composed of 57 members and these 7 countries only amount to just over 10% of the OIC member countries (or roughly 6% of the Global Muslim population).[102]

83. Finally, as to the OIC's draft resolution submitted with the Reply, the Respondent elaborates a few arguments. For the Respondent, such draft is yet to be voted.[103] In this regard, the Respondent points out that the OIC will presumably not reach a consensus. For this reason, a vote will be taken with no guarantees that the draft resolution will eventually be approved.[104]

84. In sum, for Respondent, the Objection should fail because the Objector has failed to evidence substantial opposition to Respondent's application.

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[96] *Id.*, pp. 8-9.

[97] *Id.*, p. 9.

[98] Rejoinder, p. 1. Surprisingly, the Respondent omits that Egypt also filed a letter of support to the Objector's position (*see* Annex 1 to the Reply). However, the Expert considers this omission a *bona fide* error and not an attempt to mislead.

[99] *Id.*, n. 1.

[100] *Id.*, p. 1.

[101] *Id.*

[102] *Id.*

[103] *Id.*

[104] *Id.*, pp. 1-2.

(c) Expert's Conclusion

85. According to Article 3.5.4 of the Guidebook ("Substantial Opposition" subsection), "[t]he objector must prove substantial opposition within the community it has identified itself as representing". The key element of this provision is "substantial opposition". For this reason, quite unsurprisingly, the Guidebook concludes the same subsection by stating that, "[i]f some opposition within the community is determined, but it does not meet the standard of substantial opposition, the objection will fail".

86. The Expert agrees with the Respondent in that the OIC is a political organization and not a religious one.[105] However, the OIC is the second largest international organization after the United Nations,[106] and among OIC's objectives is "[t]o disseminate, promote and preserve the Islamic teachings and values based on moderation and tolerance, promote Islamic culture and safeguard Islamic heritage".[107] Therefore, the Expert agrees with the Objector that the OIC is a valid speaker for the world's Muslim population.[108]

87. The first question presented to the Expert is whether the OIC has urged its members to file an objection to Respondent's application or has simply invited its members to review such application and act if necessary.

88. Article 38 of the Charter of the OIC states that the "[l]anguages of the Organisation shall be Arabic, English and French".[109] This Article does not establish that any language should prevail over the others and thus all of them are equally valid. As a consequence, if the versions of the OIC's Letter written in two official languages are identical, but differ from the one written in a third official language, the former versions should prevail over the latter one.

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[105] *See* Rejoinder, p. 2.

[106] Annex 2 to the Response, p. 1.

[107] Annex 5 to the Response, Article 1(11).

[108] *See* Objection, p. 4 ("The [OIC] is the collective voice of the Muslim world and ensur[es] to safeguard and protect the interests of the Muslim world in the spirit of promoting international peace and harmony among various people of the world").

[109] Annex 5 to the Response, Article 38.

89. The Expert will now turn to analyze the versions of the OIC's Letter written in the three official languages. At the outset, the Expert notes that the English and French versions of the OIC's Letter are identical. As a result, regardless of the wording of the Arabic version, the language of the English and French versions must control the Expert's findings. The English and French versions of OIC's Letter say:

English	French
"[T]he OIC would like to draw the attention to the fact that new applications were already submitted for new gTLDs and these new applications are being evaluated according to the consensus-based mechanism determined by ICANN. The period for submitting any objections, if any, has been expanded until 13th March 2013 for any group and/or community that holds objection on religious or ethical values. The OIC Member States may kindly like to avail of this opportunity to act quickly through their representation in the organs of the ICANN, to avoid any misuse and misrepresentation of gTLDs of concern to them, including the ones like .ISLAM or .HALAL".[110]	"[L]'OIC voudrait attirer l'attention sur le fait que de nouvelles demandes ont déjà été soumises pour les nouveaux gTLD et ces nouvelles demandes sont en cours d'évaluation selon mécanisme de consensus établi par l'ICANN. Le délai pour la présentation d'éventuelles objections a été étendu jusqu'au 13 Mars 2013 pour tous les groupes et / ou communautés qui ont une objection sur des valeurs religieuses ou éthiques. Les Etats membres de l'OCI peuvent bien profiter de cette occasion pour agir rapidement á travers leur représentation dans les organes de l'ICANN, afin d'éviter toute utilisation abusive et fausse déclaration de gTLD qui les concernent, y compris celles comme : ISLAM ou HALAL".[111]

90. After a careful review of the transcribed passage, the Expert concludes that the OIC directed its members to review Respondent's application and, in case of concern, act through their representation in the organs of the ICANN. Ergo, the OIC neither endorsed nor opposed Respondent's application and certainly did not openly instruct its members to file an objection thereto. Hence, the Expert is of the opinion that the OIC's letter is not a statement of policy against Respondent's application.

91. As a result of the above, there would be no need to analyze the Arabic version. However, for the sake of completeness, the Expert will briefly look into the Arabic version of the OIC's Letter, which is slightly different to the other two. The literal translation into English of the relevant portion of the Arabic version is:

[110] Emphasis added.

[111] Emphasis added.

> The OIC member States should seize this important opportunity to act quickly against any party that wishes to own the gTLDs that end with (.ISLAM) or (.HALAL). And encourages the member States to file within the time limit specified their objections, if any, to prevent any company or private institution from buying or registering the gTLD (.ISLAM) or (.HALAL) to avoid any complications that could lead to any disputes or the misuse of these gTLDs.[112]

92. This language is clearly stronger than the English and French versions. However, by including the underlined words "if any", the Expert finds that the OIC left to the member States the ultimate decision of filing an objection or not. Hence, the OIC anticipated that no objections may be filed by the member States should none of them chose to do so. This may be indicative of the intention behind this version of the letter, but the drafting could have easily been less ambiguous. In any case, a detailed discussion and analysis of this wording is irrelevant, as the Expert has already found that the English and French versions of the OIC Letter shall prevail.

93. As to OIC's draft resolution submitted with the Reply, two points should be addressed in this Expert Determination. First, the Expert is of the opinion that it is a mere draft with no binding power. In this regard, the Expert agrees with the Respondent in that the approval of OIC's draft resolution is yet to be seen.[113] The resolution may not be adopted by a unanimous vote because it may find the opposition of at least Iran.[114] Since the Objector has not furnished letters of support from the necessary majority of OIC's members to pass such resolution, it is not evidenced that it will be approved for sure. Second, OIC's draft resolution refers to a report from OIC's General Secretariat on the matter which has not been submitted to the Expert by either Party.[115] Without such report, the Expert cannot assess the recommendation of OIC's General Secretariat to its member States on the position they should take when voting the OIC's draft resolution. For these reasons, it remains unclear whether OIC's draft resolution will finally be approved.

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[112] The Expert sought an independent translation of this passage from another member of his firm. Emphasis added.

[113] Rejoinder, p. 1.

[114] Annex 4 to the Rejoinder.

[115] Annex 9 to the Reply.

94. The Respondent has provided a letter of support from ICRIC.[116] The Parties disagree as to the relationship between ICRIC and the OIC, but both Parties agree that ICRIC was established by a Memorandum of Understanding between ICCIA – an affiliate of OIC – and a local chamber of commerce.[117] In the Expert's opinion, the Respondent has failed to evidence that ICRIC is a subsidiary, an affiliate or is otherwise under the umbrella of the OIC. This is also confirmed by the fact that nowhere does the OIC refer to ICRIC as a subsidiary or an affiliate thereof. Nor does ICRIC hold itself as a subsidiary or an affiliate of the OIC.

95. As to the letter from HalalWorld, the Expert agrees with the Objector that it only refers to the string ".Halal" and thus cannot be considered as a valid letter of support for the String.[118] Therefore, there is no need to analyze the relationship between HalalWorld and the OIC.

96. In light of the foregoing, it has not been established whether the OIC favors or disfavors the Respondent's application for the String. Consequently, the Expert is of the opinion that the OIC remains neutral as to the registration of the String by the Respondent.

97. Notably, the OIC itself has not filed an objection. Dr. Alain Pellet, the Independent Objector, expressed in a report discussed by both Parties that

> In the present case, the [Independent Objector] is of the opinion that the Organization of Islamic Cooperation is an established institution representing and associated with a significant part of the targeted community. The Organization of Islamic Cooperation is already fully aware of the controversial issues and is better placed than the IO to file an objection, if it deems it appropriate.[119]

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[116] Annex 6 to the Response.

[117] At the time, ICCIA was known as ICCI.

[118] *See* Annex 7 to the Response

[119] Annex 12 to the Response, last paragraph (emphasis added). The Independent Objector may file objections against "highly objectionable" gTLD applications to which no objection has been filed. The Independent Objector is limited to filing two types of objections: (i) Limited Public Interest objections and (ii) Community objections. The Independent Objector acts solely in the best interests of the public who use the global Internet. *See* Article 3.2.5 of the Guidebook.

98. In our case, as it is plainly evident, the OIC did not deem it appropriate to file a community objection itself. In the Expert's opinion, this is a confirmation of OIC's neutrality in this matter.

99. On a separate note, the Respondent places great emphasis on the number of letters of support to its position from individuals and organizations. However, regardless of the level of endorsement to Respondent's application, the ultimate test under the Guidebook is whether there is substantial opposition and not whether there is a substantial level of support. Therefore, the Expert will focus exclusively on the letters of support to the Objector's position.

100. The Expert observes that only the Objector has filed an objection against Respondent's application. No other individual, organization or country – whether member of the OIC or not – has opposed Respondent's application within ICANN's relevant channel.

101. Some countries – such as India and Saudi Arabia – inquired about Respondent's application and raised some early concerns in this regard.[120] However, since such countries neither filed a separate objection nor subscribed that of the Objector, the Expert can draw the conclusion that they finally did not officially back a community objection to Respondent's application. In fact, in Procedural Order No. 2 the Objector was instructed to submit additional letters of support but did not submit letters from these two countries. This is highly indicative of their lack of official support to the Objector's community objection.

102. The Objector filed with the Reply letters of support from governmental agencies of Bahrain, Qatar, Kuwait, Egypt, Oman, Turkey and Malaysia, as well as from the Gulf Cooperation Council.[121] The Gulf Cooperation Council is composed of the UAE, Bahrain, Saudi Arabia, Oman, Qatar and Kuwait.[122] Therefore, the Gulf Cooperation

[120] Objection, pp. 5-6; Annexes 10 and 11 to the Response.

[121] Reply, p. 1. *See also* Annexes 1-8 to the Reply. For the avoidance of doubt, the Expert is satisfied that the email of the Malaysian representative sufficiently supports the Objector's position. *See* Annex 4 to the Reply ("I would like to express my support [to] the UAE and other Islamic countries with regards to the application of .islam and .halal.").

[122] *See* www.gcc-sg.org/eng/. *See also* Annex 8 to the Reply.

Council would only add to the list of supporting countries, at best, Saudi Arabia. However, the Expert has previously found in ¶ 101 above that the opposition of Saudi Arabia has not been evidenced. Consequently, the Objector has only evidenced support from 8 countries (including itself and excluding Saudi Arabia) out of a total of 57 which form the OIC.

103. Furthermore, the Objector has referred to around one hundred comments to Respondent's application of which, allegedly, the majority are against such application. However, no evidence of such comments has been provided to the Expert and thus the Objector has failed to meet its burden of proof in this regard.

104. In accordance with the foregoing, the Expert finds that the "[n]umber of expressions of opposition relative to the composition of the community", which is the first factor in the "substantial opposition" subsection of Article 3.5.4 of the Guidebook, favors Respondent's position.

105. The same is true for the second factor listed in the same subsection of the Guidebook. More precisely, the Guidebook finds relevant "[t]he representative nature of entities expressing opposition". As has been evidenced, the Objector cannot speak for the OIC or any other member thereof. At best, the Objector could speak for the citizens of the UAE and the other 7 supporting countries only. There are around 1.6 billion Muslims worldwide,[123] but the total Muslim population of the 8 opposing countries is 207 million, representing roughly 13% of the Muslims of the world.[124] In the Expert's opinion, this is not a substantial portion of the Muslims around the world for the purposes of sustaining a community objection. Therefore, the Expert finds that this factor favors the Respondent.

106. As to the "[l]evel of recognized stature or weight among sources of opposition", which is the third factor listed in the Guidebook, the Expert wishes not to minimize the authority of the Objector. However, Article 13 of the Telecom Law generally circumscribes the Objector's functions and power's within the territory of the UAE. Therefore, the Expert finds that the Objector does not have sufficient international weight – without the support of a substantial number of Muslim countries or the OIC itself – to globally represent the interests of the Islamic community throughout the world. For the

[123] Annex 4 to the Response, p. 1; Annex 1 to the Rejoinder, p. 1.

[124] Calculaton made using data from Annex 1 to the Rejoinder.

avoidance of doubt, for the reasons given in ¶ 105 above, the Expert is of the opinion that the other 7 supporting countries cannot be considered as a substantial number.

107. Finally, as to the factor related to costs incurred by the Objector in expressing opposition,[125] no other costs have been evidenced besides those related to the Centre's filing fee and request for deposit of the estimated costs, which have been paid by ICANN.[126] The Expert will also assume some costs related with the Objector's legal representation in this proceeding. All these costs do not appear to be excessive in relation to the potential impact of a decision affecting a community of around 1.6 billion people. Additionally, the Objector has furnished no evidence of pursuing any "other channels the objector may have used to convey opposition".[127] Thus, this factor disfavors the Objector.

108. The Expert does not need to consider any other factors and is confident in reaching the conclusion that there is opposition to Respondent's application to some extent, but such opposition is not substantial. Accordingly, the Objection must fail.

D. Is there a Strong Association between the Applied-for gTLD and the Community Represented by the Objector?

(a) Objector's Position

109. The Objector sustains that the applied-for gTLD explicitly targets the Islamic community.[128] In this regard, the Objector quotes the following passage from the Respondent's application:

> There are hundreds of millions of Muslims worldwide, practicing their faith in a huge variety of different ways. They are a disparate group, yet they are united through their core beliefs. They are a group whose origins are found some 1400 years in the past, their ethnicity often inextricably linked with their faith. Hitherto, however, there has been no way to easily unify them and their common

[125] Guidebook, Article 3.5.4 ("Substantial Opposition" subsection) ("Costs incurred by objector in expressing opposition, including other channels the objector may have used to convey opposition").

[126] *See* ¶ 12, *supra*. *See also* Email from ICANN to Mr. Abdulrahman Almarzouqi, dated March 12, 2013.

[127] Guidebook, Article 3.5.4 ("Substantial Opposition" subsection).

[128] Objection, p. 6.

> appreciation of Islam. The .ISLAM gTLD will change this.[129]

110. The Objector cites substantively Dr. Alain Pellet's report, which mentions that the Respondent had acknowledged the sensitivity of the String.[130] Moreover, in the Objector's opinion, the governance platform designed by the Respondent for the String – which purports to include the OIC – is evidence that the String targets the Muslim community.[131]

111. For the Objector, the fact that the Respondent is gathering letters of support from Islamic communities throughout the world is additional evidence that the String is targeting the Muslim community.[132] In addition, the Objector argues that the letters of support furnished by Respondent:[133] (i) come from a minority of the Islamic population and represent less than 5% of the world's total Muslims; (ii) do not include many of the branches of Islam; and (iii) are not signed by current officials of governments or of International Organizations (such as the OIC).

(b) Respondent's Position

112. In page 7 of the Response, the Respondent lists the four tests contained in Article 3.5.4 of the Guidebook and thereafter analyzes them one-by-one, except for the one that requires "a strong association between the community invoked and the applied-for gTLD string".[134] The Expert takes note of this omission.

113. In addition, in the conclusion of the Response, the Respondent stresses that the Objector has failed to "prove standing or three of the four elements of a Community Objection".[135] The omitted fourth element seems to be the association between the applied-for gTLD and the community represented by the Objector.

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[129] *Id.* (*quoting* Annex 13 to Response, section 18(a)).

[130] *Id.*

[131] *Id.*

[132] *Id.*

[133] *Id.*

[134] Response, pp. 7-12.

[135] *Id.*, p. 12 (emphasis added).

114. This is confirmed by the Respondent in another section of the Response, where it expressly acknowledges that the Objector "does not represent the global Muslim community to which the .Islam TLD will be targeted".[136]

(c) Expert's Conclusion

115. The Respondent appears not to dispute the association between the String and the community represented by the Objector. However, this does not prevent the Expert from analyzing the issue.

116. According to Article 3.5.4 of the Guidebook ("Targeting" subsection), "[t]he objector must prove a strong association between the applied-for gTLD string and the community represented by the objector". The last sentence of such subsection stipulates that, "[i]f opposition by a community is determined, but there is no strong association between the community and the applied-for gTLD string, the objection will fail".

117. In section V.B(c) above, the Expert found that the relevant community is clearly defined. The question now is whether the String has a "strong association" with such community. The first salient fact is the identity of the terms. Indeed, the String is precisely the word "Islam". It is patently clear that Muslims in general will be identified by the String.

118. According to the foregoing, the last factor listed in the corresponding subsection of the Guidebook is met (*i.e.*, "[a]ssociations by the public"). It is hard to imagine anyone who will not associate the String with Islam.

119. Moreover, according to the corresponding subsection of Article 3.5.4 of the Guidebook, another factor that the Expert may analyze is the "[s]tatements contained in application". The statements contained in the application are very clarifying in this regard. In addition to the passage quoted at ¶ 109 above, Respondent's application contains many other references that unequivocally result in that the targeted audience is the Islamic community. Indeed, other instances of statements in Respondent's application that support the conclusion that there is a strong association between the String and the Muslim community are:

[136] *Id.*, p. 5 (emphasis added).

- "A robust gTLD has the power to bring together Muslims across national borders in a free-flowing exchange of information and commerce. There is not a .COM or .ORG equivalent of .ISLAM--a domain that has universal appeal across a common religion".[137]
- "The .ISLAM gTLD will increasingly open up the vast resources of the Internet and the interconnectedness it brings to the Muslims community [*sic*], while stimulating the introduction of more information and resources among Muslims online".[138]
- "The benefits of the .ISLAM gTLD will be manifold, not just to registrants but also to tens of millions of Muslim internet users, as well as many others with an interest in or curiosity regarding Islam".[139]
- "As it is rolled out, the .ISLAM gTLD will rapidly develop as the gTLD of choice among Muslims in all countries. The demand for Islamic content from this group isn't and won't be satisfied by .COM or .ORG offerings within the current gTLDs and in fact has hampered collaboration and innovation. The Islamic people demand content that is tailored to their own unique needs and wants, under the umbrella of a dedicated gTLD".[140]
- "The history of .COM will be of interest here, because .ISLAM should grow quickly and face demand as high among the Muslim community as .COM has in the English-language online community".[141]

120. Another factor contained in the "Targeting" subsection, namely the "[o]ther public statements by the applicant", sheds light in this regard.[142] In the Response, the Respondent explicitly acknowledges that the String will specifically target the Muslim community:

> The ICRIC has provided a letter of support to the Applicant with respect to both the .Halal and .Islam TLDs. (Annex 6.) ICRIC operates the only Halal certification body to be recognised by all Islamic countries, HalalWorld, which provided a separate letter of support. (Annex 7.) <u>This is a strong sign of support from this TLD's target community</u>.[143]

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[137] *Id.*, section 18(a).

[138] *Id.*

[139] *Id.*, section 18(b).

[140] *Id.*

[141] *Id.*, section 18(c).

[142] Guidebook, Article 3.5.4 ("Targeting" subsection).

[143] Response, p. 6.

121. Elsewhere in the Response, the Respondent makes a similar concession when it states that the Objector "does not represent the global Muslim community to which the .ISLAM TLD will be targeted".[144] Additionally, the Respondent "concede[s] that the .Islam TLD is targeted generally to Muslim individuals throughout the globe".[145]

122. The Respondent even provides letters of support from different Islamic organizations.[146] Therefore, the Respondent has conceded that the String will have effects in the Muslim community.

123. In sum, the Expert finds that there is a strong association between the String and the community represented by the Objector, which is the Muslim community.

E. Does the Application Create a Likelihood of Material Detriment?

(a) Objector's Position

124. For the Objector, "there is clearly a level of certainty that the alleged detrimental outcome[ ] will occur" because of the "obvious lack of community involvement and support" to Respondent's application.[147] The Objector explains that the obvious lack of support from the majority of the community will "most probably" result in that the String will "be dominated by a subgroup from the religion and will ignore the interests of the remaining majority".[148]

125. The Objector highlights that religion is an "extremely sensitive subject".[149] Since Islam includes different subgroups and sects, it would be very difficult to unite all of them under the same gTLD unless an organization that represents the community (or its majority) runs and supports said domain.[150] For the Objector, the Respondent's application fails to evidence any mechanisms that will effectively prevent abuses or misuses of the String, which is further exacerbated by the fact that the Respondent is not supported by the

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[144] *Id.*, p. 5 (emphasis added).
[145] *Id.*, p. 7.
[146] *Id.*, p. 5. *See also* Annexes 6-9 to the Response and Annexes 2-3 to the Rejoinder.
[147] Objection, p. 7.
[148] *Id.*
[149] *Id.*, p. 8.
[150] *Id.*

majority of the Muslim community.[151] The Objector concludes that all this will result in damage to the reputation of the Muslim community.[152]

(b) Respondent's Position

126. The Respondent relies on the factors included in Article 3.5.4 of the Guidebook ("Detriment" subsection).[153] For the Respondent, the Objector "wholly fails to provide any evidence by which the Applicant or the Panel could assess these factors".[154] The Respondent argues that the Objector mistakenly places emphasis on the lack of support and that it merely speculates on a possible dominance by a religious subgroup, which is totally unsupported because (i) Respondent has furnished substantial community support to its application; and (ii) allowing a dominance by a subgroup will make no sense from a business perspective.[155]

127. Furthermore, the Respondent argues that it has repeatedly promised to operate the String "in the best interests of the community as a whole" and quotes its response to ICANN's Government Advisory Committee's Beijing Communiqué.[156] In such response, the Respondent pledged to implement measures "to limit second-level domain registrations to those of Muslim faith or with a positive interest in the Muslim community" and expressed that it "will not tolerate radical content or criticism of Islam and the Muslim faith".[157] The Respondent "will take immediate and severe action" if necessary and will establish "safeguards, keyword alerts, name selection polices, all governed by an Acceptable Use Policy and post registration protections".[158]

128. The Respondent points out that it has drafted a "Governance Model for its TLDs",[159] which led the Indian Government to withdraw its concerns about the String.[160] In

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[151] *Id.*

[152] *Id.*

[153] Response, p. 9.

[154] *Id.*

[155] *Id.* p. 10.

[156] *Id.* (attached to the Response as Annex 11).

[157] *Id.* (*quoting* Annex 11 to the Response).

[158] *Id.* (*quoting* Annex 11 to the Response).

[159] Annex 10 to the Response.

[160] Response, p. 10.

addition, the Respondent explains that, as mentioned in the String application, it "will endeavor to the utmost in order to minimize the social costs to registrants of a .ISLAM second-level domain".[161] The Respondent highlights the adoption of a policy matrix and other recommendations, as well as a complaint resolution service, all of which are geared towards minimizing harm in TLDs.[162]

129. The Respondent also explains that it has made a binding public interest commitment whereby certain requirements are imposed on the registry operator to foster transparency and to avoid misuses and abuses of the String.[163]

130. For the Respondent, all the above "documented efforts and intentions must outweigh [Objectors]'s rank speculation as to the applicant's intentions".[164]

131. On a separate note, the Respondent places strong emphasis on the fact that Dr. Alain Pellet, ICANN's Independent Objector, "thoroughly reviewed the purported public opposition to the .Islam TLD, and found no basis for any objection".[165]

132. Finally, the Respondent sustains that the "global Muslim community is not dependent upon the DNS for its core activities", which stands for "**Domain Name System**", and that there "will be no damage to anyone, but instead the TLDs will operate to the benefit of the global Muslim community".[166]

(c) Expert's Conclusion

133. Article 3.5.4 of the Guidebook ("Detriment" subsection) requires that the "objector must prove that the application creates a likelihood of material detriment to the rights or legitimate interests of a significant portion of the community to which the string may be explicitly or implicitly targeted". Notably, the Guidebook adds that "[a]n allegation of detriment that consists only of the applicant being delegated the string instead of the objector will not be sufficient for a finding of material detriment".

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[161] *Id.*, p. 11 (*quoting* Annex 13, section 18(c)).
[162] *Id.*
[163] *Id.*, pp. 11-12.
[164] *Id.*, p. 12.
[165] *Id.*, p. 10.
[166] *Id.*, p. 12. "DNS" means "**Domain Name System**".

134. The Guidebook sets a high bar in order for the Expert to find any detriment:

> If opposition by a community is determined, but there is no likelihood of material detriment to the targeted community resulting from the applicant's operation of the applied-for gTLD, the objection will fail.[167]

135. In this case, as discussed in section V.C(c) above, there is some opposition from the community but such opposition is not substantial. The question now presented is the likelihood of material detriment to the targeted community. To reach an answer, the Expert will analyze the factors included in the relevant subsection of Article 3.5.4 of the Guidebook.

136. The first factor in the Guidebook is:

> Nature and extent of damage to the reputation of the community represented by the objector that would result from the applicant's operation of the applied-for gTLD string

137. The Expert finds particularly illustrating Dr. Pellet's report to address this point.[168] Dr. Pellet reviewed a number of binding and non-binding international instruments, both at global and regional levels, which deal with the freedom of religion.[169] The Expert notes that a common denominator of these instruments is the protection of freedom of religion and the freedom to manifest one's religion. Of particular relevance is the Universal Declaration of Human Rights, adopted by the United Nations General Assembly on 10 December 1948. Notably, the UAE has been a member of the United Nations since 1971.[170]

138. As Dr. Pellet correctly mentions, the Universal Declaration of Human Rights explicitly says:

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[167] Guidebook, Article 3.5.4 ("Detriment" subsection) (emphasis added).

[168] A copy of this report is attached to the Response as Annex 12.

[169] Annex 12 to the Response (Limited Public Interest Objection section, ¶¶ 5-10).

[170] *See* www.un.org/en/members/.

> Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.[171]

139. For the Expert, the registration of the String will contribute to promoting this objective, as it will become a vehicle for Muslims to express themselves and expand their faith across the world.

140. The possible damages asserted by the Objector, which have not been sufficiently evidenced, are outweighed by the necessity of promoting human rights, such as the freedom of religion and the opportunity for every individual to manifest his or her own religion. Therefore, this factor favors the Respondent.

141. The second factor in the Guidebook is:

> Evidence that the applicant is not acting or does not intend to act in accordance with the interests of the community or of users more widely, including evidence that the applicant has not proposed or does not intend to institute effective security protection for user interests

142. The Objector has certainly not provided any evidence that the Respondent is not acting or does not intend to act in accordance with the interests of the Muslim community. On the contrary, the Respondent has promised to operate the String in a manner that will prevent "radical content or criticism of Islam and the Muslim faith", and the Respondent "will take immediate and severe action against this should it occur".[172]

143. It has been evidenced that the Respondent intends to implement security measures to avoid the misuse or abuse of the String.[173] In this regard, the Guidebook does

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[171] Universal Declaration of Human Rights, Article 18 (emphasis added) (*quoted* in Dr. Pellet's report at Limited Public Interest Objection section, ¶ 6).

[172] Annex 11 to the Response, p. 2. *See also* Annex 13 to the Response, section 18(b) ("Equally, AGITSys will not tolerate radical content, nor will it tolerate content that criticizes Islam and the Muslim faith. Immediate and severe action will be taken against registrants promulgating either, and a black list will be created in an attempt to pre-empt any such attempts.").

[173] Annex 10 to the Response, pp. 13-18; Annex 2 to the Rejoinder, pp. 31-38; Annex 11 to the Response, p. 2; Annex 13 to the Response, section 18(b). The Respondent has furnished a new version of Annex 10 to the Response as Annex 2 to the Rejoinder. *See* Annex 2 to the Rejoinder.

not require that the measures be in place at this time, but rather that such measures be proposed (or an appearance of an intention to propose or implement them in the future).

144. Among these measures already proposed, the Respondent intends to:

- Design a multi stakeholder governing system (a/k/a "Policy Advisory Council), where Islamic governments, organizations and individuals will have representatives that will participate in the management of the String under direct supervision of a multinational Islamic organization or institute.[174]
- Implement a strict policy under which not everyone will be eligible to apply for a second-level ".Islam" domain, but only those who meet certain requirements.[175] Additionally, certain second-level domains will be restricted and all second-level domains will be subject to a policy of use.[176]
- Impose penalties and suspensions upon violators of the user's policy.[177]
- Include one addendum to its Registry Agreement with ICANN whereby certain requirements will be imposed on the registry operator in order to promote transparency and avoid misuses or abuses.[178]

145. In accordance with the above, the second factor favors the Respondent.

146. The third factor in the Guidebook is:

> Interference with the core activities of the community that would result from the applicant's operation of the applied-for gTLD string

147. The key language in this factor is "core activities". In ¶ 64 above the Expert transcribed the five pillars or core principles of Islam. The Expert is of the opinion that the operation of the String will not, on its face, interfere with any of them. Nonetheless, as discussed above, the Respondent intends to implement policies and mechanisms to ensure that the integrity of Islam is preserved. Consequently, this factor favors the Respondent.

148. The fourth factor in the Guidebook is:

> Dependence of the community represented by the objector on the DNS for its core activities

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[174] Annex 10 to the Response, pp. 13-15; Annex 2 to the Rejoinder, pp. 31-33.

[175] Annex 10 to the Response, pp. 16-17; Annex 2 to the Rejoinder, p. 34.

[176] Annex 10 to the Response, pp. 17-18; Annex 2 to the Rejoinder, p. 35.

[177] Annex 10 to the Response, p. 18; Annex 2 to the Rejoinder, p. 36. *See also* Annex 13 to Response, section 18(b).

[178] Response, pp. 11-12; Annex 14 to the Response.

149. The Respondent has stated that "[t]he global Muslim community is not dependent upon the DNS for its core activities".[179] The Objector has remained silent in this regard.

150. Islam originated around 1400 years ago, long before Internet was created.[180] Therefore, the Islamic community is not dependent on the DNS. As a result, this factor favors the Respondent.

151. The fifth factor in the Guidebook is:

> Nature and extent of concrete or economic damage to the community represented by the objector that would result from the applicant's operation of the applied-for gTLD string

152. Neither of the Parties has argued a concrete or economic damage to the Islamic community. In fact, the Expert is of the opposite view. In line with ¶ 139 above, the Expert agrees with the Respondent in that the String may serve as a platform for the expansion of online Islamic resources.[181]

153. The sixth factor in the Guidebook is:

> Level of certainty that alleged detrimental outcomes would occur

154. The Objector has not evidenced any immediate or imminent detriment. Rather, the Objector has speculated with some possible outcomes. In light of the foregoing, the Expert finds that the likeliness of detriment to the Muslim community, though possible, is remote. As a consequence, this factor favors the Respondent.

155. In sum, the Expert concludes that the Objector has failed to prove the likelihood of any material detriment to the rights or legitimate interests of a significant portion of the Islamic community. For this reason, the Objection must fail.

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[179] Response, p. 12.

[180] Annex 4 to the Response, p. 11.

[181] Annex 18 to the Response, section 18(b).

VI. COSTS

156. In accordance with Article 14(e) of the Procedure, the Centre shall refund to the prevailing party its advance payment of costs.

VII. SUMMARY OF FINDINGS

157. Within the 45 day time-limit set forth in Article 21(a) of the Procedure, the Expert concludes as follows:

(i) the Objector has standing to file the Objection;

(ii) the community invoked by the Objector is clearly defined;

(iii) there is not substantial opposition from the community to Respondent's application;

(iv) there is a strong association between the String and the community represented by the Objector;

(v) Respondent's application does not create a likelihood of any material detriment to the rights or legitimate interests of a significant portion of the relevant community;

(vi) the Centre shall refund to the prevailing party its advance payment of costs; and

(vii) this Expert Determination shall be published in full.

158. For these reasons, the prevailing party is the Respondent and thus the Objection shall be dismissed.

VIII. DECISION

159. For the above reasons and according to Article 21(d) of the Procedure, I hereby render the following Expert Determination:

(i) The Objection of the Telecommunications Regulatory Authority of the United Arab Emirates is dismissed;

(ii) Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. prevails; and

(iii) Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.'s advance payment of costs shall be refunded by the Centre to Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.

* * * *

Date: 24/October/2013

Signature:_____
Bernardo M. Cremades
Expert

ANNEX 27

Annex 28

THE INTERNATIONAL CENTRE FOR EXPERTISE OF THE

INTERNATIONAL CHAMBER OF COMMERCE

CASE No. EXP/427/ICANN/44

TELECOMMUNICATIONS REGULATORY AUTHORITY OF THE UNITED ARAB EMIRATES

(UAE)

vs/

ASIA GREEN IT SYSTEM BILGISAYAR SAN. VE TIC. TLD. STI.

(TURKEY)

This document is an original of the Expert Determination rendered in conformity with the New gTLD Dispute Resolution Procedure as provided in Module 3 of the gTLD Applicant Guidebook from ICANN and the ICC Rules for Expertise.

INTERNATIONAL CENTRE FOR EXPERTISE
OF THE
INTERNATIONAL CHAMBER OF COMMERCE

CASE NO. EXP/427/ICANN/44

TELECOMMUNICATIONS REGULATORY AUTHORITY
OF THE UNITED ARAB EMIRATES
(UNITED ARAB EMIRATES)

OBJECTOR

V.

ASIA GREEN IT SYSTEM BILGISAYAR
SAN. VE TIC. LTD. STI.
(REPUBLIC OF TURKEY)

RESPONDENT

EXPERT DETERMINATION BY
BERNARDO M. CREMADES
OCTOBER 24, 2013

Parties' Representatives:

Telecommunications Regulatory Authority of the United Arab Emirates

Talal Abu Ghazaleh Legal Member to Talal Abu Ghazaleh Organization
Mr. Badr El-Dein Abdel Khalek
Contact Information Redacted

Contact Information Redacted

Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.

Rodenbaugh Law
Mr. Mike Rodenbaugh
Contact Information
Redacted

Contact Information
Redacted

ANNEX 28

LIST OF ABBREVIATIONS

Term	Meaning
Appendix III	Means Appendix III to the Rules for Expertise of the International Chamber of Commerce, Schedule of expertise costs for proceedings under the new gTLD dispute resolution procedure
Applicant	Means Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.
Centre	Means the International Centre for Expertise of the International Chamber of Commerce
DNS	Means Domain Name System
Expert	Means Bernardo M. Cremades
Expert Determination	Means this expert determination rendered on October 24, 2013
gTLD	Means generic top level domain
Guidebook	Means the gTLD Applicant Guidebook
ICANN	Means Internet Corporation for Assigned Names & Numbers
ICC	Means International Chamber of Commerce
ICC Practice Note	Means the ICC Practice Note on the Administration of Cases under the New gTLD Dispute Resolution Procedure
ICCIA	Means Islamic Chamber of Commerce, Industry and Agriculture
ICRIC	Means Islamic Chamber Research and Information Center
Objection	Means the community objection filed by the Objector against Respondent's application for the String on March 13, 2013
Objector	Means the Telecommunications Regulatory Authority of the United Arab Emirates
OIC	Means the Organization of Islamic Cooperation
OIC's Letter	Means the letter from the OIC dated January 29, 2013 (attached as Annex 1 to the Objection in English and as Annex [without number] to the Reply in both Arabic and French)
Procedure	Means the Attachment to Module 3 of the gTLD Applicant Guidebook, New gTLD Dispute Resolution Procedure
Rejoinder	Means the rejoinder to the Reply filed by the Respondent on August 4-5, 2013

Reply	Means the reply to the Response filed by the Objector on July 26, 2013
Respondent	Means Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.
Response	Means the response to the Objection filed by the Respondent on May 15, 2013
Rules	Means the Rules for Expertise of the International Chamber of Commerce
String	Means the applied-for gTLD ".HALAL" by the Applicant (Application No. 1-2131-60793)
Telecom Law	Means the UEA's Federal Law by Decree No. 3 of 2003
UAE	Means the United Arab Emirates

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1. This expert determination (the "**Expert Determination**") is issued under the Rules for Expertise of the International Chamber of Commerce (the "**Rules**"), supplemented by the ICC Practice Note on the Administration of Cases (the "**ICC Practice Note**"), and under the Attachment to Module 3 of the gTLD Applicant Guidebook, New gTLD Dispute Resolution Procedure (the "**Procedure**") of the gTLD Applicant Guidebook (the "**Guidebook**").

I. THE PARTIES AND THE EXPERT

A. Objector

2. The Objector is:

Name	Telecommunications Regulatory Authority of the United Arab Emirates
Contact person	Mr. Mohammed Al Ghanim
Address	Contact Information Redacted
City, Country	Contact Information Redacted
Telephone	Contact Information Redacted
Email	Contact Information Redacted

3. The Objector is represented herein by:

Name	Talal Abu Ghazaleh Legal Member to Talal Abu Ghazaleh Organization
Contact person	Mr. Badr El-Dein Abdel Khalek
Address	Contact Information Redacted
City, Country	Contact Information Redacted
Telephone	Contact Information Redacted
Email	Contact Information Redacted

4. The Objector has appointed its legal representative to receive all communications and notifications in the present proceeding.

B. Respondent

5. The Respondent (also referred to as the Applicant) is:

Name	Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.
Contact person	Mr. Mehdi Abbasnia
Address	Contact Information Redacted
City, Country	Contact Information Redacted
Telephone	Contact Information Redacted
Email	Contact Information Redacted

6. The Respondent is represented herein by:

Name	Rodenbaugh Law
Contact person	Mr. Mike Rodenbaugh
Address	Contact Information Redacted
City, Country	Contact Information Redacted
Telephone	Contact Information Redacted
Email	Contact Information Redacted

7. The Respondent has appointed its legal representative to receive all communications and notifications in the present proceeding.

C. Expert

8. The Expert is:

Name	Mr. Bernardo M. Cremades
Firm	B. Cremades & Asociados
Address	Contact Information Redacted
City, Country	Contact Information Redacted
Telephone	Contact Information Redacted
Email	Contact Information Redacted

II. APPLIED-FOR GTLD

9. The applied-for generic top level domain ("**gTLD**") is ".HALAL" (the "**String**").

III. PROCEDURAL MATTERS

10. On March 13, 2013, the Objector filed a community objection against Respondent's application for the String in accordance with Article 3.2.1 of the Guidebook and Article 2 of the Procedure (the "**Objection**").[1]

11. According to Article 3.2.1 of the Guidebook, a community objection is filed when "[t]here is substantial opposition to the gTLD application from a significant portion of the community to which the gTLD string may be explicitly or implicitly targeted".

12. On May 15, 2013, the Respondent filed a response disputing "both standing and grounds for the Objection" and "pray[ed] that it be dismissed" (the "**Response**").[2]

13. On June 12, 2013, the Chair of the Standing Committee of the Centre appointed Mr. Bernardo M. Cremades as Expert in accordance with Article 7 and Article 3(3) Appendix I of the Rules. On July 9, 2013, the Centre transferred the file to the Expert and confirmed in writing that: (i) the estimated costs had been paid in full by each Party; and (ii) the full constitution of the Expert Panel had taken effect as of that same day.[3]

14. On July 11, 2013, the Expert issued Procedural Order No.1 directing both Parties to submit their views on certain procedural matters. The Parties replied on July 15, 2013.[4] On July 16, 2013, the Expert issued Procedural Order No. 2 directing the Parties to submit additional evidence and allegations on very limited matters (Articles 17(a) and 18 *in fine* of the Procedure). The Expert also found that no hearing was necessary in this proceeding (Article 19 of the Procedure) and that the Expert Determination should be published in full (Article 21(g) of the Procedure).

15. On July 26, 2013, the Objector filed its reply memorial together with the additional evidence requested by the Expert (the "**Reply**"). On August 4 and 5, 2013, the

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[1] Objection, p. 3.

[2] Response, p. 4.

[3] Letter from the Centre to the Parties and Expert, dated July 9, 2013.

[4] Due to the time difference, the Respondent's comments were received by the Expert on July 16, 2013.

Respondent filed its second memorial, together with the supporting evidence, in response to the Reply (the "**Rejoinder**").

16. In the Rejoinder, the Respondent requested the Expert to disregard the section "Further points raised in the response" of the Reply because, in its opinion, it was outside the scope of Procedural Order No. 2.[5] Alternatively, the Respondent requested additional time to reply to the new allegations of the Objector.[6]

17. On August 6, 2013, the Objector submitted an email explaining the reasons why it included in the Reply a section with allegations beyond the scope of Procedural Order No. 2. On the same day, the Expert issued Procedural Order No. 3 in which he refused to accept the section "Further points raised in the response" of the Reply. In the Expert's opinion, the Objector did not sufficiently justify the reasons for having disobeyed the Expert's instructions contained in Procedural Order No. 2. For this reason, such portion of the Reply will not be taken into consideration by the Expert in rendering his Expert Determination. However, as will be seen below, the Expert's reasoning would not have been affected by such disregarded allegations.

18. On August 12, 2013, the Respondent submitted an updated version of Annex 3 to the Rejoinder. On August 14, 2013, the Objector communicated its objection to Respondent's late submission and recalled that, in ¶ 9 of Procedural Order No. 3, the Expert "order[ed] both parties to refrain from submitting any further allegations and/or evidence". On August 15, 2013, the Respondent submitted comments on this issue. On August 19, 2013, the Expert rendered Procedural Order No. 4 refusing to take into consideration Respondent's late submission of August 12, 2013. As will be seen below, the Expert's reasoning would not have been affected by such disregarded exhibit.

19. In accordance with Articles 5(a) and 6(a) of the Procedure, as well as Articles 3.3.1 and 3.3.3 of the Guidebook, all of the Parties' communications were submitted electronically in English, which is the official language of this proceeding. The Expert notes, however, that Annex 9 to the Response contains portions in languages other than English. Likewise, the Objector filed with the Reply the Arabic and French versions of

[5] Rejoinder, p. 1.

[6] *Id.*

Annex 1 to the Objection. In all cases, the Expert does not consider it necessary to provide certified or official translations pursuant to Article 5(b) of the Procedure.

20. For all purposes, the place of the proceedings is Paris (France), where the Centre is located (Article 4(d) of the Procedure).

IV. OBJECTOR'S STANDING

21. In this section, the Expert will summarize the Parties' positions as to the Objector's standing to file the Objection. Thereafter, the Expert will draw his conclusions in this regard.

A. Objector's Position

22. As described in section I.A above, the Objector is the Telecommunications Regulatory Authority of the United Arab Emirates ("**UAE**"), which claims to be a governmental agency representing both the people and Government of said country.[7] The Objector asserts that it is acting following an "invitation" of the Organization of Islamic Cooperation ("**OIC**"), of which the UAE is member, to file the Objection that triggered the present proceeding.[8] Such "invitation" was furnished by the Objector in English as Annex 1 to the Objection and in both Arabic and French with the Reply (without Annex number) (collectively, "**OIC's Letter**"). The English version of the OIC's Letter provides in its relevant portion as follows:

> [T]he OIC would like to draw the attention to the fact that new applications were already submitted for new gTLDs and these new applications are being evaluated according to the consensus-based mechanism determined by ICANN. The period for submitting any objections, if any, has been expanded until 13th March 2013 for any group and/or community that holds objection on religious or ethical values. The OIC Member States may kindly like to avail of this opportunity to act quickly through their representation in the organs of the ICANN, to avoid any

[7] Objection, p. 4.

[8] *Id.*

> misuse and misrepresentation of gTLDs of concern to them, including the ones like .ISLAM or .HALAL.[9]

23. Together with the Reply, the Objector submitted a draft resolution of the OIC and letters of support from governmental agencies of Bahrain, Qatar, Kuwait, Egypt, Oman and Turkey, as well as from the Gulf Cooperation Council.[10] For these reasons, the Objector claims to represent a substantial portion of the Muslim community.

24. The Objector was incorporated by Federal Law by Decree No. 3 of 2003 (the "**Telecom Law**").[11] The Objector argues that, since its inception, it has been charged with a "wide range of responsibilities related to the Telecommunications and Information Technology Sector, both within and outside the UAE."[12] The Objector lists a number of its "functions and powers" – none of which relate to religious or public policy matters – but fails to provide documental support.[13] The Expert notes, however, that such functions and powers are contained in Article 13 of the Telecom Law.

25. In light of the foregoing, the Objector claims to be "an established institution associated with the Arabian and Islamic UAE community having an institutional purpose related to the benefit of the community".[14]

26. Next, the Objector explains that the word "Halal" is intrinsically linked to Islamic lifestyle.[15] For the Objector, because the Respondent allegedly gained neither the support of the Muslim Community nor of the OIC, it lacks legitimacy to register the String.[16] The Objector concludes by stating that, since religious matters are very sensitive, the

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[9] Annex 1 to the Objection, p. 1. "ICANN" means Internet Corporation for Assigned Names & Numbers ("**ICANN**").

[10] Reply, p. 1. *See also* Annexes 1-9 to the Reply. The letter of support from Kuwait is duplicated (*see* Annexes 3 and 9 to the Reply).

[11] Objection, p. 4 (*citing* Federal Law by Decree No. 3 of 2003). The Expert notes that the Objector has not provided an electronic copy of the Telecom Law. However, the Expert has been able to obtain a copy of the Telecom Law by following a link included in the Objection (p. 4). The incorporation of the Objector is set forth in Chapter 3 (Part 1) of the Telecom Law under the official name "General Authority for Regulating the Telecommunication Sector".

[12] Objection, p. 4.

[13] *Id.*, p. 5.

[14] *Id.*

[15] *Id.*

[16] *Id.*

Respondent – a commercial entity – should not be authorized to register or control a new gTLD of a religious nature.[17]

B. Respondent's Position

27. The Respondent takes the opposite view regarding the Objector's standing to file the Objection. First, the Respondent sustains that the Objector is the regulatory authority of just one Islamic country – namely, the UAE – which "demonstrates no relevance to the global Muslim population, or to that subset that practices Halal lifestyle".[18] The Respondent adds that the Objector merely provides a domestic technical function within the UAE and that, far from defending a community interest, is pursuing its own commercial interest.[19]

28. Second, the Respondent advances an argument based on Article 3.2.2.4 of the Guidebook,[20] which provides in the part quoted by Respondent as follows:

> Established institutions associated with clearly delineated communities are eligible to file a community objection. The community named by the objector must be a community strongly associated with the applied-for gTLD string in the application that is the subject of the objection.

29. For the Respondent, the Objector has "no association whatsoever with any 'Halal' community, other than it is one of 57 member states of the [OIC]".[21] Furthermore, the Respondent criticizes the Objector for grasping support from OIC's Letter, specifically because such letter does not contain an invitation from the OIC to its members to file an objection (but is rather a simple instruction to review ICANN's new gTLD program and act if necessary).[22]

30. Third, the Respondent points out that the OIC did not file an objection itself and that only the regulatory authority of one of its members (of a total of 57) filed an objection. Accordingly, for the Respondent, this represents no "semblance of the global

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[17] *Id.*

[18] Response, p. 4.

[19] *Id. See also id.*, p. 6.

[20] *Id.*, p. 4.

[21] *Id.*

[22] *Id.*, p. 5.

Halal community" and thus the Objector lacks standing.[23] Had there been substantial opposition, either the OIC itself or a significant number of States would have filed an objection.

31. Fourth, the Respondent asserts that all the functions and powers mentioned by the Objector are circumscribed to the territory of the UAE and that, in any case, they are of technical nature without relationship whatsoever to the global community of Halal individuals.[24] The Respondent adds that, even if the Objector were to have governmental authority within the UAE, it would only represent a small percentage (*i.e.*, 0.01%) of the Muslims of the world as of 2009.[25] In addition, the Respondent notes that the OIC did not entrust the Objector to act on its behalf or in the name of any other of its remaining 56 members.[26] For this reason, in the Respondent's opinion, the Objector only "purport[s] to represent less than 2% of the OIC's collective weight", which does not amount to a representation of the "global Muslim community to which the .Halal TLD will be targeted".[27]

32. Finally, the Respondent argues that one of the OIC's most relevant affiliates – the Islamic Chamber Research and Information Center ("**ICRIC**") – has endorsed Respondent's application to register the String, which would support its argument that the Objector is not backed by the OIC, that the Objector does not represent any greater Muslim community than the UAE and, in sum, that it lacks standing overall.[28]

C. Expert's Conclusion

(a) Standard

33. Article 3.2.2.4 of the Guidebook provides guidance on who may file a community objection. As the Respondent has correctly quoted in its Response, such article provides in its very first paragraph as follows:

> Established institutions associated with clearly delineated communities are eligible to file a community objection.

[23] *Id.*
[24] *Id.*
[25] *Id.*
[26] *Id.*
[27] *Id.*
[28] *Id.*, pp. 5-6.

> The community named by the objector must be a community strongly associated with the applied-for gTLD string in the application that is the subject of the objection. . . .[29]

34. The Guidebook provides some explanation regarding the main requirements set forth in the quoted passage. In this regard, the Guidebook states that, "[t]o qualify for standing for a community objection, the objector must prove both of the following", which makes abundantly clear that the two requirements that follow must be met.[30] These two requirements are: (i) the objector must be an "established institution"; and (ii) the objector must have "an ongoing relationship with a clearly delineated community".[31] Each of them will be analyzed separately below.

35. For each requirement, the Guidebook lists some "factors" to steer the Expert's judgment. As a threshold matter, the Expert will analyze the value of the "factors" outlined in Article 3.2.2.4 of the Guidebook. In this regard, the Guidebook states that the "[f]actors that may be considered [by the Expert] in making its determination include, but are not limited to. . . ." The use of the optional term "may" instead of any other mandatory term clearly implies that the Expert has absolute discretion to apply or not the factors expressly included in the Guidebook. In addition, the final portion of the quoted passage – "but are not limited to" – opens the door to other factors not expressly listed in the Guidebook. This conclusion is also supported by the last paragraph of Article 3.2.2.4 of the Guidebook, which states that the Expert "will perform a balancing of the factors listed above, as well as other relevant information, in making its determination".[32] The reference to "other relevant information" eliminates any doubt as to the orientative nature of the factors contained in the Guidebook.

36. All the above is consistent with the last phrase of Article 3.2.2.4 of the Guidebook, which provides that "[i]t is not expected that an objector must demonstrate satisfaction of each and every factor considered in order to satisfy the standing requirements".

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[29] Guidebook, Article 3.2.2.4 (emphasis added).

[30] *Id.* (emphasis added).

[31] *Id.*

[32] Emphasis added.

(b) Analysis

37. As advanced, according to Article 3.2.2.4 of the Guidebook, only "[e]stablished institutions associated with clearly delineated communities are eligible to file a community objection".

38. In relation to the question of whether the Objector is an established institution, the Expert will take into consideration several factors. First, the orientative factors outlined in Article 3.2.2.4 of the Guidebook include "validation by a government" of the objector. In this case, the Objector was incorporated under Article 6 of the Telecom Law, which states as follows:

> It is hereby established an independent public authority, called the "General Authority for Regulating the Telecommunication Sector" for the purpose of performing the functions and implementing the duties given to it under this Federal Law by Decree and its Executive Order.[33]

39. Furthermore, it is worthwhile noting that the Telecom Law was signed by Mr. Zayed bin Sultan Al Nahyan, the UAE's President at the time.[34]

40. According to the Telecom Law, the Objector "shall have an independent legal personality and shall have full capacity to act accordingly and to perform legal actions in accordance with this Federal Law by Decree, including the capacity to enter into contracts of all types and to own and lease movable and immovable assets of all types and the capacity to sue".[35] Therefore, the Objector has an independent legal personality under UAE's law and the capacity to sue, which most certainly includes the capacity to file the Objection.

41. Second, the Telecom Law was enacted in 2003, which is almost a decade ago. In the Expert's view, this period of time is sufficient to consolidate a governmental agency. More importantly, this evidences that the Objector was not "established solely in conjunction with the gTLD application process".[36]

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[33] Telecom Law, Article 6.

[34] *Id.*, p. 34.

[35] *Id.*, Article 7.

[36] Guidebook, Article 3.2.2.4.

42. For the foregoing reasons, the Expert finds that the Objector is an established institution for the purposes of filing the Objection.

43. The Expert will now turn to analyze whether the Objector is "associated with clearly delineated communities" or, in other words, whether it "has an ongoing relationship with a clearly delineated community", such as the Halal or the Muslim communities.[37] The Expert notes that, as opposed to Article 3.5.4 of the Guidebook, the word association in Article 3.2.2.4 is not preceded by the adjective "strong".[38] As a consequence, in the Expert's opinion, the threshold is lower for the purposes of Article 3.2.2.4 than for Article 3.5.4 of the Guidebook.

44. The question of whether the Halal or Muslim communities are "clearly delineated" will be dealt with in section V.B below. For the time being and for the sake of argument, the Expert will assume that they are clearly delineated communities, an assumption that will be confirmed below (*see* ¶¶ 63-76 below).

45. Each Party places a great deal of emphasis on its association or relationship with the relevant community. In a few words, the Objector claims to represent a number of Muslim countries and to have been invited by the OIC to file the Objection whereas the Respondent sustains that the Objector is acting solely on behalf of the Muslims of the UAE and that, on the contrary, the Respondent's position is the one endorsed by the OIC though one of its affiliates (*i.e.*, ICRIC). Additionally, the Respondent asserts that the Objector provides domestic technical functions with no relevance whatsoever to the relevant community.

46. In the Expert's view, the threshold requires a "relationship" or an "association" with a clearly delineated community but does not require an objector – for the purpose of establishing standing – to represent a substantial portion, not to mention the majority, of the members of such community. Therefore, the discussion regarding whether the Objector represents a wider Muslim or Halal community than the one circumscribed to the UAE is irrelevant for the purpose of analyzing the Objector's standing. The important question is

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[37] *Id.*

[38] According to Article 3.5.4 of the Guidebook, there should be "a strong association between the community invoked and the applied-for gTLD string". Emphasis added.

whether the "relationship" or "association" between the Objector and UAE's Halal or Muslim community in fact exists.

47. A few issues should be taken into consideration. First, under public international law, the government of a nation is entitled to represent the interests of its constituents. Second, it has been established that the Objector is a governmental entity with certain functions and powers.[39] Among these functions and powers, the Objector has been charged with registering and managing the UAE's country code top-level domains (ccTLD).[40] For these reasons, the Objector is undoubtedly a relevant governmental agency to represent the people of the UAE in proceedings dealing with the registration of domain names, including the String.

48. Indeed, the Objector provides services to the people of the UAE, a country with a population of 4.7 million (as of 2010).[41] There is no doubt that the UAE is a Muslim country. This is evidenced by its membership to the OIC and Article 7 of the UAE's Constitution:

> Islam is the official religion of the Union. The Islamic Shari'ah shall be a main source of legislation in the Union. The official language of the Union is Arabic.[42]

49. The telecommunication services provided by the Objector in the UAE certainly benefit the people of the UAE, including its Muslim community. For this reason, the Expert is of the view that there is a relationship with the Muslim community. As a result, in the Expert's opinion, two of the factors listed in the relevant subsection of Article 3.2.2.4 of the Guidebook are satisfied:

- "Institutional purpose related to the benefit of the associated community"; and
- "Performance of regular activities that benefit the associated community".

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[39] *See* ¶¶ 38-42, *supra*. *See also* Telecom Law, Article 13.

[40] Annex 1 to the Response.

[41] Annex 3 to the Response.

[42] *See* Constitution of the UAE at http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=category&category=LEGAL&publisher=&type=&coi=ARE&docid=48eca8132&skip=0. *See also* Annex 4 to the Response (map showing demographics of Islam at p. 19) and Annex 1 to the Rejoinder.

50. In addition, the Expert is convinced that the Objector takes a leadership role in matters related to domain names within the territory of the UAE, which is part of another factor listed in the same subsection of the Guidebook.[43] Hence, the Expert finds that three out of four factors of the relevant subsection of Article 3.2.2.4 of the Guidebook favor the Objector's position.

51. In sum, in the Expert's view, the Objector can be considered an established institution with an ongoing relationship with the Muslim community in the UAE. In section V.B below, the Expert will analyze whether the relevant community is "clearly delineated" for the purpose of this community objection.

V. SUBSTANCE OF THE OBJECTION

52. In this section, the Expert will consider the substance of the Objector's community objection. First, the Expert will set the applicable standard. Thereafter, the Expert will analyze the Parties' submissions point by point and will reach a number of conclusions.

A. Standard

53. Article 3.5.4 of the Guidebook establishes the four tests that enable the Expert to "determine whether there is substantial opposition from a significant portion of the community to which the string may be targeted". Article 3.5.4 expresses the four tests as follows:

> For an objection to be successful, the objector must prove that:
>
> • The community invoked by the objector is a clearly delineated community; and
>
> • Community opposition to the application is substantial; and
>
> • There is a strong association between the community invoked and the applied-for gTLD string; and

[43] Guidebook, Article 3.2.2.4 ("The presence of mechanisms for participation in activities, membership, and leadership").

> • The application creates a likelihood of material detriment to the rights or legitimate interests of a significant portion of the community to which the string may be explicitly or implicitly targeted. Each of these tests is described in further detail below.[44]

54. The Expert notes that each one of the four tests transcribed is separated by the term "and", which implies that each one of them must be met in order to sustain an objection. This is further confirmed by the last sentence of Article 3.5.4 of the Guidebook, which states that "[t]he objector must meet all four tests in the standard for the objection to prevail". This leaves no room for interpretation and evidences the high threshold that a community objection must satisfy.

55. The Expert observes that the Guidebook provides some explanation of the above-transcribed four tests. For each test, the Guidebook lists some "factors" to steer the Expert's judgment. However, as with the factors relating to the standing discussed in ¶¶ 35-36 above, the language of the factors relating to each of the four tests is open. In particular, all factors set forth in Article 3.5.4 of the Guidebook are introduced with an optional language, such as "a panel could balance a number of factors to determine this" or "[f]actors that could be balanced by a panel to determine this include". Once again, this proves the mere orientative nature of these factors.

56. Additionally, in all instances the Guidebook mentions that the factors included therein are not exhaustive (*i.e.*, the Guidebook uses language in the fashion of "including but limited to" or "include but are not limited to"). Therefore, the Expert may weigh other factors if considered appropriate.

B. Is the Community Invoked by the Objector Clearly Defined?

(a) Objector's Position

57. The Objector sustains that the "notion of 'community' is wide and broad, and is not precisely defined by ICANN's guidebook for the new gTLD program".[45] For the Objector, such notion "can include a community of interests, as well as a particular ethnical,

[44] *Id.*, Article 3.5.4 (emphasis added).

[45] Objection, p. 6.

religious, linguistic or similar community".[46] In short, the Objector argues that a "community is a group of individuals who have something in common . . . or share common values. . . ."[47]

58. Hence, the notion of community includes the world's total number of Muslims, which the Objector claims to be 1.4 to 1.6 billion people.[48] For the Objector, these Muslims are adherent to Islam and share common religious values and interests.[49] As a result, they form a clearly delineated community.

(b) Respondent's Position

59. The Respondent's argument begins with the following caveat:

> While Applicant would concede that the .Halal TLD is targeted generally to persons striving to live a Halal lifestyle, product manufacturers and product certification agencies throughout the globe, it will prove that there is no delineated community of global Halal individuals, there is no substantial opposition to the applications, and there is no likelihood of material detriment to anyone.[50]

60. The Respondent quotes the factors set forth in Article 3.5.4 of the Guidebook ("Community" subsection) to support the position that "[t]here are no formal boundaries around who can claim faith in Islam or strive to live a Halal lifestyle" and adds that "Islam is a religion open to anyone".[51]

61. The Respondent then draws a distinction between Catholicism and Islam in an attempt to evidence that there is no global hierarchy in Islam, mainly because there are different branches of Islam.[52] Additionally, the Respondent points out that nobody "can

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[46] *Id.*
[47] *Id.*
[48] *Id.*
[49] *Id.*
[50] Response, p. 7.
[51] *Id.*
[52] *Id.*, pp. 7-8.

claim to speak for all Muslims, or all Halal individuals, or even a majority of them, particularly on such a topic as new gTLD applications".[53]

62. For these reasons, the Respondent concludes that the global Halal community is not "clearly delineated".[54]

(c) Expert's Conclusion

63. The subsection of Article 3.5.4 of the Guidebook regulating the issue at bar provides that "[t]he objector must prove that the community expressing opposition can be regarded as a clearly delineated community". The same subsection expresses that "[i]f opposition by a number of people/entities is found, but the group represented by the objector is not determined to be a clearly delineated community, the objection will fail". Therefore, the threshold for this test is not whether a great number of people or entities oppose, as the Objector appears to suggest, but rather whether the community may in fact be clearly delineated.

64. Both the Objector and the Respondent concede that the world's total population of Muslims is around 1.6 billion.[55] This figure is confirmed by the Wikipedia articles submitted by Respondent.[56]

65. The Expert finds that Muslims in general – regardless of the different branches of Islam – form a large group of individuals which share at least certain core values. Support for this consensus is found in a document submitted by Respondent, which evidences that all Muslims share at least the Five Pillars of Islam:

> The Pillars of Islam (*arkan al-Islam*; also *arkan ad-din*, "pillars of religion") are five basic acts in Islam, considered obligatory for all believers. The Quran presents them as a framework for worship and a sign of commitment to the faith. They are (1) the shahadah (creed), (2) daily prayers (salat), (3) almsgiving (zakah), (4) fasting during Ramadan

[53] *Id.*, p. 8.

[54] *Id.*

[55] Objection, p. 6 ("All over the world there are approximately 50 countries having Muslim-majority. With over 1.4 to 1.6 billion followers amounting to approximately 25% of the earth's population, Islam is the second-largest and one of the fastest-growing religions in the world."); Response, p. 5 ("Whereas there were an estimated 1.57 billion Muslims in the world as of 2009. (Annex 4, Wikipedia article, p. 19.)").

[56] Annex 4 to the Response, p. 1; Annex 1 to the Rejoinder, p. 1.

> and (5) the pilgrimage to Mecca (hajj) at least once in a lifetime. The Shia and Sunni sects both agree on the essential details for the performance of these acts.[57]

66. The Respondent agrees with the Expert in this regard, as evidenced in its application for the String ("[Muslims] are a disparate group, yet they are united through their core belief").[58] The Objector has also recognized that all branches of Islam share certain common beliefs.[59] In view of the above, the Expert has no hesitation in finding that all Muslims, regardless of the branch of their faith, form a large, clearly delineated community of approximately 1.6 billion people.

67. The Objector argues that the word "Halal" is a "term designating any object or an action which is permissible to use or engage in, according to Islamic law".[60] The Objector adds that "[t]he term is used to designate food or actions deemed permissible according to Islamic law", as well as "certain procedures [that] need[ ] to be followed for certain types of food to be permissible to be eaten (i.e. halal food)".[61] Notably, the Respondent used the same language in its application for the String.[62] Although neither Party provided the source of their meaning of Halal, the Expert has found that the wording is strikingly similar to the language used in a Wikipedia article regarding Halal.[63] The following chart compares the wording in Respondent's application with both the Objection and the aforementioned Wikipedia article:

[57] Annex 4 to the Response, p. 6 (emphasis added, footnotes omitted).

[58] Annex 13 to the Response, section 18(a).

[59] Reply, p. 1 ("Though all the Islamic groups share main common beliefs such as the reality of one God (Allah) and the existence of angels of Allah ... etc.").

[60] Objection, p. 5.

[61] *Id.*

[62] Annex 13 to the Response, section 18(a).

[63] Wikipedia, "Halal" (not submitted by the Parties) (*available at* http://en.wikipedia.org/wiki/Halal).

Application	Objection	Wikipedia Article Re. "Halal"
"Halal (Arabic: حلال *ḥalāl*, 'lawful') is a term designating any object or an action which is permissible to use or engage in, according to Islamic law. The term is used to designate food seen as permissible according to Islamic law.	"The word Halal (Arabic: حلال *ḥalāl*, 'permissible') is a term designating any object or an action which is permissible to use or engage in, according to Islamic law. The term is used to designate food or actions deemed permissible according to Islamic law. The opposite of this word is haraam (forbidden).	"Ḥalāl (Arabic: حلال *ḥalāl*, 'permissible') is a term designating any object or an action which is permissible to use or engage in, according to Islamic law. The term is used to designate food seen as permissible according to Islamic law. The opposite of this word is haraam.
The terms Halal [*sic*] is also applied to many other facets of life; and one of the most common uses of these term is in reference to meat products, food contact materials, and pharmaceuticals. In Islam there are many things that must clearly be defined as halal".[64]	According to Islam, there are certain food types that are not permissible to be eaten. Further, certain procedures needs [*sic*] to be followed for certain types of food to be permissible to be eaten (i.e. halal food)".[65]	Halal foods are foods that Muslims are allowed to eat under Islamic Shari'ah. The criteria specify both what foods are allowed, and how the food must be prepared. The foods addressed are mostly types of meat and animal tissue".[66]

68. Therefore, both the Objector and the Respondent are in agreement that Halal is a key aspect of a Muslim's behavior.

69. The same conclusion is supported by other materials in the record. For instance, the Respondent expressly states in its Response that "ICRIC operates the only Halal certification body to be recognised by all Islamic countries, HalalWorld. . . ."[67] In the description of HalalWorld submitted by Respondent, such organization describes the Halal lifestyle as follows:

> As Islam has programs for controlling human being social life in the political, economic and intellectual arena; it has considered a number of plans and programs for his personal life which is to observe the criteria of "Halal", including eating, drinking, dressing, job functions and applied means and tools in his life. Each should be secured by the seal of Halal on the basis of Islamic Shariah.

[64] Annex 13 to the Response, section 18(a).

[65] Objection, p. 5.

[66] Wikipedia, "Halal" (not submitted by the Parties) (*available at* http://en.wikipedia.org/wiki/Halal).

[67] Response, p. 6 (*citing* Annex 7 to the Response).

> Islamic community has safeguarded such independent system and regulated a special life according to such principles which is rooted in the divine inspiration within the human community during 15 centuries. . . .[68]

70. In Annex 7 to the Response, there is a brochure entitled "The Guideline of the Principles of OIC Halal Services" referring to many different areas, which evidences that the Halal lifestyle is beyond dietary restrictions and covers all areas of a Muslim's behavior:[69] (i) the Principles of the Halal Standard in Hotels; (ii) the Principles of Halal Standard in Banks and Financial Organizations; (iii) the Principles of Halal Standard in Transportation Services; (iv) the Principles of Halal Standard in IT Services and Media; (v) the Principles of Halal Standard for Tourism; (vi) the Principles of Halal Standard in Public Trade and Business; (vii) the Principles of Halal Standard in Clothes; (viii) the Principles of Halal Standard for Sport and Amusement Services. The Respondent is consistent with this in its application for the String: "The concept of Halal has slowly become accepted as a consumer lifestyle choice encompassing not only religious practices and food, but also finance, non-food products and logistics".[70]

71. Yet, in another document submitted by the Respondent, it is evidenced that the objectives of ICRIC include "[t]o research, develop and collect information about the Halal issues in Muslim and non-Muslim countries and supporting and cooperating with the Halal centers in the world".[71] In this report, ICRIC describes the size of the market in which Halal products trade as follows:

> Around 2 billion of the Muslim populations who live in the world whether concentrated or dispersed have created economic exigencies including "trading Halal products and services "whose global annual volume is estimated around US $ 200 billion. The vast market of food stuff has required the producers to stamp their products with Halal

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[68] Annex 7 to the Response, HALALWORLD, About Us (emphasis added) (*available at* www.halalworld.ca/about-us).

[69] Annex 7 to the Response, *The Guideline of the Principles of OIC Halal Services*, 9 ISLAMIC CHAMBER RESEARCH & INFORMATION CENTER BULLETIN 25, pp. 25-28.

[70] Annex 13 to Response, section 18(a).

[71] Annex 6 to the Response, *The Report of Activities: Islamic Chamber Research and Information Center*, 11 ISLAMIC CHAMBER RESEARCH & INFORMATION CENTER BULLETIN 51 (2011), p. 52.

> Certificate in order to distinguish their goods among other products in the market. . . .[72]

72. Notably, ICRIC makes no distinction as to the branches of Islam and includes all Muslims within the potential market of Halal products. Additionally, ICRIC makes reference to a "Halal magazine" and "Halal forums" – which clearly are targeted at Muslims following the Halal lifestyle – and even describes some sort of "Muslim tourism" which "is under the influence of certain cultural aspects such as Halal food in hotels and restaurants".[73]

73. The Expert has found no evidence in the Parties' submissions that the Halal lifestyle is followed outside Islam. In fact, the Respondent said quite the opposite in its application for the String: "The common understanding of Halal is still limited to religious needs and only applicable to Muslims".[74] For this reason, the Respondent expressly recognized that the String will be "targeted" to the "global Muslim community".[75] Therefore, even the Respondent acknowledges that the String will affect the Muslim community exclusively.

74. In light of the foregoing, the Expert finds that the Halal lifestyle is deeply-rooted in Islam and consists of a pattern of behavior that any Muslim should observe. It follows that Halal lifestyle is not limited to dietary restrictions and, on the contrary, applies to many facets of a Muslim's daily life. Though presumably not all Muslims strictly follow the Halal lifestyle, in the Expert opinion, it would be wrong to divorce the Halal community from the Muslim community. In ¶ 66 above, the Expert found that the Muslim community is clearly delineated.

75. As a final check, the above discussion supports the conclusion that all factors included in Article 3.5.4 of Guidebook ("Community" subsection) are fulfilled:

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[72] *Id.*

[73] *Id.*, pp. 52-53.

[74] Annex 13 to the Response, section 18(a) (emphasis added).

[75] Response, p. 5.

Factor	Compliance with Factor
The level of public recognition of the group as a community at a local and/or global level.	Yes. Islam enjoys global recognition and is the second-largest religion in the world.[76]
The level of formal boundaries around the community and what persons or entities are considered to form the community.	Yes. Although there are different branches of Islam, all branches share the same core principles.[77]
The length of time the community has been in existence.	Yes. Islam was founded around approximately 1400 years ago.[78]
The global distribution of the community (this may not apply if the community is territorial).	Yes. Islam is widespread across the world, with special emphasis in certain areas of the globe.[79]
The number of people or entities that make up the community.	Yes. The community is formed of approximately 1.6 billion individuals,[80] of which most appear to follow the Halal lifestyle to some extent.

76. In light of the foregoing, the Expert concludes that the community invoked by the Objector is clearly delineated.

C. Is the Community Opposition to the Application Substantial?

(a) Objector's Position

77. The Objector sustains that "[a] substantial portion of the Muslim community is opposing the string .HALAL".[81] Without providing documentary evidence in the Objection, the Objector mentions that most of the nearly seventy comments regarding Respondent's application for the String are against its registration.[82] In addition, the Objector states that there have been early warnings from the UAE and India, together with expressions of concern by the Communications and Information Technology Commission (CITC) of the

[76] Annex 4 to the Response, p. 1.

[77] *Id.*, p. 6.

[78] *See* Annex 4 to the Response, p. 11; Annex 13 to the Response, section 18(a).

[79] Annex 4 to the Response, p. 19.

[80] *Id.*, p. 1; Annex 1 to the Rejoinder, p. 1.

[81] Objection, p. 6 (emphasis omitted).

[82] *Id.*, pp. 6-7.

Kingdom of Saudi Arabia.[83] The Objector does not provide any evidence in support of such allegations.

78. Furthermore, as mentioned earlier, the Objector submitted together with the Reply letters of support from governmental agencies of Bahrain, Qatar, Kuwait, Egypt, Oman and Turkey, as well as from the Gulf Cooperation Council.[84]

79. The Objector also claims to have the support of the OIC. In this regard, the Objector heavily relies on the OIC's Letter, which claims to be an "invitation" from the OIC urging all its members to oppose and act against the registration of the String.[85] For the Objector, the OIC "is the collective voice of the Muslim world and ensur[es] to safeguard and protect the interests of the Muslim world in the spirit of promoting international peace and harmony among various people of the world".[86]

80. In addition, the Objector submitted with the Reply a draft resolution of the OIC (to be voted in November 2013) pursuant to which the OIC will presumably oppose the registration of the String by the Respondent.[87]

81. Per the Expert's request in Procedural Order No. 2, the Objector explained in the Reply the relation between the OIC and both ICRIC and HalalWorld (because, as discussed below, the Respondent claims that the latter two institutions support its position). As to ICRIC, the Objector sustains that "no 'subsidiary' or even 'affiliation' relation ever existed between OIC and ICRIC".[88] The Objector mentions that ICRIC neither appears listed as a subsidiary or affiliate of the OIC in the latter's official website nor is there a link to ICRIC included in the section "OIC Organs and Institutions" of such webpage.[89] Further, the Objector sustains that ICRIC's website does not introduce the organization as an affiliate of the OIC, but rather merely mentions that ICRIC was "established through a

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[83] *Id.*, p. 7.

[84] Reply, p. 1. *See also* Annexes 1-7 and 9 to the Reply. The letter of support from Kuwait is duplicated (*see* Annexes 3 and 9 to the Reply).

[85] Objection, pp. 4, 7. As noted, this "invitation" has been provided as Annex 1 to the Objection (in English) and as Annex (without number) to the Rejoinder (in both French and Arabic).

[86] Objection, p. 4.

[87] Annex 8 to the Reply.

[88] Reply, p. 1.

[89] *Id.* *See* Annexes 10-12 to the Reply.

Memorandum of Understanding between [the Islamic Chamber of Commerce, Industry and Agriculture (ICCIA)] and the Iran Chamber of Commerce, Industries and Mines. . . ."[90] The Objector recognizes that ICCIA "is an affiliate organ of the OIC and represents the private sector of 57 member countries".[91] For the Objector, the fact that ICRIC was established through a Memorandum of Understanding between an affiliate of the OIC and a national chamber of commerce does not make ICRIC an affiliate of OIC and does not place ICRIC under OIC's umbrella.[92] On the contrary, for the Objector, ICRIC is an organization closely related to Iran.[93]

82. As to HalalWorld, the Objector sustains that it is nothing more than an affiliate of ICRIC with no connection with OIC.[94] For the Objector, neither the OIC nor the Islamic countries have entrusted HalalWorld with the task of issuing Halal certifications.[95] Instead, there are many Halal certification bodies and the requirements for Halal food labeling vary from one country to another (which may differ from HalalWorld's standards).[96]

83. For these reasons, the Objector claims to represent a substantial portion of the relevant community.

(b) Respondent's Position

84. The Respondent, on its part, relies on the language of the Guidebook to support its position.[97] First, the Respondent alleges to have presented "voluminous evidence and documented support from many community leaders and leadership organizations", as well as a letter from the Ministry of ICT of Iran (Information Technology Organization), in support of its application for the String.[98] These documents have been provided as Annexes 6 though 9 to the Response and Annexes 2 through 4 to the

[90] Reply, p. 2 (emphasis omitted). *See* Annex 14 to the Reply. ICCA was formerly known as "ICCI". Both Parties agree on this point. *See* Reply p. 2 and Rejoinder, p. 2.

[91] Reply, p. 2.

[92] *Id.*

[93] *Id.*

[94] *Id.*

[95] *Id. See* Annex 17 to the Reply.

[96] Reply, p. 2.

[97] Response, p. 8.

[98] *Id.*; Annex 4 to the Rejoinder.

Rejoinder. The Respondent argues that support for its application generally comes from the following categories of entities:

> 1. Major Organizations / Associations / Leaders representing Muslim populations throughout the world -- from Belarus to Brazil, such as the ICRIC, HalalWorld, The Management Center for Islamic Schools of Thought, and the ECO Cultural Institute.
>
> 2. Islamic Institutes / NGOs in Muslim Countries -- some 17 of them, such as Islamic Unity Magazine, and The Association of Development, Promotion, Production and Trade of Halal, and Brasil Halal Foods.
>
> 3. Famous Muslim Researchers / Academic people -- three well-respected academics.
>
> 4. Newspapers / Media / Publications – eleven different popular media outlets.[99]

85. Among the letters of support, the Respondent argues that the most relevant entity within the OIC – ICRIC – has fully endorsed the Respondent's new gTLD application.[100] In this regard, the Respondent has furnished a letter of support to its application signed by ICRIC's President.[101] Therefore, "by logical extension, the [Objector] effectively admits that a majority of the global Halal community supports the Applicant".[102] In addition, the Respondent claims to have furnished a positive letter from HalalWorld, a widespread Halal certification body operated by ICRIC.[103]

86. Pursuant to the Expert's instructions in Procedural Order No. 2, the Respondent further explained in the Rejoinder the relation between the OIC and both ICRIC and HalalWorld. The Respondent places emphasis on the fact that ICRIC was established via a Memorandum of Understanding between ICCIA – an affiliate of OIC – and a local chamber of commerce in order to evidence ICRIC's affiliation with the OIC.[104] In addition, the Respondent points out that ICCIA's Secretary General is a Vice Chairman of

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[99] Response, p. 6.

[100] *Id.*, pp. 6, 8.

[101] Annex 6 to the Response.

[102] Response, p. 8.

[103] *Id.*, p. 6. The letter of support from HalalWorld is included in Annex 7 to the Response.

[104] Rejoinder, p. 2. As mentioned earlier, ICCA was formerly known as "ICCI". Both Parties agree on this point. *See id.* and Reply p. 2.

ICRIC and that ICRIC's Board Members are appointed by ICCIA.[105] As to HalalWorld, the Respondent first mentions that ICRIC operates HalalWorld.[106] Then, citing Annex 17 to the Reply, the Respondent claims that HalalWorld's "mandate stems from the OIC adoption of Halal Food Standards".[107]

87. Second, for the Respondent, the Objector refers in its Objection to nearly seventy "unspecified public comments", which are "unsupported with evidence of [the] same".[108] For this reason, the Respondent argues that the Expert should disregard such comments.[109]

88. Third, the Respondent points out that neither India nor the Kingdom of Saudi Arabia – or anyone else besides the Objector – has filed objections to Respondent's application.[110] The Respondent adds that only one of the 57 members of the OIC – namely, the UAE – has formally filed a community objection through the Objector, which would clearly indicate the lack of support for the Objection from the OIC.[111]

89. In the Rejoinder, the Respondent argues that Bahrain, Kuwait, Oman, Qatar, Turkey and the Gulf Cooperation Council, all of which have submitted letters of support to UAE's objection, amount to a "small fraction of the global Muslim population".[112] The Respondent argues that all these countries represent around 80 million Muslims, which cannot be deemed "substantial opposition".[113] Citing a Wikipedia article, the Respondent sustains that all these countries combined have around the population of Iran (a country

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[105] Rejoinder, p. 2 (*citing* Annex 6 to the Response, p. 7).

[106] *Id.*

[107] *Id.* Notably, the Respondent does not attempt to evidence any direct relationship between HalalWorld and the OIC.

[108] Response, p. 9.

[109] *Id.*

[110] *Id.*, pp. 8-9.

[111] *Id.*, p. 9.

[112] Rejoinder, p. 1. Surprisingly, the Respondent omits that Egypt also filed a letter of support to the Objector's position (*see* Annex 1 to the Reply). However, the Expert considers this omission a *bona fide* error and not an attempt to mislead.

[113] *Id.* (*citing* Annex 1 to the Rejoinder).

allegedly supporting the Respondent's application).[114] In addition, for the Respondent, many Muslims live in non-OIC countries.[115]

90. Moreover, the Respondent points out that the OIC is composed of 57 members and these 6 countries only amount to 10% of the OIC member countries (or 5% of the Global Muslim population).[116]

91. Finally, as to the OIC's draft resolution submitted with the Reply, the Respondent elaborates a few arguments. For the Respondent, such draft is yet to be voted.[117] In this regard, the Respondent points out that the OIC will presumably not reach a consensus. For this reason, a vote will be taken with no guarantees that the draft resolution will eventually be approved.[118]

92. In sum, for the Respondent, the Objection should fail because the Objector has failed to evidence substantial opposition to Respondent's application.

(c) Expert's Conclusion

93. According to Article 3.5.4 of the Guidebook ("Substantial Opposition" subsection), "[t]he objector must prove substantial opposition within the community it has identified itself as representing". The key element of this provision is "substantial opposition". For this reason, quite unsurprisingly, the Guidebook concludes the same subsection by stating that, "[i]f some opposition within the community is determined, but it does not meet the standard of substantial opposition, the objection will fail".

94. The Expert agrees with the Respondent in that the OIC is a political organization and not a religious one.[119] However, the OIC is the second largest international organization after the United Nations,[120] and among OIC's objectives is "[t]o disseminate, promote and preserve the Islamic teachings and values based on moderation

[114] *Id.* (*citing* Annex 1 to the Rejoinder).
[115] *Id.*
[116] *Id.*
[117] *Id.*
[118] *Id.*, pp. 1-2.
[119] *See* Rejoinder, p. 2.
[120] Annex 2 to the Response, p. 1.

and tolerance, promote Islamic culture and safeguard Islamic heritage".[121] Therefore, the Expert agrees with the Objector that the OIC is a valid speaker for the world's Muslim population.[122]

95. The first question presented to the Expert is whether the OIC has urged its members to file an objection to Respondent's application or has simply invited its members to review such application and act if necessary.

96. Article 38 of the Charter of the OIC states that the "[l]anguages of the Organisation shall be Arabic, English and French".[123] This Article does not establish that any language should prevail over the others and thus all of them are equally valid. As a consequence, if the versions of the OIC's Letter written in two official languages are identical, but differ from the one written in a third official language, the former versions should prevail over the latter one.

97. The Expert will now turn to analyze the versions of the OIC's Letter written in the three official languages. At the outset, the Expert notes that the English and French versions of the OIC's Letter are identical. As a result, regardless of the wording of the Arabic version, the language of the English and French versions must control the Expert's findings. The English and French versions of OIC's Letter say:

[121] Annex 5 to the Response, Article 1(11).

[122] *See* Objection, p. 4 ("The [OIC] is the collective voice of the Muslim world and ensur[es] to safeguard and protect the interests of the Muslim world in the spirit of promoting international peace and harmony among various people of the world").

[123] Annex 5 to the Response, Article 38.

English	French
"[T]he OIC would like to draw the attention to the fact that new applications were already submitted for new gTLDs and these new applications are being evaluated according to the consensus-based mechanism determined by ICANN. The period for submitting any objections, if any, has been expanded until 13th March 2013 for any group and/or community that holds objection on religious or ethical values. The OIC Member States may kindly like to avail of this opportunity to act quickly through their representation in the organs of the ICANN, to avoid any misuse and misrepresentation of gTLDs of concern to them, including the ones like .ISLAM or .HALAL".[124]	"[L]'OIC voudrait attirer l'attention sur le fait que de nouvelles demandes ont déjà été soumises pour les nouveaux gTLD et ces nouvelles demandes sont en cours d'évaluation selon mécanisme de consensus établi par l'ICANN. Le délai pour la présentation d'éventuelles objections a été étendu jusqu'au 13 Mars 2013 pour tous les groupes et / ou communautés qui ont une objection sur des valeurs religieuses ou éthiques. Les Etats membres de l'OCI peuvent bien profiter de cette occasion pour agir rapidement á travers leur représentation dans les organes de l'ICANN, afin d'éviter toute utilisation abusive et fausse déclaration de gTLD qui les concernent, y compris celles comme : ISLAM ou HALAL".[125]

98. After a careful review of the transcribed passage, the Expert concludes that the OIC directed its members to review Respondent's application and, in case of concern, act through their representation in the organs of the ICANN. Ergo, the OIC neither endorsed nor opposed Respondent's application and certainly did not openly instruct its members to file an objection thereto. Hence, the Expert is of the opinion that the OIC's letter is not a statement of policy against Respondent's application.

99. As a result of the above, there would be no need to analyze the Arabic version. However, for the sake of completeness, the Expert will briefly look into the Arabic version of the OIC's Letter, which is slightly different to the other two. The literal translation into English of the relevant portion of the Arabic version is:

> The OIC member States should seize this important opportunity to act quickly against any party that wishes to own the gTLDs that end with (.ISLAM) or (.HALAL). And encourages the member States to file within the time limit specified their objections, if any, to prevent any company or private institution from buying or registering the gTLD (.ISLAM) or (.HALAL) to avoid any complications that

[124] Emphasis added.

[125] Emphasis added.

could lead to any disputes or the misuse of these gTLDs.[126]

100. This language is clearly stronger than the English and French versions. However, by including the underlined words "if any", the Expert finds that the OIC left to the member States the ultimate decision of filing an objection or not. Hence, the OIC anticipated that no objections may be filed by the member States should none of them chose to do so. This may be indicative of the intention behind this version of the letter, but the drafting could have easily been less ambiguous. In any case, a detailed discussion and analysis of this wording is irrelevant, as the Expert has already found that the English and French versions of the OIC Letter shall prevail.

101. As to OIC's draft resolution submitted with the Reply, two points should be addressed in this Expert Determination. First, the Expert is of the opinion that it is a mere draft with no binding power. In this regard, the Expert agrees with the Respondent in that the approval of OIC's draft resolution is yet to be seen.[127] The resolution may not be adopted by a unanimous vote because it may find the opposition of at least Iran.[128] Since the Objector has not furnished letters of support from the necessary majority of OIC's members to pass such resolution, it has not evidenced with any certainty that such resolution will be passed. Second, OIC's draft resolution refers to a report from OIC's General Secretariat on the matter which has not been submitted to the Expert by either Party.[129] Without such report, the Expert cannot assess the recommendation of OIC's General Secretariat to its member States on the position they should take when voting the OIC's draft resolution. For these reasons, it remains unclear whether OIC's draft resolution will finally be approved.

102. The Respondent has provided letters of support from ICRIC and HalalWorld.[130] The Parties disagree as to their relationship with the OIC but both Parties agree that ICRIC was established by a Memorandum of Understanding between ICCIA –

[126] The Expert sought an independent translation of this passage from another member of his firm. Emphasis added.

[127] Rejoinder, p. 1.

[128] *Id.*; Annex 4 to the Rejoinder.

[129] Annex 8 to the Reply.

[130] Annexes 6 and 7 to the Response.

an affiliate of OIC – and a local chamber of commerce.[131] In the Expert's opinion, the Respondent has failed to evidence that ICRIC is a subsidiary, an affiliate or is otherwise under the umbrella of the OIC. This is also confirmed by the fact that nowhere does the OIC refer to ICRIC as a subsidiary or an affiliate thereof. Nor does ICRIC hold itself out as a subsidiary or an affiliate of the OIC. On its part, HalalWorld is a mere affiliate of ICRIC and, for the same reasons, it cannot be considered as a subsidiary or an affiliate of the OIC.

103. In light of the foregoing, it has not been established whether the OIC favors or disfavors the Respondent's application for the String. Consequently, the Expert is of the opinion that the OIC remains neutral as to the registration of the String by the Respondent.

104. Notably, the OIC itself has not filed an objection. Dr. Alain Pellet, the Independent Objector, expressed in a report discussed by both Parties that

> In the present case, the [Independent Objector] is of the opinion that the Organization of Islamic Cooperation is an established institution representing and associated with a significant part of the targeted community. The Organization of Islamic Cooperation is already fully aware of the controversial issues and is better placed than the IO to file an objection, if it deems it appropriate.[132]

105. In our case, as it is plainly evident, the OIC did not deem it appropriate to file a community objection itself. In the Expert's opinion, this is a confirmation of OIC's neutrality in this matter.

106. On a separate note, the Respondent places great emphasis on the number of letters of support to its position from individuals and organizations. However, regardless of the level of endorsement to Respondent's application, the ultimate test under the Guidebook is whether there is substantial opposition and not whether there is a substantial

[131] At the time, ICCIA was known as ICCI.

[132] Annex 12 to the Response, last paragraph (emphasis added). Although this report relates to the ".Islam" string, the Expert agrees that some of its conclusions may be extended to the String. The Independent Objector may file objections against "highly objectionable" gTLD applications to which no objection has been filed. The Independent Objector is limited to filing two types of objections: (i) Limited Public Interest objections and (ii) Community objections. The Independent Objector acts solely in the best interests of the public who use the global Internet. *See* Article 3.2.5 of the Guidebook.

level of support. Therefore, the Expert will focus exclusively on the letters of support to the Objector's position.

107. The Expert observes that only the Objector has filed an objection against Respondent's application. No other individual, organization or country – whether member of the OIC or not – has opposed Respondent's application within ICANN's relevant channel.

108. Some countries – such as India and Saudi Arabia – inquired about Respondent's application and raised some early concerns in this regard.[133] However, since such countries neither filed a separate objection nor subscribed that of the Objector, the Expert can draw the conclusion that they finally did not officially back a community objection to Respondent's application. In fact, in Procedural Order No. 2 the Objector was instructed to submit additional letters of support but did not submit letters from these two countries. This is highly indicative of their lack of official support to the Objector's community objection.

109. The Objector filed with the Reply letters of support from governmental agencies of Bahrain, Qatar, Kuwait, Egypt, Oman and Turkey, as well as from the Gulf Cooperation Council.[134] The Gulf Cooperation Council is composed of the UAE, Bahrain, Saudi Arabia, Oman, Qatar and Kuwait.[135] Therefore, the Gulf Cooperation Council would only add to the list of supporting countries, at best, Saudi Arabia. However, the Expert has previously found in ¶ 108 above that the opposition of Saudi Arabia has not been evidenced. Consequently, the Objector has only evidenced support from 7 countries (including itself and excluding Saudi Arabia) out of a total of 57 which form the OIC.

110. Furthermore, the Objector has referred to nearly seventy comments to Respondent's application of which, allegedly, the majority are against such application. However, no evidence of such comments has been provided to the Expert and thus the Objector has failed to meet its burden of proof in this regard.

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[133] Objection, pp. 6-7; Annexes 10 and 11 to the Response.

[134] Reply, p. 1. *See also* Annexes 1-7 and 9 to the Reply.

[135] *See* www.gcc-sg.org/eng/. *See also* Annex 7 to the Reply.

111. In accordance with the foregoing, the Expert finds that the "[n]umber of expressions of opposition relative to the composition of the community", which is the first factor in the "substantial opposition" subsection of Article 3.5.4 of the Guidebook, favors Respondent's position.

112. The same is true for the second factor listed in the same subsection of the Guidebook. More precisely, the Guidebook finds relevant "[t]he representative nature of entities expressing opposition". As has been evidenced, the Objector cannot speak for the OIC or any other member thereof. At best, the Objector could speak for the citizens of the UAE and the other 6 supporting countries only. There are around 1.6 billion Muslims worldwide,[136] but the total Muslim population of the 7 opposing countries is 165 million, representing roughly 10.3% of the Muslims of the world.[137] In the Expert's opinion, this is not a substantial portion of the Muslims around the world for the purposes of sustaining a community objection. Therefore, the Expert finds that this factor favors the Respondent.

113. As to the "[l]evel of recognized stature or weight among sources of opposition", which is the third factor listed in the Guidebook, the Expert wishes not to minimize the authority of the Objector. However, Article 13 of the Telecom Law generally circumscribes the Objector's functions and power's within the territory of the UAE. Therefore, the Expert finds that the Objector does not have sufficient international weight – without the support of a substantial number of Muslim countries or the OIC itself – to globally represent the interests of the Islamic community throughout the world. For the avoidance of doubt, for the reasons given in ¶ 112 above, the Expert is of the opinion that the other six supporting countries cannot be considered as a substantial number.

114. Finally, as to the factor related to costs incurred by the Objector in expressing opposition,[138] no other costs have been evidenced besides those related to the Centre's filing fee and request for deposit of the estimated costs.[139] The Expert will also assume some costs related with the Objector's legal representation in this proceeding. All these

[136] Annex 4 to the Response, p. 1; Annex 1 to the Rejoinder, p. 1.

[137] Calculaton made using data from Annex 1 to the Rejoinder.

[138] Guidebook, Article 3.5.4 ("Costs incurred by objector in expressing opposition, including other channels the objector may have used to convey opposition").

[139] *See* ¶ 13, *supra*.

costs do not appear to be excessive in relation to the potential impact of a decision affecting a community of around 1.6 billion people. Additionally, the Objector has furnished no evidence of pursuing any "other channels the objector may have used to convey opposition".[140] Thus, this factor disfavors the Objector.

115. The Expert does not need to consider any other factors and is confident in reaching the conclusion that there is opposition to Respondent's application to some extent, but such opposition is not substantial. Accordingly, the Objection must fail.

D. Is there a Strong Association between the Applied-for gTLD and the Community Represented by the Objector?

(a) Objector's Position

116. The Objector sustains that the applied-for gTLD explicitly targets the Islamic community.[141] In this regard, the Objector quotes the following passage from the Respondent's application:

> There are hundreds of millions of Muslims worldwide, practicing their faith in a huge variety of different ways. They are a disparate group, yet they are united through their core beliefs. They are a group whose origins are found some 1400 years in the past, their ethnicity often inextricably linked with their faith. Hitherto, however, there has been no way to easily unify them and their common appreciation of Islam. The .HALAL gTLD will change this.[142]

117. For the Objector, the Respondent is a commercial entity which does not "represent the whole or even a majority of the worldwide Muslim community and is not an appropriate authority in Islamic law to give advice in relation to what is and what is not 'Halal' in accordance with Islamic law".[143] In addition, the Objector argues that the letters of support furnished by Respondent:[144] (i) come from a minority of the Islamic population and represent less than 5% of the world's total Muslims; (ii) do not include many of the

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[140] Guidebook, Article 3.5.4 ("Substantial Opposition" subsection).

[141] Objection, p. 7.

[142] *Id.* (*quoting* Annex 13 to Response, section 18(a)).

[143] *Id.*

[144] *Id.*

branches of Islam; and (iii) are not signed by current officials of governments or of International Organizations (such as the OIC).

(b) Respondent's Position

118. In page 7 of the Response, the Respondent lists the four tests contained in Article 3.5.4 of the Guidebook and thereafter analyzes them one-by-one, except for the one that requires "a strong association between the community invoked and the applied-for gTLD string".[145] The Expert takes note of this omission.

119. In addition, in the conclusion of the Response, the Respondent stresses that the Objector has failed to "prove standing or three of the four elements of a Community Objection".[146] The omitted fourth element seems to be the association between the applied-for gTLD and the community represented by the Objector.

120. This is confirmed by the Respondent in another section of the Response, where it expressly acknowledges that the Objector "does not represent the global Muslim community to which the .Halal TLD will be targeted".[147]

(c) Expert's Conclusion

121. The Respondent appears not to dispute the association between the String and the community represented by the Objector. However, this does not prevent the Expert from analyzing the issue.

122. According to Article 3.5.4 of the Guidebook ("Targeting" subsection), "[t]he objector must prove a strong association between the applied-for gTLD string and the community represented by the objector". The last sentence of such subsection stipulates that, "[i]f opposition by a community is determined, but there is no strong association between the community and the applied-for gTLD string, the objection will fail".

123. In section V.B(c) above, the Expert found that the relevant community is clearly defined. The question now is whether the String has a "strong association" with such community. The first salient fact is the identity of the terms. Indeed, the String is

[145] Response, pp. 7-12.

[146] *Id.*, p. 12 (emphasis added).

[147] *Id.*, p. 5 (emphasis added).

precisely the word "Halal", which has been proven to be a Muslim lifestyle free of sin. It is patently clear that Muslims in general and, especially those that follow the Halal lifestyle, will be identified by the String.

124. According to the foregoing, the last factor listed in the corresponding subsection of the Guidebook is met (*i.e.*, "[a]ssociations by the public"). It is hard to imagine any Muslim – or even anyone familiar with Islam – who will not associate the String with Islam.

125. Moreover, according to the corresponding subsection of Article 3.5.4 of the Guidebook, another factor that the Expert may analyze is the "[s]tatements contained in application". The statements contained in the application are very clarifying in this regard. In addition to the passage quoted at ¶ 116 above, Respondent's application contains many other references that unequivocally result in that the targeted audience is the Islamic community. First and foremost, the Respondent has expressly recognized that "[t]he common understanding of Halal is still limited to religious needs and only applicable to Muslims".[148] In other words, the Respondent does not hesitate to recognize that Halal is highly specific to the Islamic community. Second, the Respondent has recognized that it will implement a policy under which registrants for second-level domains must agree "that they are either of Muslim faith, or have a clear interest in ameliorating the community".[149] Hence, all second level domain-holders will either be Muslim or will pledge to improve the Muslim community.

126. Other instances of statements in Respondent's application that support the conclusion that there is a strong association between the String and the Muslim community are:

- "A robust gTLD has the power to bring together Muslims across national borders in a free-flowing exchange of information and commerce. There is not a .COM or .ORG equivalent of .HALAL--a domain that has universal appeal across a common religion".[150]

[148] Annex 13 to Response, section 18(a) (emphasis added).

[149] *Id.*, section 18(b).

[150] *Id.*, section 18(a).

- "The benefits of the .HALAL gTLD will be manifold, not just to registrants but also to tens of millions of Muslim internet users, as well as many others with an interest in or curiosity regarding Islam".[151]
- "As it is rolled out, the .HALAL gTLD will rapidly develop as the gTLD of choice among Muslims in all countries. The demand for Islamic content from this group isn't and won't be satisfied by .COM or .ORG offerings within the current gTLDs and in fact has hampered collaboration and innovation. The Islamic people demand content that is tailored to their own unique needs and wants, under the umbrella of a dedicated gTLD".[152]
- "The history of .COM will be of interest here, because .HALAL should grow quickly and face demand as high among the Muslim community as .COM has in the English-language online community".[153]

127. Another factor contained in the "Targeting" subsection, namely the "[o]ther public statements by the applicant", sheds light in this regard.[154] In the Response, the Respondent explicitly acknowledges that the String will specifically target the Muslim community:

> The ICRIC has provided a letter of support to the Applicant with respect to both the .Halal and .Islam TLDs. (Annex 6.) ICRIC operates the only Halal certification body to be recognised by all Islamic countries, HalalWorld, which provided a separate letter of support. (Annex 7.) This is a strong sign of support from this TLD's target community.[155]

128. Elsewhere in the Response, the Respondent makes a similar concession when it states that the Objector "does not represent the global Muslim community to which the .Halal TLD will be targeted".[156] Additionally, the Respondent "concede[s] that the .Halal TLD is targeted generally to persons striving to live a Halal lifestyle".[157]

129. The Respondent even provides letters of support from different Islamic organizations, including from organizations operating in the industry of Halal products

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[151] *Id.*, section 18(b).

[152] *Id.*

[153] *Id.*, section 18(c).

[154] Guidebook, Article 3.5.4 ("Targeting" subsection).

[155] Response, p. 6.

[156] *Id.*, p. 5 (emphasis added).

[157] *Id.*, p. 7.

intended for Muslims.[158] Therefore, the Respondent has conceded that the String will have effects in the Muslim community.

130. In sum, the Expert finds that there is a strong association between the String and the community represented by the Objector, which is the Muslim community.

E. Does the Application Create a Likelihood of Material Detriment?

(a) Objector's Position

131. For the Objector, "there is clearly a level of certainty that [a] detrimental outcome[ ] will occur" because of the "obvious lack of community involvement and support" to Respondent's application.[159] The Objector explains that the obvious lack of support from the majority of the community will "most probably" result in that the String will "be dominated by a subgroup from the religion and will ignore the interests of the remaining majority".[160]

132. The Objector highlights that religion is an "extremely sensitive subject".[161] Since Islam includes different subgroups and sects, it would be very difficult to unite all of them under the same gTLD unless an organization that represents the community (or its majority) runs and supports said domain.[162] For the Objector, the Respondent's application fails to evidence any mechanisms that will effectively prevent abuses or misuses of the String, which is further exacerbated by the fact that the Respondent is not supported by the majority of the Muslim community.[163] The Objector concludes that all this will result in damage to the reputation of the Muslim community.[164]

(b) Respondent's Position

133. The Respondent relies on the factors included in Article 3.5.4 of the Guidebook ("Detriment" subsection).[165] For the Respondent, the Objector "wholly fails to

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[158] *Id.*, p. 5. *See also* Annexes 6-9 to the Response and Annexes 2-3 to the Rejoinder.
[159] Objection, p. 7.
[160] *Id.*
[161] *Id.*, p. 8.
[162] *Id.*
[163] *Id.*
[164] *Id.*
[165] Response, p. 9.

provide any evidence by which the Applicant or the Panel could assess these factors".[166] The Respondent argues that the Objector mistakenly places emphasis on the lack of support and that it merely speculates on a possible dominance by a religious subgroup, which is totally unsupported because (i) Respondent has furnished substantial community support to its application; and (ii) allowing a dominance by a subgroup will make no sense from a business perspective.[167]

134. Furthermore, the Respondent argues that it has repeatedly promised to operate the String "in the best interests of the community as a whole" and quotes its response to ICANN's Government Advisory Committee's Beijing Communiqué.[168] In such response, the Respondent pledged to implement measures "to limit second-level domain registrations to those of Muslim faith or with a positive interest in the Muslim community" and expressed that it "will not tolerate radical content or criticism of Islam and the Muslim faith".[169] The Respondent "will take immediate and severe action" if necessary and will establish "safeguards, keyword alerts, name selection polices, all governed by an Acceptable Use Policy and post registration protections".[170]

135. The Respondent points out that it has drafted a "Governance Model for its TLDs",[171] which led the Indian Government to withdraw its concerns about the String.[172] In addition, the Respondent explains that, as mentioned in the String application, it "will endeavor to the utmost in order to minimize the social costs to registrants of a .HALAL second-level domain".[173] The Respondent highlights the adoption of a policy matrix and other recommendations, as well as a complaint resolution service, all of which are geared towards minimizing harm in TLDs.[174]

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[166] *Id.* p. 10.
[167] *Id.*
[168] *Id.* (attached to the Response as Annex 11).
[169] *Id.* (*quoting* Annex 11 to the Response).
[170] *Id.* (*quoting* Annex 11 to the Response).
[171] Annex 10 to the Response.
[172] Response, p. 10.
[173] *Id.*, p. 11 (*quoting* Annex 13, section 18(c)).
[174] *Id.*

136. The Respondent also explains that it has made a binding public interest commitment whereby certain requirements are imposed on the registry operator to foster transparency and to avoid misuses and abuses of the String.[175]

137. For the Respondent, all the above "documented efforts and intentions must outweigh [Objectors]'s rank speculation as to the applicant's intentions".[176]

138. On a separate note, the Respondent places strong emphasis on the fact that Dr. Alain Pellet, ICANN's Independent Objector, "thoroughly reviewed the purported public opposition to the .Islam TLD, and found no basis for any objection".[177] For the Objector, Dr. Pellet's conclusions – which favored the registration of ".Islam" – apply by extension to the String.

139. Finally, the Respondent sustains that the "global Halal community is not dependent upon the DNS for its core activities", which stands for "**Domain Name System**", and that there "will be no damage to anyone, but instead the TLDs will operate to the benefit of the global Halal community".[178]

(c) Expert's Conclusion

140. Article 3.5.4 of the Guidebook ("Detriment" subsection) requires that the "objector must prove that the application creates a likelihood of material detriment to the rights or legitimate interests of a significant portion of the community to which the string may be explicitly or implicitly targeted". Notably, the Guidebook adds that "[a]n allegation of detriment that consists only of the applicant being delegated the string instead of the objector will not be sufficient for a finding of material detriment".

141. The Guidebook sets a high bar in order for the Expert to find any detriment:

> If opposition by a community is determined, but there is no likelihood of material detriment to the targeted community

[175] *Id.*, pp. 11-12.
[176] *Id.*, p. 12.
[177] *Id.*, p. 10.
[178] *Id.*, p. 12.

> resulting from the applicant's operation of the applied-for gTLD, the objection will fail.[179]

142. In this case, as discussed in section V.C(c) above, there is some opposition from the community but such opposition is not substantial. The question now presented is the likelihood of material detriment to the targeted community. To reach an answer, the Expert will analyze the factors included in the relevant subsection of Article 3.5.4 of the Guidebook.

143. The first factor in the Guidebook is:

> Nature and extent of damage to the reputation of the community represented by the objector that would result from the applicant's operation of the applied-for gTLD string

144. The Expert finds particularly illustrating Dr. Pellet's report to address this point.[180] Although this report is intended for the ".Islam" application, some of his conclusions are applicable to the String. Dr. Pellet reviewed a number of binding and non-binding international instruments, both at global and regional levels, which deal with the freedom of religion.[181] The Expert notes that a common denominator of these instruments is the protection of freedom of religion and the freedom to manifest one's religion. Of particular relevance is the Universal Declaration of Human Rights, adopted by the United Nations General Assembly on 10 December 1948. Notably, the UAE has been a member of the United Nations since 1971.[182]

145. As Dr. Pellet correctly mentions, the Universal Declaration of Human Rights explicitly says:

> Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest

[179] Guidebook, Article 3.5.4 ("Detriment" subsection) (emphasis added).

[180] A copy of this report is attached to the Response as Annex 12.

[181] Annex 12 to the Response (Limited Public Interest Objection section, ¶¶ 5-10).

[182] *See* www.un.org/en/members/.

his religion or belief in teaching, practice, worship and observance.[183]

146. For the Expert, the registration of the String will contribute to promoting this objective, as it will become a vehicle for Muslims to express themselves and expand their faith across the world.

147. The possible damages asserted by the Objector, which have not been sufficiently evidenced, are outweighed by the necessity of promoting human rights, such as the freedom of religion and the opportunity for every individual to manifest its own religion. Therefore, this factor favors the Respondent.

148. The second factor in the Guidebook is:

> Evidence that the applicant is not acting or does not intend to act in accordance with the interests of the community or of users more widely, including evidence that the applicant has not proposed or does not intend to institute effective security protection for user interests

149. The Objector has certainly not provided any evidence that the Respondent is not acting or does not intend to act in accordance with the interests of the Muslim community. On the contrary, the Respondent has promised to operate the String in a manner that will prevent "radical content or criticism of Islam and the Muslim faith", and the Respondent "will take immediate and severe action against this should it occur".[184]

150. It has been evidenced that the Respondent intends to implement security measures to avoid the misuse or abuse of the String.[185] In this regard, the Guidebook does

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[183] Universal Declaration of Human Rights, Article 18 (emphasis added) (*quoted* in Dr. Pellet's report at Limited Public Interest Objection section, ¶ 6).

[184] Annex 11 to the Response, p. 2. *See also* Annex 13 to the Response, section 18(b) ("Equally, AGITSys will not tolerate radical content, nor will it tolerate content that criticizes Islam and the Muslim faith. Immediate and severe action will be taken against registrants promulgating either, and a black list will be created in an attempt to pre-empt any such attempts.").

[185] Annex 10 to the Response, pp. 13-18; Annex 2 to the Rejoinder, pp. 31-38; Annex 11 to the Response, p. 2; Annex 13 to the Response, section 18(b). Annex 10 to the Response relates to the ".Islam" string, but the Respondent states that the ".Halal" would virtually be the same. The Expert agrees that it would not be difficult to adapt this document to the ".Halal" string. Further, the Respondent has furnished a new version of this document as Annex 2 to the Rejoinder which combines both ".Halal" and ".Islam". *See* Annex 2 to the Rejoinder.

not require that the measures be in place at this time, but rather that such measures be proposed (or an appearance of an intention to propose or implement them in the future).

151. Among these measures already proposed, the Respondent intends to:

- Design a multi stakeholder governing system (a/k/a "Policy Advisory Council), where Islamic governments, organizations and individuals will have representatives that will participate in the management of the String under direct supervision of a multinational Islamic organization or institute.[186]
- Implement a strict policy under which not everyone will be eligible to apply for a second-level ".Halal" domain, but only those who meet certain requirements.[187] Additionally, certain second-level domains will be restricted and all second-level domains will be subject to a policy of use.[188]
- Impose penalties and suspensions upon violators of the user's policy.[189]
- Include one addendum to its Registry Agreement with ICANN whereby certain requirements will be imposed on the registry operator in order to promote transparency and avoid misuses or abuses.[190]

152. In accordance with the above, the second factor favors the Respondent.

153. The third factor in the Guidebook is:

> Interference with the core activities of the community that would result from the applicant's operation of the applied-for gTLD string

154. The key language in this factor is "core activities". In ¶ 65 above the Expert transcribed the five pillars or core principles of Islam. The Expert is of the opinion that the operation of the String will not, on its face, interfere with any of them. Nonetheless, as discussed above, the Respondent intends to implement policies and mechanisms to ensure that the integrity of Islam is preserved. Consequently, this factor favors the Respondent.

155. The fourth factor in the Guidebook is:

> Dependence of the community represented by the objector on the DNS for its core activities

[186] Annex 10 to the Response, pp. 13-15; Annex 2 to the Rejoinder, pp. 31-33.

[187] Annex 10 to the Response, pp. 16-17; Annex 2 to the Rejoinder, pp. 36-37.

[188] Annex 10 to the Response, pp. 17-18; Annex 2 to the Rejoinder, p. 37.

[189] Annex 10 to the Response, p. 18; Annex 2 to the Rejoinder, p. 38. *See also* Annex 13 to Response, section 18(b).

[190] Response, pp. 11-12; Annex 14 to the Response.

156. The Respondent has stated that "[t]he global Halal community is not dependent upon the DNS for its core activities, namely practicing Islamic religion and living a Halal lifestyle".[191] The Objector has remained silent in this regard.

157. Islam originated around 1400 years ago, long before Internet was created.[192] Therefore, the Islamic community is not dependent on the DNS. As a result, this factor favors the Respondent.

158. The fifth factor in the Guidebook is:

> Nature and extent of concrete or economic damage to the community represented by the objector that would result from the applicant's operation of the applied-for gTLD string

159. Neither of the Parties has argued a concrete or economic damage to the Islamic community. In fact, the Expert is of the opposite view. In line with ¶ 146 above, the Expert agrees with the Respondent in that the String may serve as a platform for the expansion of Halal products across the borders, which may be translated into increased profits for the participants in the Halal industry.[193]

160. The sixth factor in the Guidebook is:

> Level of certainty that alleged detrimental outcomes would occur

161. The Objector has not evidenced any immediate or imminent detriment. Rather, the Objector has speculated with some possible outcomes. In light of the foregoing, the Expert finds that the likeliness of detriment to the Islamic or Halal communities, though possible, is remote. As a consequence, this factor favors the Respondent.

162. In sum, the Expert concludes that the Objector has failed to prove the likelihood of any material detriment to the rights or legitimate interests of a significant portion of the Islamic community. For this reason, the Objection must fail.

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[191] Response, p. 12.

[192] Annex 4 to the Response, p. 11.

[193] Annex 18 to the Response, section 18(b).

VI. COSTS

163. In accordance with Article 14(e) of the Procedure, the Centre shall refund to the prevailing party its advance payment of costs.

VII. SUMMARY OF FINDINGS

164. Within the 45 day time-limit set forth in Article 21(a) of the Procedure, the Expert concludes as follows:

(i) the Objector has standing to file the Objection;

(ii) the community invoked by the Objector is clearly defined;

(iii) there is not substantial opposition from the community to Respondent's application;

(iv) there is a strong association between the String and the community represented by the Objector;

(v) Respondent's application does not create a likelihood of any material detriment to the rights or legitimate interests of a significant portion of the relevant community;

(vi) the Centre shall refund to the prevailing party its advance payment of costs; and

(vii) this Expert Determination shall be published in full.

165. For these reasons, the prevailing party is the Respondent and thus the Objection shall be dismissed.

VIII. DECISION

166. For the above reasons and according to Article 21(d) of the Procedure, I hereby render the following Expert Determination:

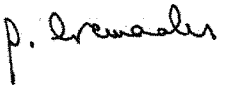
(i) The Objection of the Telecommunications Regulatory Authority of the United Arab Emirates is dismissed;

(ii) Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. prevails; and

(iii) Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.'s advance payment of costs shall be refunded by the Centre to Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.

* * * *

Date: 24/October/2013



Signature:_____
Bernardo M. Cremades
Expert

Annex 29

ICANN

Governmental Advisory Committee

29 November 2013

Dr. Stephen Crocker
Chairman, ICANN Board

Dear Steve,

Thank you for your letter dated 11 November 2013 regarding the new gTLD applications for .islam and .halal, with reference to a recent letter from the Organization of Islamic Cooperation (OIC).

You also state that the NGPC will await any further GAC input on this matter in Buenos Aires. This was brought up in the GAC in Buenos Aires and, as I trust you have noticed, the Buenos Aires Communiqué (section II.7) simply clarifies that the GAC concluded its discussions on these applications with the advice provided in the Beijing Communiqué.

Accordingly, no further GAC input on this matter can be expected. However, I understand that the OIC intends to hold a meeting December 9-11. Consequently, the OIC might choose to correspond further with the Board directly to convey any relevant outcomes from the meeting.

Very best regards,

Heather Dryden
Chair, Governmental Advisory Committee

Annex 30

December 4, 2013

Dr. Stephen D. Crocker, Chair, Board of Directors

ICANN

12025 Waterfront Drive, Suite 300

Los Angeles, CA 90094-2536

USA

Dear Dr. Crocker,

RE: RESOLUTION ON THE .ISLAM AND .HALAL APPLICATIONS

I write to document the resolution of our applications for .ISLAM and .HALAL, and to receive contracts from ICANN as soon as possible.

Six months ago, on June 4, 2013, the New gTLD Program Committee (NGPC) of the ICANN Board adopted a resolution[1] as a consequence to communication received from the ICANN's Government Advisory Committee (GAC) at the conclusion of the Beijing meeting. The NGPC responded to this communication by producing a Scorecard,[2] and committing to further dialogue with the GAC. This Scorecard further referenced the community objection filed with ICC against .ISLAM and .HALAL, and said that "these applications cannot move to the contracting phase until the objections are resolved."

The GAC has now clearly concluded its discussion as to these applications. In her November 29, 2013 letter to you, GAC Chair Heather Dryden said *"You also state that the NGPC will await any further GAC input on this matter in Buenos Aires. This was brought up in the GAC in Buenos Aires and, as I trust you have noticed, the Buenos Aires Communiqué (section II.7) simply clarifies that the GAC concluded its*

[1] http://www.icann.org/en/groups/board/documents/resolutions-new-gtld-04jun13-en.htm#1.a

[2] http://www.icann.org/en/groups/board/documents/resolutions-new-gtld-annex-1-04jun13-en.pdf

Contact Information Redacted

discussions on these applications with the advice provided in the Beijing Communiqué. Accordingly, no further GAC input on this matter can be expected."

Furthermore, Asia Green IT has prevailed in both objections filed with ICC. The ICC expert found there was no substantial opposition to our applications and that, *"The Objector has certainly not provided any evidence that the Respondent is not acting or does not intend to act in accordance with the interests of the Muslim community."*[3] This was consistent with the Independent Objector's earlier findings, nearly a year ago, in response to the Early Warnings issued by a few governments.[4] Therefore, as there are no remaining objections, there is no remaining hurdle to ICANN's issuance of contracts to us for these two TLDs

AGIT has garnered tremendous global support for the .ISLAM and .HALAL applications. Our primary mission with these TLDs is to act in accordance with the interests of the world's many various Muslim communities. We are seeking only to act as technical facilitator and coordination vehicle to strengthen the world's Muslim communities' presence online through their own dedicated TLDs. This is why, from the outset, our TLD operations plan included multi-stakeholder governance mechanisms designed to allow all Muslim community stakeholders to become active participants in the governance of .ISLAM and .HALAL.

This was clearly stated in our initial applications to ICANN. Although these were made public by ICANN on June 13, 2012, as mentioned in the text of the applications themselves, we at AGIT had been working toward dedicated Muslim domain names for more than 8 years. Quoting from our application for .HALAL for example, I would highlight that the *".HALAL gTLD is designed to accommodate a global community."* The same application references an accountability mechanism, which is also described in our application for .ISLAM as *"populated by members of the Islamic community,"* and which AGIT intended from the start to *"be representative of the entire broad spectrum of the Muslim community."*

At the core of this governance mechanism is the Policy Advisory Council (PAC) contemplated for each TLD. PACs will be deployed for both .ISLAM and .HALAL. They will serve as non-profit governing

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[3] http://www.iccwbo.org/Data/Documents/Buisness-Services/Dispute-Resolution-Services/Expertise/ICANN-New-gTLD-Dispute-Resolution/EXP-427-ICANN-44-Expert-Determination/ and http://www.iccwbo.org/Data/Documents/Buisness-Services/Dispute-Resolution-Services/Expertise/ICANN-New-gTLD-Dispute-Resolution/EXP-430-ICANN-47-Expert-Determination/

[4] http://www.independent-objector-newgtlds.org/home/the-independent-objector-s-comments-on-controversial-applications/islam-general-comment/

boards made up of leaders from many of the world's various Muslim communities, governments, and organizations. The PACs will oversee policy development for the TLDs, to ensure they are coherent and consistent with Muslim interests. AGIT has invited the leading Muslim organisations, including the Organization for Islamic Cooperation (OIC), to become members of the PACs.

Therefore, we hope you will agree with us that it is high time the significant delays we have faced in getting our applications for .Islam and .Halal approved have come to and end. When all possible avenues of objection against an applicant have been exhausted, and when an applicant has followed ICANN's new gTLD program rules to the letter, ICANN's Board should do the same. The new gTLD program was quite rightly designed to allow recourse against an applicant. But it was also quite rightly designed not to force applicants into an endless process loop that can be perpetuated even when the standard mechanisms for recourse have been exhausted.

ICANN's objection procedure expert at the ICC, and the Independent Objector, have advised that there are no grounds for blocking our two applications. ICANN's GAC has effectively advised that there are no grounds for blocking our two applications, and that their deliberations have concluded. We now ask that the NGPC finally concludes its discussion of these application, and causes ICANN staff to issue Contracting Invitation Requests to us immediately.

Sincerely yours,

Abbasnia

Mehdi Abbasnia

Chairman and Managing Director

Asia Green IT System Ltd.

Contact Information Redacted

Annex 31

The Internet Corporation for Assigned Names and Numbers

ICANN

7 February 2014

Mehdi Abbasnia
Chairman & Managing Director
Asia Green IT System
Contact Information Redacted

Re: AGIT new gTLD applications for .ISLAM and .HALAL

Dear Mr. Abbasnia:

Thank you for your letter dated 30 December 2013. As you are aware, the ICANN Board received advice from the Governmental Advisory Committee (GAC) in its Beijing Communiqué concerning the applications for .ISLAM and .HALAL. Specifically, the GAC advised the ICANN Board:

> that with regard to Module 3.1 part II of the Applicant Guidebook, the GAC recognizes that religious terms are sensitive issues. Some GAC members have raised sensitivities on the applications that relate to Islamic terms, specifically .islam and .halal. The GAC members concerned have noted that the applications for .islam and .halal lack community involvement and support. It is the view of these GAC members that these applications should not proceed.

Pursuant to Section 3.1.ii of the Applicant Guidebook, the ICANN Board New gTLD Program Committee (NGPC) and some members of the GAC met during the ICANN 47 meeting in Durban to discuss the concerns about the applications.

I read with interest your commitment to the multistakeholder model discussed in your 30 December letter. You indicated that:

> AGIT is willing to work with the OIC and other stakeholders to manage the .Islam and .Halal TLDs through a multi-stakeholder approach that would serve the best interests of Muslims all over the world and truly showcase the merits of ICANN's own multi-stakeholder, community-driven approach.

In an earlier letter dated 4 December 2013, you elaborated on the proposed governance mechanism for each of the applied-for TLDs as follows:

> At the core of this governance mechanism is the Policy Advisory Council (PAC)

ANNEX 31

contemplated for each TLD. PACs will be deployed for both .ISLAM and .HALAL. They will serve as non-profit governing boards made up of leaders from many of the world's various Muslim communities, governments, and organizations. The PACs will oversee policy development for the TLDs, to ensure they are coherent and consistent with Muslim interests. AGIT has invited the leading Muslim organisations, including the Organization for Islamic Cooperation (OIC), to become members of the PACs.

Despite these commitments, a substantial body of opposition urges ICANN not to delegate the strings .HALAL and .ISLAM. The Gulf Cooperation Council (25 July 2013: applications not supported by the community, applicants did not consult the community; believe that sensitive TLDs like these should be managed and operated by the community itself through a neutral body such as the OIC); the Republic of Lebanon (4 September 2013: management and operation of these TLDs must be conducted by a neutral, non-governmental multistakeholder group); the Organisation of Islamic Cooperation (19 December 2013: foreign ministers of 57 Muslim Member States supported a resolution opposing the strings; resolution was unanimously adopted); and the government of Indonesia (24 December 2013: strongly opposes approval of .islam) all voiced opposition to the AGIT applications.

There seems to be a conflict between the commitments made in your letters and the concerns raised in letters to ICANN urging ICANN not to delegate the strings. Given these circumstances, the NGPC will not address the applications further until such time as the noted conflicts have been resolved.

Thank you again for your support of ICANN's multi-stakeholder approach to Internet governance.

Sincerely,

Stephen D. Crocker, Chair
ICANN Board of Directors

Annex 32

New gTLD Application Submitted to ICANN by: Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.

Application Downloaded On: 15 Feb 2014

String: pars

Application ID: 1-2127-79611

Applicant Information

1. Full legal name
Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.

2. Address of the principal place of business
Contact Information Redacted

3. Phone number
Contact Information Redacted

4. Fax number
Contact Information Redacted

5. If applicable, website or URL
http://www.agitsys.com

Primary Contact

6(a). Name
Mehdi Abbasnia

6(b). Title
Managing Director

6(c). Address

6(d). Phone Number
Contact Information Redacted

6(e). Fax Number
Contact Information Redacted

6(f). Email Address
Contact Information Redacted

Secondary Contact

7(a). Name
Hakan Atalay

7(b). Title
The Head of Engineering Dept.

7(c). Address

7(d). Phone Number
Contact Information Redacted

7(e). Fax Number
Contact Information Redacted

7(f). Email Address

ANNEX 32

Contact Information Redacted

Proof of Legal Establishment

8(a). Legal form of the Applicant
Limited Company

8(b). State the specific national or other jurisdiction that defines the type of entity identified in 8(a).
Trade Registration Office (Ticaret Sicili Memurlugundan)

8(c). Attach evidence of the applicant's establishment.
Attachments are not displayed on this form.

9(a). If applying company is publicly traded, provide the exchange and symbol.

9(b). If the applying entity is a subsidiary, provide the parent company.

9(c). If the applying entity is a joint venture, list all joint venture partners.

Applicant Background

11(a). Name(s) and position(s) of all directors

Name	Position
Ali Zarinbakhsh	Member of the Board
Mehdi Abbasnia	Chairman and Managing Director

11(b). Name(s) and position(s) of all officers and partners

Name	Position
Fatih Atasoy	CFO
Mehdi Abbasnia	Chairman and Managing Director

11(c). Name(s) and position(s) of all shareholders holding at least 15% of shares

Name	Position
Ali Zarinbakhsh	Member of the Board
Mehdi Abbasnia	Chairman and Managing Director

11(d). For an applying entity that does not have directors, officers, partners, or shareholders: Name(s) and position(s) of all individuals having legal or executive responsibility

Applied-for gTLD string

13. Provide the applied-for gTLD string. If an IDN, provide the U-label.
pars

14A. If applying for an IDN, provide the A-label (beginning with "xn--").

14B. If an IDN, provide the meaning, or restatement of the string in English, that is, a description of the literal meaning of the string in the opinion of the applicant.

14C1. If an IDN, provide the language of the label (in English).

14C2. If an IDN, provide the language of the label (as referenced by ISO-639-1).

14D1. If an IDN, provide the script of the label (in English).

14D2. If an IDN, provide the script of the label (as referenced by ISO 15924).

14E. If an IDN, list all code points contained in the U-label according to Unicode form.

15A. If an IDN, upload IDN tables for the proposed registry. An IDN table must include:

1. the applied-for gTLD string relevant to the tables,
2. the script or language designator (as defined in BCP 47),
3. table version number,
4. effective date (DD Month YYYY), and
5. contact name, email address, and phone number.

Submission of IDN tables in a standards-based format is encouraged.

15B. Describe the process used for development of the IDN tables submitted, including consultations and sources used.

15C. List any variants to the applied-for gTLD string according to the relevant IDN tables.

16. Describe the applicant's efforts to ensure that there are no known operational or rendering problems concerning the applied-for gTLD string. If such issues are known, describe steps that will be taken to mitigate these issues in software and other applications.

The team behind Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. has been involved in the development of various IDN scripts for over ten years. Through this work, we have become aware of some issues that may cause rendering problems for certain new gTLDs. We have reviewed the string that will be used with this application and based upon our expertise, we see no issues with operational or rendering problems concerning the applied for gTLD string.

17. OPTIONAL.
Provide a representation of the label according to the International Phonetic Alphabet (http://www.langsci.ucl.ac.uk/ipa/).

18A. Describe the mission/purpose of your proposed gTLD.

There are in excess of a hundred million of Persians worldwide. They are a disparate group, yet they are united through their core beliefs. They are a group whose origins are found several millennia in the past, their ethnicity often inextricably linked with their heritage. Hitherto, however, there has been no way to easily unify them and their common cultural, linguistic and historical heritage. The .PARS gTLD, and the community it creates, will change this.
The origins of the ethnic Persian community can be traced to the Ancient Iranian peoples, who were part of the ancient Indo-Iranians and themselves part of the greater Indo-European linguistic family. The Ancient Iranian peoples arrived in parts of Iranian plateau around 2000-1500 BCE. Important Iranian tribes such as Old Persians, Medes, Parthians, Bactrians, Scythians, and the Avesta people used the name Arya (Iranian), which was a collective definition, denoting peoples who were aware of belonging to the one ethnic stock, speaking a common language, and mainly sharing a religious tradition that centered on the worship of Ahura Mazda.
The Old Persians (one of these ethnic Iranian groups) were originally nomadic, pastoral people occupying the western Iranian plateau. By 850 BCE they were calling themselves the Parsa, and their constantly shifting territory Parsua. For the most part this was localized around Persis (Pars), bounded on the west by Tigris River and on the south by Persian Gulf. The first known written record of the term Persian is from Assyrian inscriptions of the 9th century BCE, which mention both Parsuash and Parsua. These cognate words were taken from old Iranian Parsava and presumably meant border, borderland and were geographical designations for Iranian populations. Nonetheless, Parsua and Parsuash were two different geographical locations - the latter referring to southwestern Iran, known in Old Persian as Pârsa (Modern Fars). The Greeks (who tended earlier to use names related to "Median") began in the 5th century to use adjectives such as Perses, Persica or Persis for Cyrus the Great's empire, which is where the word Persian in English comes from. In the later parts of the Bible, where this kingdom is frequently mentioned (Books of Esther, Daniel, Ezra and Nehemya), it is called "Paras" (Hebrew פרס), or sometimes "Paras ve Madai" (מדי ופרס) i.e. "Persia and Media". As the Old Persians gained power, they developed the infrastructure to support their growing influence including creation of a capital named Pasargadae, and an opulent city named Persepolis.
Starting around 550 BCE, from the region of Persis in southern Iran, encompassing the present Fars province, the ancient Persians spread their language and culture to other parts of the Iranian plateau and assimilated and intermingled with local Iranic and indigenous non-Iranic groups including the Elamites over time. Persians also interacted with other ancient civilizations in Europe and Africa. The first Persian Empire extended as far as the limits of the Greek city states, where Persians and Athenians influenced each other in what is essentially a reciprocal cultural exchange.
The proposed gTLD is, in fact, the name of the accrued homeland of the Persian people, including different areas of the world including Iran, Afghanistan, Tajikistan, Uzbekistan, and many more Persian people around the world. The total number of native Persian language speakers exceeds 81 million people, while the population of the

combined global community is around 110 million.
While the .PARS gTLD ties back historically, linguistically and culturally to the Persian people, it also has the potential to tie together the tens of millions of people across the globe who read Persian-script languages. A robust gTLD has the power to bring together people across national borders in a free-flowing exchange of information and commerce. There is not a .COM or .ORG equivalent of .PARS--a domain that has universal appeal across a common origin. ICANN is dedicated to creating more competition in the TLD space, and the introduction of the Persian community through a .PARS gTLD does so in one simple stroke.
Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. (AGITSys) was founded by individuals of Persian origin who derive a great sense of honor and pride from their community, history and ancestry. AGITSys' founders have gathered together a team with extensive experience in Persian language on the Internet, a daunting but critical task. The team behind AGITSys, including technical advisor/member Dr. Shahram Soboutipour, has taken a leading role in working toward Persian domain names (something it considers inevitable) for more than 8 years. No entity is better suited to manage the .PARS gTLD, nor more dedicated to providing new online tools and services to facilitate the unification of the .PARS community online. The .PARS gTLD will increasingly open up the vast resources of the Internet and the associated global interconnectedness to this Persian community, while stimulating the introduction of more online information and resources in the Persian language - and AGITSys will be at the helm of this change.
The company is not only perfectly situated ideologically, but also physically, as it is headquartered in Turkey, which ties together the global Persian population through close relations both with the citizens of Persian-speaking countries in the East, as well as the diasporas of Persian language speakers in Western nations. Turkey's geographical and political location aids it enormously in the endeavors needed for the .PARS community to be a success, as it literally and figuratively sits in-between the East and West. This is important because the .PARS gTLD is designed to accommodate a global community, and AGITSys' team's work with ICANN has always looked toward not just to serving the Afghan, Tajik and Iranian people but all users of Persian-script languages.

18B. How do you expect that your proposed gTLD will benefit registrants, Internet users, and others?

The benefits of the .PARS gTLD will be manifold, not just to registrants but also to tens of millions of Persian internet users, as well as many others with an interest in or curiosity regarding Persia. The presence of a Persian-specific gTLD will increase the volume of online Persian resources, as the emergence of the .PARS second-level domains sees a network effect kick in. This network effect will create an additional incentive for the digitization of existing Persian materials, so as to facilitate their posting online as the demand for such material grows.
Consequently, the new .PARS gTLD will also increase access to online resources as the tens of millions of people that read Persian and Persia-related materials are able, for the first time, to find the content they seek within the sites operating under the .PARS gTLD. Existing website registrants will be able to extend their presence to that audience with new .PARS sites, while new registrants will emerge from those Persian populations brought together by the .PARS gTLD, adding to the value of the Internet in ways not currently possible.
As the global population expands, more people become willing Internet users and seek out second-level domains. The .PARS gTLD is flexible, and is thus capable of being used for sites focused on ecommerce, information dissemination, charitable endeavors and many more functions among Persians. A transformation in competition is anticipated for web sites within .PARS, to depart from conventional methods of attracting new customers in this expanding market. This is because it will encourage competitors, targeting the extensive and diverse collection of global Persian Internet users. This incentive doesn't currently exist in an online space devoid of the .PARS gTLD, where competition amongst the already saturated existing TLDs is stagnant.
In terms of goals in the areas of specialty, service levels, and reputation for the proposed .PARS gTLD, AGITSys is committed to offering choice in top level domain extensions among the Persian community. AGITSys recognizes many new gTLDs will naturally have a relatively narrow appeal and audience. The .PARS gTLD is different, as it not only targets a distinct online community, but one that spans the globe. AGITSys is prepared to utilize its home market of Turkey as a leading source of registrants and sites, while incorporating the power of the web to connect with myriad other registrants and Internet users beyond Turkey. Further, we intend to adopt and follow the highest standards in registry operations exceeding service levels and expectations thus producing a consistent reputation.
AGITSys has been at the forefront of the ICANN community effort in working to bring the Global Persian community together through a dedicated gTLD, as well as bringing Persians in to the larger online community. No organization has a greater understanding both of the opportunities a .PARS gTLD will afford as well as the challenges that its adoption and spread will bring. AGITSys is prepared to ensure the success of .PARS, such that it is a shining example of ICANN's wisdom in granting the gTLD.
The company is committed to bringing top-level domain registration services to registrants. To this end, AGITSys has contracted CoCCA Registry Services (NZ) Limited ("CoCCA") to provide hosted Registry Services for the .PARS gTLD. CoCCA has over nine years experience authoring open source registry software systems and providing TLD registry support services. CoCCA was originally incorporated in Australia in 2003 as CoCCA Registry Services Limited, in January 2009 CoCCA re-located to New Zealand and trades as CoCCA Registry Services (NZ) Limited. CoCCA is a privately held NZ company.
CoCCA's clients are managers of county code top level domains (ccTLDs) as of 31 March 2012, 33 national country code top level domains ("ccTLDs") are have selected CoCCA's SRS technology or services to manage their critical infrastructure. Several other ccTLDs have committed to migration to CoCCA's "pamoja" EPP Shared Registry System ("SRS") in 2012 pending the outcome of re-delegations.
CoCCA's pamoja SRS is the most widely deployed, field-tested SRS in use today. CoCCA's SRS is a mature product that has grown organically over the past decade as new standards have been developed and published. It is doubtful any other Registry Services provider has accumulated CoCCA's level of experience operating multiple small to medium sized TLDs efficiently and securely.
AGITSys' team is well-known in the ICANN community as a selfless champion of the interests of Persians around the world, including communities tied to the Persian heritage. We also have a long history of advising the Turkish internet industry. Our reputation is solid, and we have every incentive to maintain that reputation as we roll out the .PARS gTLD.
Under the shepherding of AGITSys, the .PARS gTLD will increase competition, provide more online differentiation for customers and consumers, while driving digital innovation. The addition of the .PARS gTLD will create new competition for names within the domain name space. Not only will the offering of .PARS domains create competition within content providers for users of Persian content, but it is expected that competition will be enhanced among the varying service providers that users require to deploy said content.

As it is rolled out, the .PARS gTLD will rapidly develop as the gTLD of choice among Persians in all countries. The demand for Persian content from this group isn't and won't be satisfied by .COM or .ORG offerings within the current gTLDs and in fact has hampered collaboration and innovation. The Persian people demand content that is tailored to their own unique needs and wants, under the umbrella of a dedicated gTLD. As stated in 18(a) above, as Persian-content sites increasingly seek to differentiate themselves to consumers, and registrants seek to differentiate themselves to acquirers of second-level domains, the power to differentiate will come from innovative approaches to customer service and the creation of a trusted online environment.

It is AGITSys' mission that competition and differentiation of the .PARS gTLD will be coupled with a user experience online that is reliable and predictable. To make this as likely as possible, AGITSys will work both with existing registrars seeking to reach new audiences, as well as new registrars that may emerge from within the global Persian community, thereby supporting ICANN's mission to create more capacity in developing countries. AGITSys feels it can foster more competition at the registrar level by offering assistance and encouragement to new registrars in this way. We also believe that this should and will be coupled with a positive experience for Internet users. Indeed, this is critical to the success of the .PARS gTLD. By working with the right registrars (who maintain the right, stringent) standards for adoption and use by their own customers, AGITSys can reach its goal of having the .PARS gTLD become synonymous with a safe and trusted online experience.

As a part of this, since the .PARS gTLD is community based and designed to serve those of Persian heritage - as well as to protect its good name, AGITSys intends to limit second-level domain registrations to those of Persian heritage, or those with a clear interest in serving the Persian community and culture beneficially. Such a designation is almost impossible to police, because to restrict registrations to those geographically located in Persian nations would alienate the Diasporas mentioned above. Thus, these limitations will mostly be self-imposed, with registrants agreeing themselves that they are either of Persian heritages or have a clear interest in ameliorating the community. Equally, AGITSys will not tolerate radical content, nor will it tolerate content that criticizes Persia and the Persian culture. Immediate and severe action will be taken against registrants promulgating either, and a black list will be created in an attempt to pre-empt any such attempts. Once content is registered, the community will be to an extent self-policing, with facilities to report abusive or non-Persian registrations available on the Registry website

Because of its dedication to the Persian community and the .PARS gTLD which is intended to serve it, AGITSys will implement protection measures for registrations to ensure an abuse free environment whilst maintaining choice. This will be accomplished with Registration safeguards, wildcard alerts, name selection polices, all governed by an Acceptable Use Policy and post registration protections via Uniform Dispute Resolution Policy and Uniform Rapid Suspension. More details on these policies can be found in answer to Questions 28 and 29.

The privacy offered will be total, within the rules and procedures provided by ICANN. These policies will be transparent and rigorous, modeled after successful policies implemented by currently delegated TLDs and accompanied by vigilant processes and technologies to prevent unauthorized access to information. This is a manifestation of the larger goal of the .PARS gTLD, that of a trusted source of safe online transactions, as stipulated in 18(a).

Privacy and security will be key elements of our Acceptable Use Policy (AUP). The AUP will govern how a registrant may use its registered name, with a specific focus on protecting Internet users. AUP language would specifically address privacy by prohibiting a registrant from using a domain for any activity that violates the privacy or publicity rights of another person or entity, or breaches any duty of confidentiality owed to any other person or entity. The AUP also would prohibit spam or other unsolicited bulk email, or computer or network hacking or cracking, as well as the installation of any viruses, worms, bugs, Trojan horses or other code, files or programs designed to, or capable of, disrupting, damaging or limiting the functionality of any software or hardware. We would maintain complete enforcement rights over the use of the domain name. Should a registrant find itself in breach of the AUP, we would reserve the right to revoke, suspend, terminate, cancel or otherwise modify their rights to the domain name.

In terms of community outreach by the .PARS gTLD, it is expected that the momentum around .PARS will build quickly, given the pent-up demand that has been building for years within the ranks of the Persian people and associated community. AGITSys, as its champion in gTLD discussions, knows full well how popular this service will be.

There is already widespread support within the Persian Community for AGITSys' application for .PARS. More than 40,000 people have signed a petition to ICANN supporting our effort. As members of the Persian community, these people recognize the historical and cultural importance of the .PARS gTLD to Persians and endorse this effort. The petition can be found at http://www.ipetitions.com/petition/dot-pars/.

The growth of the .PARS gTLD will be driven by what economists refer to as the network effect. A network effect occurs when a service becomes more popular as more individuals adopt it. A significant portion of the service's value stems directly from the increased adoption and usage of the service. Historically the network effect is most powerful in tools of interconnection. The telegraph and telephone were technologies that grew exponentially due to the network effect. The Internet itself is an example of that phenomenon, as seen by the rapid upward growth curve of Internet penetration, broadband speeds, and web site creation. ICANN's data on the growth of .COM is an example of the network effect, and now it is seen in social-media platforms atop the Internet, such as Facebook and Twitter. In a short period of time, with very little effort invested in PR or promotion, we were able to recruit more than 40,000 supporters of our application for .PARS. Once delegated and properly promoted, we expect to see even greater results.

As more sites offer information, services, and opportunities for interconnection to the .PARS community as a whole, more members of the community will navigate to those sites. Many of those will provide their own content, and their activity there will spark further growth of second-level .PARS domains. At some point, Persian information and service providers currently not offering sites, will see the demand for .PARS-related content and will migrate their offerings to .PARS sites as well, furthering the offerings to the community and further driving community members to .PARS sites. The future benefits of interlinking this diverse and global community are incalculable but immense.

Augmenting this, AGITSys is also active in the business community within Turkey and Middle Eastern countries, and interconnected across the spectrum of the Persian community due to its promotional efforts with ICANN and elsewhere. It will leverage that network to spread the word of the .PARS gTLD in order to promote adoption. The best steps AGITSys can take to ensure the gTLD's adoption and growth, however, are to ensure a system encouraging robust, safe and dynamic second-level domain sites. At that point, the word will spread through the network effect.

18C. What operating rules will you adopt to eliminate or minimize social costs (e.g., time or financial resource costs, as well as various types of consumer vulnerabilities)? What other steps will you take to minimize negative consequences/costs imposed upon consumers?

AGITSys will endeavor to the utmost in order to minimize the social costs to registrants of a .PARS second-level domain, not least because AGITSys has every incentive to encourage the adoption and growth of the .PARS domain. AGITSys has chosen to adopt CoCCA's tested acceptable use based policy matrix, recommendations for minimizing harm in TLDs, and subject the TLD to the CoCCA Complaint Resolution Service ("CRS").
The CoCCA Best practice policy matrix has been developed over a decade and has currently been adopted by 16 TLDs. It was developed for (and by) ccTLDs managers that desired to operate an efficient standards-based SRS system complemented by a policy environment that addressed a registrants use of a string as well as the more traditional gTLD emphasis rights to string.
A key element of CoCCA's policy matrix is that it provides for registry-level suspensions where there is evidence of AUP violations. The TLD will join other TLDs that utilize the CoCCA's single-desk CRS. The CRS provides a framework for the public, law enforcement, regulatory bodies and intellectual property owners to swiftly address concerns regarding the use of domains, and the COCCA network. The AUP can be used to address concerns regarding a domain or any other resource record that appears in the zone.
The CRS procedure provides an effective alternative to the court system while allowing for Complaints against domains to be handled in a way treats each complaint in a fair and equal manor and allows for all affected parties to present evidence and arguments in a constructive forum.

AGITSys is also currently developing procedures for competition resolution regarding multiple registrations for the same second-level domain in addition to offering the required Sunrise offerings through general availability. AGITSys will model these procedures after the techniques and approaches that have succeeded best to date. The history of .COM will be of interest here, because .PARS should grow quickly and face demand as high among the Persian community as .COM has in the English-language online community.
In terms of cost, benefits, and incentives to registrants within the Persian community, AGITSys will offer fair and competitive pricing campaigns for tens of millions of people, introducing them to the wonders of the Internet and the Persian culture therein. Competitive pricing and/or discounts will be used and adjusted accordingly to ensure the right incentive matches the phase of operation and business goals. AGITSys' business plan increases our confidence in offerings that will encourage growing adoption of the .PARS gTLD.
Each year, AGITSys will review its financial goals versus actual performance of registry operations. Output from the analysis will include the consideration of pricing versus demand for registrations. As with any for-profit entity, adequate cash flow and predictable revenue streams are essential to successful operations. As such, AGITSys may adjust pricing of domain registrations to align with evolving business goals. Adjustments can include not only price increases, but perhaps price decreases, but only current market analysis will dictate change. Therefore, AGITSys will document in the Registrant Agreement domain price change procedures and how they can be expect to learn about changes through our communications platform. In the end, serving the Persian community through Internet technologies remains our first priority.

19. Is the application for a community-based TLD?

Yes

20A. Provide the name and full description of the community that the applicant is committing to serve. In the event that this application is included in a community priority evaluation, it will be scored based on the community identified in response to this question. The name of the community does not have to be formally adopted for the application to be designated as community-based.

The .PARS gTLD community is global; peoples of various nations united through their historical, ethnic and linguistic connections which date back more than two millenniums. The term 'Pars' (Pârs: پارس) refers to the original homeland of the Persian people. The native name of the Persian language is Fârsi or Pârsi. Persia and Persian both derive from the Hellenized form Πέρσις Persis of the root word Pârs. The Old Persian word was Pârsa.

The Persian Community:

The Persian people are part of the Iranian peoples who speak the modern Persian language and closely akin Iranian dialects and languages. The origin of the ethnic Iranian/Persian peoples are traced to the Ancient Iranian peoples, who were part of the ancient Indo-Iranians and themselves part of the greater Indo-European linguistic family.
The term Persian translates to "from or of Persis" which is a region north of the Persian Gulf located in Pars, Iran.
It was from this region that Cyrus the Great the founder of the Achaemenid empire, united all other Iranian empires (such as the Medes and the Elamites), and expanded the Persian cultural and social influences by incorporating the Babylonian empire, and the Lydian empire. Although not the first Iranian empire, the Achaemenid Empire is the first Persian Empire well recognized by Greek and Persian historians for its massive cultural, military and social influences going as far as Athens, Egypt, and Libya and ruling on an estimated population of 40 million, about 500 B.C.

Ancient history and origin:

The Persians are believed to be descendents of the Indo-Iranian (Indo-Europeans) tribes that began migrating from Central Asia into what is now Iran in the second millennium BCE.
The ancient Persians from the province of Pars became the rulers of a large empire under the Achaemenid dynasty (Hakhamaneshiyan) in the 6th century BCE, reuniting with the tribes and other provinces of the ancient Iranian plateau and forming the Persian Empire. The founding dynasty of the empire, the Achaemenids, and later the Sassanids, were from the southern region of Iran, Pars. The latter Parthian dynasty arose from the north. However, according to archaeological evidence found in modern day Iran in the form of cuneiforms that go back to the Achaemenid era, it is evident that the native name of Parsa (Persia) had been applied to Iran from its birth.

The origin of the ethnic Iranian peoples/Persian peoples are traced to the Ancient Iranian peoples, who were part of the ancient Indo-Iranians and themselves part of the greater Indo-European linguistic family. The

Ancient Iranian peoples arrived in parts of Iranian plateau around 2000-1500 BCE Important Iranian tribes such as Old Persians, Medes, Parthians, Bactrians, Scythians, and the Avesta people used the name Arya (Iranian), which was a collective definition, denoting peoples who were aware of belonging to the one ethnic stock, speaking a common language, and mainly sharing a religious tradition that centered on the worship of Ahura Mazda.

The Old Persians, who were one of these ethnic Iranian groups, were originally nomadic, pastoral people in the western Iranian plateau and by 850 BCE were calling themselves the Parsa and their constantly shifting territory Parsua for the most part localized around Persis (Pars), bounded on the west by Tigris River and on the south by Persian Gulf. The first known written record of the term Persian is from Assyrian inscriptions of the 9th century BCE, which mention both Parsuash and Parsua . These cognate words were taken from Old Iranian Parsava and presumably meant border, borderland and were geographical designations for Iranian populations. Nonetheless, Parsua and Parsuash, were two different geographical locations, the latter referring to southwestern Iran, known in Old Persian as Pârsa (Modern Fars, the Arabized version of Pars, since Arabs use "F" instead of "P"). The Greeks (who tended earlier to use names related to "Median") began in the 5th century to use adjectives such as Perses, Persica or Persis for Cyrus the Great's empire, which is where the word Persian in English comes from. In the later parts of the Bible, where this kingdom is frequently mentioned (Books of Esther, Daniel, Ezra and Nehemya), it is called "Paras" (Hebrew פרס), or sometimes "Paras ve Madai" (פרס ומדי) i.e. "Persia and Media". As the Old Persians gained power, they developed the infrastructure to support their growing influence including creation of a capital named Pasargadae, and an opulent city named Persepolis. Starting around 550 BCE, from the region of Persis in southern Iran, encompassing the present Fars province, the ancient Persians spread their language and culture to other parts of the Iranian plateau and assimilated and intermingled with local Iranic and indigenous non-Iranic groups including the Elamites over time. Persians also interacted with other ancient civilizations in Europe and Africa. The first Persian Empire extended as far as the limits of the Greek city states, where Persians and Athenians influenced each other in what is essentially a reciprocal cultural exchange.

Ethnicity:

While a categorization of a "Persian" ethnic group persists in the West, Persians have generally been a pan-national group often comprising regional people who often refer to themselves as 'Persians' and have also often used the term "Iranian" (in the ethnic-cultural sense). As a pan-national group, defining Persians as an ethnic group, at least in terms used in the West, is not inclusive since the ethnonym "Persian" includes several Iranian people including the speakers of Modern Persian. Some scholars, classify the speakers of Persian language as a single ethnic unit (the 'Persians') and exclude those Iranians who speak dialects of Persian, or other Iranian dialects closely related to Persian; however this approach to ethnicity in Iran is erroneous, since the designation Iranian (Irani) as an ethnic term has been used by all these ethnic group in Iran, including the "Persians" irrespective of their origin, language and religion.

Although the Persian community is connected through ethnicity, origin and language, but they are now separated by borders. The major community of Persians can now be found in Iran, Georgia, Turkey, Armenia, the Caucasus, Azerbaijan, Afghanistan, Tajikistan, Uzbekistan and Northern Pakistan. Like the Persians of Iran (Western Persians), the Tajiks (Eastern Persians) are descendants of various Iranian peoples, including Persians from Iran, as well as numerous invaders. Tajiks and Farsiwan have a particular affinity with Persians in neighboring Khorasan due to historical interaction some stemming from the Islamic period. Scholars also include Iranian language speakers such as Talysh, Gilak, Lurs, Mazandaranis and speakers of Central Iranian languages in Iran under the term Persian. Specifically, the Lurs speak an Archaic Persian language.

The introduction of .PARS gTLD will re-connect the Persian Community, living in countries where the old Persian Empire existed: PARS

The total population of Persian community living in in Iran, Georgia, Turkey, Armenia, the Caucasus, Azerbaijan, Afghanistan, Tajikistan, Uzbekistan and Northern Pakistan, talking Persian as their mother tongue is more than 120 million, who know themselves as one group with the same origin, culture and heritage.

It is impossible to estimate how many of these people will actively participate in the online .PARS community, because internet penetration various hugely in the various Persian and Persian-hosting nations. However, it is anticipated that millions of people will participate as the network effect (as described in section c below) begins to have an impact.

20B. Explain the applicant's relationship to the community identified in 20(a).

• Relations to any community organizations.

Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. (AGITSys) was founded by individuals of Persian origin who derive a great sense of honor from their community, history and ancestry. AGITSys' founders have gathered together a team with extensive experience in Persian language on the Internet, a daunting but critical task. The company is headquartered in Turkey, which ties together the global Persian population through close relations both with the citizens of Persian-speaking countries in the East, as well as the diaspora of Persian language speakers in Western nations. Turkey's geographical and political location aids it enormously in this endeavor, as it literally and figuratively sits in-between the East and West. The .PARS gTLD is designed to accommodate a global community, and AGITSys' team's work with ICANN has always looked toward not just to serving the Afghan, Tajik and Iranian people but all users of Persian-script languages.
The team behind AGITSys has pioneered the introduction of Persian text on the Internet, a daunting but critical task. They have taken a leadership role in working toward Persian domain names for more than 8 years. No entity is better suited to manage the .PARS gTLD, nor more dedicated to providing new online tools and services to facilitate the unification of the .PARS community online. The .PARS gTLD will open up the vast resources of the Internet to this community, while stimulating the introduction of more online resources in the Persian language.

ICANN is well-positioned to facilitate Persian-based domain names due to the efforts of AGITSys' leadership. Mr. Shahram Soboutipour, an expert in Persian linguistics has labored for years in anticipation of ICANN's introduction of Persian TLDs including:

GNSO Internationalized Domain Names Working Group

Soboutipour engaged directly with this IDN-related ICANN Working Group. Over a four-month period ending in 2007, Shahram participated in policy discussions regarding new TLDs as the only representative of Persian concerns. The report can be found here: http://gnso.icann.org/drafts/idn-wg-fr-22mar07.htm

GNSO Policy Process Steering Committee (PPSC)
Since 2008, AGITSys has been working with the GNSO PPSC. Soboutipour indirectly promoted policies and steering processes for future development of Persian TLDs within the Working Group-Work Team (WG-WT). The WG-WT is responsible for making recommendations concerning processes and methods involved for a new WG model, including suggestions for transition to a new model. As has been the case in other Working Groups, we were the only representatives looking out for Persian concerns.
Public Interest Registry (.org Registry) Advisory Council
Shahram has been a member of the Advisory Council of PIR, Public Interest Registry (.org Registry) from April 2008 to 2012. He was especially engaged in the Advisory Council's Working Group, where PIR was interested in programming its future activities in this world.
Arabic Script IDN Working Group (ASIWG)
Is a self-organizing group that consists of interested parties in the implementation of Arabic script in Internationalized Domain Names. Persian script is known as part of the Arabic script (Perso-Arabic script). Soboutipour was also active in this group,

• Relations to the community and its constituent parts/groups.

As stated above, AGITSys operates at the heart of the community as defined both by geography and population. But as this application demonstrates, it has a clear understanding of the larger community that would be served by .PARS, the spread over more than two millenniums of the Persian people and alphabet.

• Accountability mechanisms of applicant to the community.

AGITSys will oversee the formation of a .PARS Policy Advisory Committee (PAC) populated by members of the .PARS gTLD community. AGITSys intends that the PAC be representative of the entire broad spectrum of the Muslim community. It therefore intends to engage religious figures, academics, public figures and a broad range of community members and simply interested parties as a part of this board. Anyone with a desire to do so will be able to apply to become a member of the PAC, and AGITSys will not discriminate against any applicants; if their application is strong then the simplest farmer has as much chance of joining the board as a distinguished academic.
The PAC would serve as a conduit for the community to weigh in on any policy matters that impact the operation of the gTLD. These can range from abuse prevention and mitigation to registration policies and the maintenance and structure of the .PARS community.
This advisory Board will also be critical for our continued outreach across the community as we spread the word about the .PARS gTLD. It will serve as a key channel of communication with, and anchor to, the community which this effort hopes to serve.

AGITSys has received endorsement letters from the following organizations and individuals"
1 The Economic Cooperation Organization (ECO) Cultural Institute
2 Ferdowsi Foundation
3 Iran-Tajikistan Friendship Association
4 Institute for Trade Studies and Research
5 Iranian Scientific Society of Command And Control
6 Iranian Cavers & Speleologists Association
7 Dr. Majid Tafreshi, Historian and Researcher
In addition to the support of these leading organizations, there is already widespread grassroots support within the Persian Community for AGITSys' application for .PARS. More than 40,000 people have signed a petition to ICANN supporting our effort. As members of the Persian community, these people recognize the historical and cultural importance of the .PARS gTLD to Persians and endorse this effort.
In a short period of time, with very little effort invested in PR or promotion, we were able to recruit more than 40,000 supporters of our application for .PARS. Once delegated and properly promoted, we expect to see even greater results. As it is not possible to upload all 40,000 signatures, we encourage you to view the petition at http://www.ipetitions.com/petition/dot-pars/.

20C. Provide a description of the community-based purpose of the applied-for gTLD.

• Intended registrants in the TLD.

The .PARS gTLD is intended for Members of the Persian Community who live in one of the countries: Iran, Georgia, Turkey, Armenia, the Caucasus, Azerbaijan, Afghanistan, Tajikistan, Uzbekistan; people who wish to promote, participate in or learn about Persian heritage, language and culture and who use it in any way in their daily lives. Equally, many companies worldwide use the word "Pars" or some derivation of Persian in their business names or even second-level domain - and thus the .PARS gTLD will benefit their internet presence, offering expansion for those already online and opportunities for those who are not.

• Intended end-users of the TLD.

Persians can be found in Iran, Georgia, Turkey, Armenia, the Caucasus, Azerbaijan, Afghanistan, Tajikistan, Uzbekistan and Northern Pakistan. Sizable Persian communities can also be found across North America in large cities such as New York City, Los Angeles, Chicago, Boston, Seattle, San Francisco, Denver, Ottawa and Toronto. It is estimated that as many as 1,560,000 Persian-speaking individuals live in the United States alone. Other major concentrations of Persian immigrants include Turkey (800,000), U.A.E. & Bahrain (560,000), Iraq (250,000), Germany (110,000), UK (80,000), Canada (75,000), France (62,000), India (60,000), Australia (60,000), CIS (50,000), Israel (50,000), Lebanon (50,000), Philippines, Korea & Japan (50,000), Russia & Other

Former Soviet Union countries (50,000), Syria (50,000), Pakistan (40,000), Egypt & North Africa (20,000), Greece (20,000), Kuwait (20,000), Austria (15,000), Spain & Portugal (15,000) and Sweden (15,000).Many of these Persian communities are served by Persian-script newspapers and periodicals, but the readers of those publications would welcome greater connection to their fellow citizens online through .PARS sites. The .PARS gTLD will also serve as a reminder of their glorious ancient homeland.
Within all of these populations, the intended end users of the .PARS gTLD are manifold:
Persian-language speakers with ties to the Persian heritage: This would include a significant percentage of the population of Persian Community along with other nations.
Persian-language native speakers: As demonstrated above, this includes millions of individuals in Afghanistan, Iran and Tajikistan as well as other continents.
Persian-language students: Those learning Persian as a foreign language would benefit from increased resources online that would help them learn and grow in their new language.
Persian businesses: Tens of thousands of entities hold the word "PARS" as part of their legal trading name, where it is needed to indicate their origin. Businessmen have chosen the word "PARS" as a symbol of honor and glory, and as an indication that they belong to the Persian community, leaving aside the simple popularity of the word. The word "PARS" is thus already used widely among Persian websites. A simple search for the word "PARS" limited to just "Persian language websites" and "in the page title" results more than 50,000,000 web pages, clearly indicating this popularity: http://goo.gl/bG3VF

A list of the regional and social varieties of modern Persian include;

Western variant (Farsi)
Eastern variant (Dari)
Central Asian variant (Tajik)
Hazara dialects (Hazaragi)
Judeo-Persian (Dzhidi)
Judeo-Tajik (Bukhori)

It is hoped that not only will these intended users derive individual benefit from the existence of a .PARS community, but that they will also contribute in turn. This should create a group benefit, which will in turn feed back in to individual benefits - establishing a beneficial cycle.

• Related activities the applicant has carried out or intends to carry out in service of this purpose.

Anticipating the diversification of TLDs now being realized, and the consequent introduction of a Persian culture-specific online space, AGITSys has been working with a wide variety of related parties for several years in preparation, and will continue to do so going forward. A key element to the success of the .PARS gTLD is a strong and interactive community, which Persians around the world are proud to associate with and keen to contribute to. In order to ensure this, AGITSys will engage in and sponsor community outreach and marketing, in order to raise awareness of the forthcoming possibilities and to gather input for how the .PARS gTLD will take shape, and what they intend to subsequently give back to it. Launching the .PARS gTLD in concert with the desires of the community will be key to its success.
Quality content will also be fundamental to a thriving .PARS community, especially because AGITSys is committed to ensuring that .PARS is populated by quality second-level domain offerings. With this in mind, AGITSys will be talking with those most likely to contribute quality content, from news and media agencies to academics and libraries (who will be able to digitize Persian-script materials and then distribute them online comprehensively for the first time) about how they can and will contribute, and what AGITSys can do to facilitate this process.
Ultimately, however, culture and history will always be the most important element for a successful .PARS community online. The entire gTLD concept is designed as a place of online respect and reverence for those of Persian heritage to appreciate it - and appreciate their association with this heritage. As such, the involvement, blessing and feedback of the Persian cultural, political and religious community is fundamentally important. Aware of this, AGITSys has been in prolonged and continued contact with important Persian figures around the globe- asking them what they want to see and how they would like to see it done, whilst also encouraging them to spread the word and prepare themselves. This should mean that when the .PARS gTLD comes online, there will be a large swathe of information posted almost immediately - therefore instantly creating a rewarding user experience.

• Explanation of how the purpose is of a lasting nature.

The community that will be served by .PARS--growing as it has out of the Persian people and the Persian alphabet --has thrived and grown for more than a millennium. Remarkably, it has done so largely without the level of connection online found with English-speaking cultures. This existing community interconnection speaks to the cultural staying power of the community and the many ways it enriches world culture.
With the adoption of a .PARS community, this robust group will be further empowered to interconnect and grow, allowing it to take its equal place on the Internet stage. The community thrives now, but will reach new heights with a .PARS gTLD.
The growth of the .PARS gTLD will be driven by what economists refer to as the network effect. A network effect occurs when a service becomes more popular as more individuals adopt it. A significant portion of the service's value stems directly from the increased adoption and usage of the service.

As more sites offer information, services, and opportunities for interconnection to the .PARS community as a whole, more members of the community will navigate to those sites. Many of those will provide their own content, and their activity there will spark further growth of second-level .PARS domains. At some point, information and service providers currently not offering sites in Persian will see the demand for .PARS-related content and will migrate their offerings to .PARS sites as well, furthering the offerings to the community and further driving community members to .PARS sites. The future benefits of interlinking this diverse and global community are incalculable but immense.

20D. Explain the relationship between the applied- for gTLD string and the community identified in 20(a).

• relationship to the established name, if any, of the community.

The .PARS gTLD is the name of the geographic location where the Persian community belongs to. Every member of the community can trace its heritage ethnically and linguistically to the Persian people, and millions of residents of Iran, Afghanistan and Tajikistan --among others worldwide--are descendents of the Persians who lived in the PARS land. There will be an instant connection to anyone in the community as to the meaning of .PARS, and the fact that any second-level domain with the .PARS gTLD will be a site providing them with information and access critical to them as a community member.

• relationship to the identification of community members.

As stated above, community members will feel an affinity and self-identification with the .PARS gTLD, as well as formal identification by their place of residency. As adoption of .PARS grows, use of domains using this community gTLD will grow exponentially, helping to cement the obvious connection between the string and the community.

• any connotations the string may have beyond the community.

AGITSys knows of no other connotations the .PARS string might have outside of this community.

20E. Provide a complete description of the applicant's intended registration policies in support of the community-based purpose of the applied-for gTLD. Policies and enforcement mechanisms are expected to constitute a coherent set.

• Eligibility: who is eligible to register a second-level name in the gTLD, and how will eligibility be determined.

As mentioned above, the primary goal of the .PARS gTLD is the protection and promulgation of Persian culture, language and heritage. To this end, In order to register a .PARS Domain Name, you declare during time of registration that you are part of the Persian Ethnic, Linguistic and Cultural Community.
Our policies may permit registrations in .PARS gTLD by the following:
Universities, schools, research institutions and other academic entities that use Persian in their academic activities or teach/promote aspects of Persian culture.
Public or private entities whose aim is promoting the Persian culture.
Writers, translators, correctors and journalists publishing (or contributing to) works in Persian
Publishing companies that publish works in the Persian language or relating to the Persian culture
Media using the Persian language for their communications
Individuals, groups, businesses, organizations, entities or initiatives, however constituted, carrying online communications in Persian
Individuals, groups, businesses, organizations, entities or initiatives, however constituted, carrying the word "Pars" as part of their name
In order to register a names in the .PARS TLD, all registrants must attest that they are members of the Persian Community who live in one of the following countries: Afghanistan, Armenia, Azerbaijan, The Caucasus, Georgia, Iran, Tajikistan, Turkey, or Uzbekistan and provide a valid address demonstrating their residence.
The .PARS gTLD is intended for people who wish to promote, participate or learn about the Persian heritage, Persian language, Persian culture and Persian history and who use it in any way within their daily lives.
The .PARS gTLD will be open to anyone complying with AGITSys Acceptable Use Policy (AUP), .PARS registration policies and with ICANN guidelines.

• Name selection: what types of second-level names may be registered in the gTLD.

Generally, eligible registrants may register names of their choice in the .PARS gTLD as long as they are in compliance with key registry polices such as the Acceptable Use Policies and not on the PAC Reserved list described below. AGITSys will also follow ICANN guidelines regarding potential restrictions of second-level domains. To help preserve the cultural importance of the gTLD, we will also develop and implement a reserve list of names that will represent key cultural, traditional and historical values of the Persian community. The development of this list will be spearheaded by this restriction can be controlled by creating the list of prohibited names managed by the .PARS Policy Advisory Board. This list will contain a broad listing of names that have particular significance to the .PARS community. It will include key holidays, religious institutions cultural icons and described above.

• Content/Use: what restrictions, if any, the registry operator will impose on how a registrant may use its registered name.
AGITSYS will have an Acceptable Use Policy (AUP) and registration policies that will govern how a registrant may use its registered name. We will ask all members to honor the Persian Culture, Heritage and language. We will also require registrants to ensure that websites hosted under these domain names contain Persian scripts to promote the Persian language as a valuable resource of the Persian Community.
AGITSYS will explore the use of automated measures to search for and evaluate the use of Persian scripts on websites registered in the .PARS gTLD. Those registrants who do not comply with the usage requirements above will have punitive action taken against them, potentially leading to their website being de-listed. These requirements will be enforced through the AUP and contracts registrants must sign with their registrars prior to the registration of a domain name.
• Enforcement: what investigation practices and mechanisms exist to enforce the policies above, what resources are allocated for enforcement, and what appeal mechanisms are available to registrants?

As part of the AUP and registration polices, AGITSys will have complete enforcement rights over registrants' use of .PARS domain names. AGITSys will randomly audit domain names registered in the .PARS gTLD to ensure compliance with all eligibility and use criteria. If a violation is discovered, an investigation will begin immediately to rectify said violation.

20F. Attach any written endorsements for the application from established institutions representative of the community identified in 20(a). An applicant may submit written endorsements by multiple institutions, if relevant to the community.

21A. Is the application for a geographic name?

No

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22. Describe proposed measures for protection of geographic names at the second and other levels in the applied-for gTLD. This should include any applicable rules and procedures for reservation and/or release of such names.

Protection of Geographic Names
Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. has chosen CoCCA Registry Services (NZ) Limited (CoCCA) as their registry services provider. CoCCA has over 12 years of experience in authoring registry software and providing registry support services. With 35 national TLDs relying on CoCCA's technology to manage critical infrastructure, the CoCCA EPP Shared Registry System (SRS) is the most widely deployed, field-tested SRS in use today. In many respects new niche market gTLDs are predicted to more closely resemble existing ccTLD name spaces than the current gTLD ones. CoCCA's commercial model and technology enables TLD Sponsoring Organizations to focus on operating the front end portion of the registry including sales, marketing and community relations while leaving the operational aspects to the proven team at CoCCA.
In addition to technology CoCCA has a considered and tested set of leading - practice policies designed to address security, stability, rights protection, abuse mitigation, privacy and other issues, CoCCA is a trusted partner for Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. to operate the .pars in a manner that is fully compliant with all ICANN rules and regulations.
CoCCA, on behalf of the Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti., intends to implement the following measures to protect geographical names at the second and at all other levels within the TLD:

Reservation Measures for Geographical Names
Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will adhere to Specification 5 of the proposed Registry Agreement, "Schedule of Reserved Names at the Second Level in gTLD Registries" ⁄ section 5 titled "Country and Territory Names." The geographic names listed in the following internationally approved documents will be reserved at the second level within the TLD and at all other levels where registrations occur:
(22.1.i.1) the short form (in English) of all country and territory names contained on the ISO 3166- 1 list, as updated from time to time, including the European Union, which is exceptionally reserved on the ISO 3166-1 list, and its scope extended in August 1999 to any application needing to represent the name European Union
(22.1.i.2) the United Nations Group of Experts on Geographical Names, Technical Reference Manual for the Standardization of Geographical Names, Part III Names of Countries of the World; and
(22.1.i.3) the list of United Nations member states in 6 official United Nations languages prepared by the Working Group on Country Names of the United Nations Conference on the Standardization of Geographical Names.

Potential Release of Geographical Names
Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. is committed to working with governments and other stakeholders that may have a concern regarding the registration of names with national or geographic significance at the second level. If Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. decides to release reserved geographical names, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will abide by the process outlined in Specification 5 of the Registry Agreement by seeking agreement from the applicable government(s). Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. understands that any release of the geographical names may be subject to Governmental Advisory Committee review and approval by ICANN.

Review, Audit, and Updates to Policies
Policy management is dynamic in nature requiring continual management. The Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. in conjunction with CoCCA's assistance will be engaged in policy development efforts in general and with respect to protections of geographical domain names. Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will review and consider suggestions or concerns from government, public authorities or IGO's regarding this policy. And as with all required policies, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will perform openly and transparent should updates to existing policy or the creation of new policy be required. Further, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.' internal process continually reviews and manages its reserve lists as one part of the abuse prevention mechanisms described in greater detail within question 28, "Abuse Prevention and Mitigation."

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23. Provide name and full description of all the Registry Services to be provided. Descriptions should include both technical and business components of each proposed service, and address any potential security or stability concerns.
The following registry services are customary services offered by a registry operator:

A. Receipt of data from registrars concerning registration of domain names and name servers.
B. Dissemination of TLD zone files.
C. Dissemination of contact or other information concerning domain name registrations (e.g., port-43 WHOIS, Web- based Whois, RESTful Whois service).
D. Internationalized Domain Names, where offered.
E. DNS Security Extensions (DNSSEC). The applicant must describe whether any of these registry services are intended to be offered in a manner unique to the TLD.

Additional proposed registry services that are unique to the registry must also be described.

Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. has contracted CoCCA Registry Services (NZ) Limited ("CoCCA") to provide hosted Registry Services for the .pars TLD. The .pars TLD will be added to CoCCA's existing production Shared Registry System ("SRS"). CoCCA will ensure redundant geographically diverse DNS resolution through propagation of the .pars zones on the Internet Software Consortium ("ISC"), Packet Clearing House

("PCH") anycast networks - and on CoCCA unicast servers.

CoCCA authors the internet's most widely used SRS registry system (which has been branded "pamoja" for gTLD name spaces). ISC authors BIND and pioneered anycast technology, PCH has one of the internet's largest and longest running anycast networks. DNSSEC key storage and and signature will take place on the PCH DNSSEC platform, a platform developed for cccTLD's that mirrors the security and processes used by ICANN to secure the root.

The .pars TLD SRS data will be escrowed with both NCC Group and CoCCA subsidiary CoCCA Data Escrow Services (NZ) Limited.

23.1 About CoCCA

CoCCA has over nine years experience authoring open source registry software systems and providing TLD registry support services. CoCCA was originally incorporated in Australia in 2003 as CoCCA Registry Services Limited, in January 2009 CoCCA re-located to New Zealand and trades as CoCCA Registry Services (NZ) Limited. CoCCA is a privately held NZ company.

CoCCA's existing clients are governments and other managers of county code top level domains (ccTLDs). As of 31 March 2012, 33 national ccTLDs have selected CoCCA's SRS technology and/or services to help them manage their critical infrastructure. Several additional ccTLDs have committed to migrate to CoCCA's "pamoja" SRS in 2012 (pending the outcome of re-delegations). As many as 40 ccTLDs are thought to be using the pamoja SRS application, while CoCCA has formal relationships and support contracts with 33 TLDs, the exact number of users is hard to determine as the pamoja software is freely available for download from the internet. CoCCA's offers ccTLDs a perpetual royalty-free license to use and deploy the SRS software.

CoCCA's commercial model is based on delivering significant economies of scale to TLD managers, CoCCA's dominant market position in the ccTLD ecosystem - where the TLD string is generally considered critical infrastructure, ensures CoCCA's commercial viability and ongoing funding of R&D regardless of the success of a particular gTLD string (or group of gTLD strings) that select CoCCA as the Registry Services provider. CoCCA's technology is mature, field tested and their commercial model is solid and not dependent on new gTLD's.

The pamoja SRS can be used several ways, the application can be downloaded and installed locally by a TLD Sponsoring Organization ("SO"), or the SO can contract CoCCA to host either the primary or failover SRS at the CoCCA Network Operations Centre ("NOC").

CoCCA's pamoja SRS is a freely available gTLD-compliant TLD database application based on the "CoCCA Tools" open source ccTLD EPP registry system. The SRS licensing simplifies failover and transition planning as the source, data, and daily virtual machine images are to be placed into escrow enabling them to be migrated or re-deployed by a different entity without any SRS licensing issues. CoCCA's SRS is a 'shrink-wrapped" application that can be installed on a single server in minutes or deployed in a High Availability (HA) configuration.

CoCCA's pamoja SRS is the most widely deployed, field-tested SRS in use today. CoCCA's SRS is a mature product that has grown organically over the past decade as new standards have been developed and published. It is doubtful any other Registry Services provider has accumulated CoCCA's level of experience operating multiple small to medium sized TLDs efficiently and securely.

CoCCA's pamoja SRS is currently used to run three (3) Arabic (IDN) TLDs and was selected by the Telecommunications Regulatory Authority in Egypt to launch the Internet's first IDN TLD (.masr) in 2010. The flexible package supports ASCII and IDN - including variants and folding where required.

23.2 Current pamoja SRS deployments

Key - | [P] CoCCA Operated Primary SRS |[F] CoCCA Failover SRS | [E] Escrow | [S] Software Only

.af	Afghanistan	Ministry of Communications and IT	[P] [F] [E]	
.bi	Burundi	Centre National de l'Informatique	[F] [E] [S]	
.bw	Botswana	Botswana Telecoms Authority	[S] [F] [E]	
.cm	Cameroon	Cameroon Telecommunications (CAMTEL)	[S]	
.cx	Christmas Is.	Christmas Island Internet Administration Limited	[P] [F] [E]	
.ec	Ecuador	NIC.EC (NICEC) S.A.	[S]	
.eg	Egypt	Egyptian Universities Network (EUN)	[S]	
xn--wgbh1c		Egypt IDN	National Telecommunication Regulatory Authority	[S]
.ge	Guernsey	Island Networks Ltd.	[S]	
.gl	Greenland	TELE Greenland A/S	[S]	
.gs	S. Georgia	Government of South Georgia	[P] [F] [E]	
.gy	Guyana	University of Guyana	[P] [F] [E]	
.ht	Haiti	Consortium FDS/RDDH	[P] [F] [E]	
.hn	Honduras	Red de Desarrollo Sostenible Honduras*	[P] [F] [E]	
.iq	Iraq	Communications Media Commission*	[S] [F] [E]	
.je	Jersey	Island Networks (Jersey) Ltd.	[S]	
.ki	Kiribati	Ministry of Communications	[P] [F] [E]	
.ke	Kenya	Kenya Network Information Center (KeNIC)	[S]	
.mg	Madagascar	NIC-MG (Network Information Center Madagascar)	[F] [E] [S]	
.mu	Mauritius	Internet Direct Ltd	[P] [F] [E]	
.ms	Montserrat	MNI Networks Ltd	[F] [E] [S]	
.mz	Mozambique	Centro de Informatica de Universidade	[F] [E] [S]	
.na	Namibia	Namibian Network Information Center	[F] [S]	
.ng	Nigeria	Nigeria Internet Registration Association	[F] [E] [S]	
.nf	Norfolk Is.	Norfolk Island Data Services	[P] [F] [E]	
.pe	Peru	Red Cientifica Peruana	[S]	
.sb	Solomon Is.	Solomon Telekom Company Limited	[P] [F] [E]	
.sy	Syria	National Agency for Network Services	[S]	

xn--ogbpf8fl ⁄ xn--mgbtf8fl [S]	Syria IDN	National Agency for Network Services		
.tl	Timor-Leste	Ministry of Infrastructure	[P] [F] [E]	
.ps	Palestine	Ministry Of Telecommunications	[S]	
xn--ygbi2ammx [S]	Palestine IDN	Ministry Of Telecommunications		
.zm	Zambia	ZAMNET Communication Systems Ltd.	[F] [E] [S]	

* Currently in the process of migrating away from Neustar (.iq) and Afflias (.hn)

23.3 CoCCA's Hosted SRS

Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. has confirmed with CoCCA their production experience and the availability of the Registry Services described briefly in sections 23.4-23.18 below - and in greater detail in the responses to questions 24-43. Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. and CoCCA understand elements of ICANN's TLD requirements will most likely be modified in the future. CoCCA's Registry Services will comply with future ICANN requirements or mandates.

23.4 Receipt of Data via the SRS EPP interface

Data from Registrars concerning the insertion and maintenance of records in the SRS may be processed either via the CoCCA EPP interface (XML over SSL on port 700) or manually via CoCCA's port 443 SSL web interface. CoCCA was an early adopter of the EPP standard and has operated an EPP based SRS for almost seven years.

The .pars TLD will be added to CoCCA's existing production SRS, which currently has 203 registrars connected. CoCCA's SRS has a single EPP interface for all hosted TLDs allowing registrars to share the same contact and host objects across multiple TLDS. The .pars TLD will only be made accessible to ICANN accredited registrars, many of which are currently connected to CoCCA for ccTLDs and using the EPP and GUI interface that the .pars TLD will be accessed via when launched.

CoCCA's pamoja EPP interface currently complies the IETF RFC's required by ICANN (5730-5734 and 3735) and is explained in more detail in the response to Question 25.

23.5 Receipt of Data via the SRS Graphical User Interface ("GUI")

Registrars may insert and manage domain, contact and host records as well as the SRS accounting functions via a port 443 GUI. Registrars do not have to use the EPP interface on port 700. Records managed via the GUI connect to the SRS EPP engine on port 700 via background processes; this ensures rigorous conformity with the RFC's and consistency in auditing and maintenance of historical records.

23.6 Registrar Data Restrictions (Reserved Names)

Restrictions on what domains may be inserted and maintained by registrars is to be controlled by configuration of java regular expressions. In order to comply with the requirements set out in Specification 5 and any Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. policy. the .pars TLD will use three of pamoja's features as described below.

23.6.1 Prohibited Patterns. Domains that match patterns will be rejected with an EPP 2306 - Parameter Value Policy error, letting the registrar know that these domain names do not fit in with the registry policy for this zone.

23.6.2 Syntax Patterns. Certain strings, such as all-numeric names or single character names may be restricted. An EPP 2005 error - "Parameter Value Syntax error" will be returned to the EPP client, indicating that the name is invalid.

23.6.3 Approval Patterns. Names that match these patterns will not be rejected, but will be registered pending approval. Until they are approved, the name will not appear in the .pars zone files, and will not be able to be transferred, renewed or modified in any way by the registrar.

23.6.4 Both ASCII and non-ASCII contact details can stored and displayed via web-based WHOIS and command line WHOIS.

23.7 SRS GUI, Role-Based Access

The pamoja SRS GUI has numerous role-based logins described below. Several of these have been recently developed by CoCCA in response to ICANN's proposed gTLD requirements and are currently being used numerous ccTLD production environments.

Administrative Roles

* SRS Systems Administrator - Able to administer and configure the entire SRS system
* CERT ⁄ Law Enforcement - Able to view and query the SRS, but not alter records.
* TLD Administrator - Able to administer a TLD or group of TLDs
* TLD Viewer - Able to view but not alter records for a TLD or group of TLDs
* Zone Administrator - Able to administer a Stub Zone, or group of Stub Zones
* Zone Viewer - Able to view but not alter a Stub Zone, or group of Stub Zones
* Customer Service - Can perform tasks on behalf of a number of registrars
* Name Approver - Can approve names matching the Zone Approval Patterns
* CHIP Approver - Can approve domains registered with CHIP codes or other Trademarks.

Registrar Roles

* Registrar Master Account - Able to perform all registrar functions and create subordinate logins
* Registrar Technical - Able to modify domain details
* Registrar Helpdesk - Able to view domains and make various minor changes
* Registrar Finance - Able to view domains financial transactions and also edit financial data
* Registrar Finance - (Read Only) Same as above but view only.

Other Access Roles

* Premium WHOIS - Able to perform various queries in a SRS GUI and extract and save data to a CSV, also able to connect via the SRS EPP API for read-only query.
* Zone File Only - Able to login and request Zone Files

23.8 Zone File Dissemination / Resolution

The .pars will resolved by propagation of zone file data periodically extracted from the SRS, sent to PCH DNSSEC signing servers for signature, returned to CoCCA and then distributed by CoCCA's hidden master server to two redundant and independent anycast networks operated by Internet Software Consortium ("ISC" | http://isc.org) and Packet Clearing House ("PCH" | http://pch.net) - as well as two (2) public unicast TLD servers operated by CoCCA.

The .pars will be resolved by a minimum of 80 geographically distributed resolvers, all of which run ISC's BIND and are configured such that they comply with relevant RFC's including 1034,1035, 1982, 2181, 2182, 2671, 3266, 3596, 3597, 3901, 4343 and 4472.

The PCH and ISC name servers employ IP-anycast technology for scalable geographic redundancy, strong defense from Denial of Service attacks, high quality of service, and give excellent (fast) responses to geographically diverse Internet users. DNSSEC and IPv6 are already fully integrated into the PCH and ISC networks.

Registrars will able to continuously inspect the availability and status of each TLD server instance via the SRS GUI and other CoCCA WEB Sites. Should a TLD server be unreachable registrars are to be automatically notified (via email) and EPP polling messages. More detailed information is available in the responses to Questions 24-43.

23.9 Dissemination of Domain Related Information

The SRS public WHOIS server will answer for the .pars TLD on port 43 in accordance with RFC 3912 and the requirements set out Specification Four (4), 1.1-1.7 and Specification Ten (10), Section 4.

The CoCCA SRS features a public port 443, web-based RDDS interface that enables internet users to query and extract information which is at a minimum identical to that which is provided via the port 43 server but using technology that may be more convenient or accessible to many internet users than a port 43 command line query.

The CoCCA SRS also allows any Internet user (or any user with a login to the SRS) to order a complete Historical Abstract delivered in an easy to understand pdf format.

Individuals may optionally subscribe to CoCCA's Premium WHOIS service, which provides them with:

* secure access to the SRS (via both a web-based port 443 GUI and read only EPP on port 700).
* the ability to perform a variety of boolean queries online in real-time and save the output to a CSV
* the ability to create "interest lists" using java regular expressions where they receive EPP polling messages and emails if a domain is registered that contains a string of interest to them.

Established CERT's and law enforcement agencies may request, and will generally be granted, read only GUI and EPP access to the CoCCA SRS free of charge. Currently this access is granted to the Australian Government CERT, who under an MOU may share information with other CERT's and national and international law enforcement agencies.

23.10 DNS Security Extension (DNSSEC)

CoCCA's SRS DNSSEC implementation allows registrars to provision public key material via EPP and the GUI. Under an agreement between CoCCA and PCH, .pars TLD Keys are to be stored offline and signed using PCH's DNSSEC platform that replicates the security process, mechanisms and standards employed by ICANN in securing the ROOT of the DNS.

The CoCCA-PCH key storage implementation deviates from the ICANN model only by diversifying the locations of the secure sites such that two (2) of the three (3) sites are outside the United States. The Singapore facility is hosted by the National University of Singapore, on behalf of the Singaporean Infocomm Development Agency (IDA). The Swiss facility is hosted in Zurich by SWITCH, the Swiss national research and education network. The U.S. facility is hosted by PCH Equinix in San Jose.

The CoCCA SRS DNSSEC implementation complies with RFC's 4033, 4034, 4035, 5910, 4509, 4641 and 5155. Additional information on the DNSSEC implementation is available in the response to question 43.

23.11 Escrow Deposits

CoCCA's Registry Services include deposit of escrow data in the format and following the protocols set out in Specification Two. CoCCA currently deposits ccTLD data daily (in both the native CoCCA format and the draft arias-noguchi format) with both NCC group and CoCCA Data Escrow (NZ) Limited. CoCCA Data Escrow (NZ) Limited is a subsidiary and was established in 2009 to provide Failover Registry and escrow services to users of the CoCCA SRS who run the software locally on their own infrastructure.

As part of CoCCA's Registry Services and to ensure continuity of operations, CoCCA deposits all updates to the pamoja SRS source code with NCC, and daily VMware images of the production SRS with CoCCA Data Escrow Services (NZ) Limited. These same practices will be adopted for the .pars TLD when launched.

.pars SRS data will be deposited with NCC Group, CoCCA Data Escrow and ICANN. Additional information on Escrow is available the response to question 38.

23.12 Document Management

CoCCA's Registry Services include maintenance of documents related to intellectual property rights, complaints, identification of contacts, court orders etc. These documents are maintained in the SRS and become part of a domain's (or contacts) permanent history.

23.13 Support for Various Zone States

CoCCA's Registry Services support Sunrise, Rolling Sunrise, Land-rush and Open Registrations for a given zone. Each "State" can be configured to match common policy options.

23.14 Accounting

CoCCA's Registry Service's includes a variety of standardized and add-hoc reports accessible to TLD administrators via the GUI. Standardized reports include one that complies with the requirements set out in Specification Three "Format and Content for Registry Operator Monthly Reporting".

23.15 Audit Trail

All SRS activity is logged and permanently archived, it can be easily retrieved via the GUI for law enforcement or complaint resolution. A "time-machine" feature allows a user with appropriate rights to view the domain information as it existed on any given date and time. Information is never purged from the SRS, information on deleted domains, hosts, contacts can be easily extracted.

23.16 Monitoring
CoCCA's Registry Service's include statistics on and real-time monitoring of the primary NOC, CoCCA's DNS Servers, Escrow NOC (NZ) and failover NOC in Palo Alto California. Additional information is available in the answers to questions 24-42. Monitoring of the ISC and PCH anycast networks is done internally by those entities, with statistics and notices made available to CoCCA in near-real time. Where applicable and relevant monitoring information is made available to registrars by CoCCA via the SRS.

23.17 Maintenance of Failover Facilities

CoCCA Registry Services include maintenance of their geographically dispersed Escrow and Failover SRS facilities (Auckland and Palo Alto, a third is planned for Paris in early 2013).

23.18 Complaint Resolution Service (CRS)

CoCCA's Registry Services include operating a "single desk" CRS to help resolve complaints, trigger Critical Issue Suspensions ("CIS") and enforce a Uniform Rapid Suspension ("URS") request. Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will bind all registrants in the .pars to the CoCCA CRS, Acceptable Use Policy and Privacy and RDDS Policy via the .pars Registrant Agreement ("RA"). CoCCA's front-line CRS services are a "role" performed by CoCCA's 24⁄7⁄365 NOC Support.

23.19 Registrar Support

CoCCA Registry Services provides registrars with 24⁄7⁄365 support via email and their virtual manned Network Operations Center (NOC). The CoCCA NOC Support has staff Auckland, Sydney, Jonestown (Guyana) and Paris for around the clock coverage. CoCCA NOC Support all have access to the same cloud hosted monitoring and customer service applications as well as the SRS.
23.20 Security and Stability Audit

The pamoja SRS application is used to mange critical TLD infrastructure, each release is tested prior to release or deployment by CoCCA developers, developers and systems administrators at registries that deploy the application locally. Each major release is tested and audited by Yonita (http:⁄⁄yonita.com⁄).

CoCCA constantly reviews its SRS software and sites to ensure they meet or exceed best practices in the industry, regular external audits of the security policy and CoCCA NOC are planned commencing 2013. The CoCCA NOC and failover facilities will be independently tested twice a year to ensure compliance with the CoCCA security policy, where applicable recommendations included in a security audit will be swiftly implemented.

23.21 Operational Testing and Evaluation (OT&E) Environment

CoCCA's Registry Service's include the operation of an OT&E SRS that enables registrars to evaluate new versions and features of the SRS software before they are deployed by CoCCA in production. Any ICANN accredited registrar will be granted access to OT&E. Registrars not currently connected to the CoCCA SRS will be required by CoCCA to demonstrate competency in EPP and the .pars policies before being granted EPP or GUI access to CoCCA's production SRS.

23.22 Authorization Key Retrieval
CoCCA's Registry Service's include automated public retrieval of domain AuthCodes by the administrative contact via a port 443 web page. The Authorization Key facilitates expedited transfers from one registrar to another.

23.23 Public Drop - List
CoCCA's Registry Services include publication of drop-lists of domains that are pending purge via a port 443 web page and email reports to registrars.

23.24 Wildcard Brand Registrations
A mechanism thought to be unique to the CoCCA SRS that allows blocking registration of a domain's "variants" using java regular expressions. This requires approval and manual intervention on the part of CoCCA.

23.25 Co-operation with Law Enforcement and CERTs
CoCCA works with Law Enforcement, CERTs and researchers and will generally grant registry continuous access free of charge to facilitate two-way data exchanges aimed at preventing and mitigating abuse in the DNS.

There are no known security or stability issues with the CoCCA's SRS, PCH's DNSSEC platform or ISC's and PCH's anycast networks at this time. Should any be identified resources are available internally at CoCCA, PCH and ISC to swiftly address and resolve security or stability issues as they arise.

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24. Shared Registration System (SRS) Performance:
describe

- the plan for operation of a robust and reliable SRS. SRS is a critical registry function for enabling multiple registrars to provide domain name registration services in the TLD. SRS must include
  the EPP interface to the registry, as well as any other interfaces intended to be provided, if they are critical to the functioning of the registry. Please refer to
  the requirements in Specification 6 (section 1.2) and Specification 10 (SLA Matrix) attached to the Registry Agreement; and
  • resourcing plans for the initial implementation of, and ongoing maintenance for, this aspect of the criteria (number and description of personnel roles allocated to this area).
  A complete answer should include, but is not limited to:
- A high-level SRS system description;
- Representative network diagram(s);
- Number of servers;
- Description of interconnectivity with other registry systems;
- Frequency of synchronization between servers; and
- Synchronization scheme (e.g., hot standby, cold standby).

The .pars TLD will be added to CoCCA's existing SRS, which currently has its primary Network Operations Centre (NOC) in Sydney Australia. The Sydney primary SRS is a single SRS instance currently hosting a dozen ccTLDs. CoCCA's Sydney SRS runs the latest versions of their "pamoja" TLD software application in a High Availability (HA) configuration. The Sydney SRS registry that will host .pars currently complies with the requirements Specifications 4, 6 and 10 and will be scaled or modified to meet SLA requirements or any future ICANN gTLD specifications. Because of CoCCA's commercial model and technology the primary SRS can be moved from one data center to another with only a few minutes outage.

From an Internet users perspective trusted, secure and responsive DNS implementations are the ultimate objective of Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. To ensure this CoCCA will use PCH's DNSSEC and anycast infrastructure for offline storage, signing and resolving the .pars TLD, additional DNS resolution will be provided by the ISC SNS anycast platform and two CoCCA unicast DNS servers. Additional information and technical details on the DNSSEC and anycast DNS services can be found in the answers to questions 34, 35 and 43.

24.1 Scale of Operations
A decade of operational experience with TLDs that have implemented polices to discourage tasting or otherwise incentivize add-drop registrations confirms the widely held belief that SRS registry databases are largely static. Once registered data associated with a domain is not frequently modified. More than 99% of the queries seen by CoCCA on a daily basis are WHOIS, EPP Domain:Info or Domain:Check queries (read queries) and do not tax a SRS's resources excessively. Direct experience and anecdotal evidence from other small and mid-sized registries suggest that between 2% and 5% of the records in the register change daily through db "write" operations - new registrations, renewals, name server changes, contact updates automated changes of status, transfers etc.

For a theoretical registry of 1 million domains this equates to roughly 50,000 "write" transactions a day - or an average of 35 a min (50,000 ⁄ 1440 min⁄day). A recent test of CoCCA's SRS software on an single 8GB cloud server revealed that the pamoja software was able to process 4 million unique EPP registrations in a little over 5 hours. Performance tests can be designed in any number of ways, real world performance depends on a variety of factors- the specific policy and account settings for a given zone.

In terms of both transactional capability and storage, todays "off the rack" hardware and the open source PostgreSQL database used by CoCCA can easily cope with demands that a small to medium sized registry is ever likely to make on an SRS system. While the CoCCA SRS EPP and WHOIS infrastructure and platform may seem comparatively modest, a decade of experience confirms it is more than capable of meeting the ICANN's gTLD SLA requirements and comply with the required RFC's.

If future demands require it, CoCCA's SRS can easily (and affordably) be scaled by adding additional load balanced application servers and bandwidth.

24.1 SRS | High Level Description

Comprehensive information on and descriptions of the CoCCA SRS and NOC may be found the answers to questions 25-42 that follow.

24.1.1 SRS Infrastructure ⁄ Architecture
The following describes the key features of CoCCA"s current production SRS that will be utilized for the .pars:

* Primary SRS is operated from Global Switch, a tier 3 + facility and one of the largest carrier-neutral data centers in the Southern Hemisphere.
http:⁄⁄www.globalswitch.com⁄en⁄locations⁄sydney-data-center

* Redundant links to the Internet through PIPE networks and Telstra
http:⁄⁄www.pipenetworks.com⁄
http:⁄⁄www.telstra.com.au⁄

* DNSSEC Key storage (offline) in Singapore at a PCH facility hosted by the National University of Singapore, on behalf of the Singaporean Infocomm Development Agency (IDA). Failover storage at a facility is hosted in Zurich by SWITCH, the Swiss national research and education network and in the U.S. at facility is hosted by Equinix in San Jose.

* .pars zones signed by PCH in Frankfurt or Palo Alto

* SRS Escrow at tier three co-location facility (Maxnet) in Auckland NZ and Failover a tier four facility (Equnix) supported by PCH in Palo Alto, CA US. A fourth SRS "instance" is planned for Paris in early 2013.

* Dedicated, routable CoCCA Critical Infrastructure IPv4 and IPv6 address blocks.
IPv4 resources: 203.119.84.0/24 (crit-infra)
IPv6 resources: 2001:dd8:3::/48 (crit-infra)

* Routers, Firewalls, Switches and Load balancers all configured for failover.

* CoCCA"s pamoja SRS application load balanced and configured for failover.

* PostgesSQL 9.1.3 database replicated synchronously to two secondary DB servers.

* DS Keys lodged by registrars via EPP or the CoCCA SRS GUI

* Servers Virtualized (VMware vsphere v5)

* VM image-based replication for high availability and off-site disaster recovery http://www.veeam.com/vmware-esx-backup.html

* Critical Data continuously replicated asynchronously to two off-site SRS instances - PCH, Equinix Palo Alto CA (pch.net) and CoCCA Data Escrow (NZ) Limited, Auckland NZ (maxnet.co.nz)

* OT&E Environment for Registrars

* Primary and Secondary hidden master DNS (failover masters).

* CoCCA operated unicast DNS in Sydney Australia and Auckland New Zealand.

* Two anycast solutions operated by PCH and ISC - over 80 DNS nodes.

24.1.2 Specification 6, Section 1.2 Compliance.

The .pars TLD will be added to CoCCA"s production SRS that currently hosts 12 ccTLDs under a single RFC 5730-5743, RFC 5910 and 3915 compliant EPP interface.

A list of the Registrars that currently connect to the CoCCA SRS for one or more ccTLDs follows bellow.

24.2 EPP Interface

The port 700 EPP interface for .pars will listen on the same IP and port as the EPP server for the other TLDs hosted by CoCCA - currently "production.coccaregistry.net:700", on launch the production EPP interface for .pars will be branded as epp.nic.pars.

24.3 WHOIS Interface (port 43 and 443)

The WHOIS Interface(s) for .pars will listen on the same IP and port as the WHOIS server for the ccTLDs and prospective gTLDs to be hosted by CoCCA - currently "whois.coccaregistry.net:43/443" on launch the interface for .pars will be branded as "whois.nic.pars". Each TLD (ccTLD/ gTLD) in the CoCCA SRS may have different WHOIS disclosure settings based on the TLD policy. The .pars will comply with the ICANN gTLD disclosure requirements.

24.4 GUI Interface (port 443)

The GUI Interface for .pars will listen on the same IP and port as the GUI server for ccTLDs and prospective gTLDs to be hosted by CoCCA - currently https://production.coccaregistry.net:443. On launch, the interface for .pars will be branded as "registry.nic.pars".

24.5 Hidden Master DNS (s) (port 53)

The there are two hidden master servers. CoCCA will transfer the .pars zone from the "signature master" to PCH for DNSSEC signature using TSIG IXFR / AXFR and IP restrictions at the OS and firewall level. PCH will sign the Zone and transfers it back to CoCCA using TSIG and IXFER/ AXFER, CoCCA will then loads the zone on a second "distribution master" which allows distribution to the PCH and ISC anycast transfer points and the CoCCA unicast DNS servers.

24.6 CoCCA Public Unicast DNS
DNS servers on virtual machines running BIND in the Sydney NOC and NZ SRS will pull and resolve the .pars TLD zones.

24.7 Public anycast DNS

CoCCA's distribution master notifies the anycast providers (PCH and ISC) and .pars TLD zones are transferred to the respective provider's transfer point IPs (hidden IPS for DNS transfers only) using TSIG IXFER / AXFR and then propagated by PCH and ISC across their respective anycast networks.
24.8 ftp Server
Server to distribute zone files as required under Specification 4 Section 2.

24.9 Escrow Server
Server used to deposit TLD data with NCC and transfer data to CoCCA"s Failover and Escrow SRS. Uses Secondary IP

range.

24.10 Number of Servers
There are seven physical server appliances in Sydney NOC configured such that they host 17 virtual machines.

24.11 High Availability (HA) Configuration

The Sydney NOC's network appliances are configured for failover and HA in either hot or warm standby mode. The PostgreSQL databases are locally replicated using 9.1.3's synchronous replication and asynchronously over the WAN to the Failover facilities. The status of the local and off-site replication is continuously monitored by the CoCCA NOC. CoCCA also ships WAL files so that in the event of an extend WAN outage the offsite SRS can be updated using Point in Time Recovery (PITR).

RDDS and EPP services are load balanced between two different application servers at the primary SRS (more application servers can easily be added). Public read-only RDDS may also load balanced by simply having the nagios monitoring software automatically modify the resource records and send WHOIS traffic to either of the secondary / failover SRS's for near-real time WHOIS, When the primary becomes available or SLA issues (DoS etc) are resolved, RDDS services are automatically switched back to the primary SRS.

The public IPs at the NOC used for EPP, WHOIS and GUI are on routable critical infrastructure ranges assigned to CoCCA by APNIC. In the event of an issue with the primary Internet link at the Sydney NOC (PIPE networks) CoCCA may either modify A and AAA records for GUI / RDDS and EPP services to the local failover link, or the entire IP range can be re-routed using BGP routing to a COCCA failover SRS. If the entire Sydney NOC suffers an extended outage the traffic can be routed to the the failover SRS (Palo Alto) or Escrow SRS (Auckland) as conditions dictate by either modification of resource records (A, cname) or BGP of the CoCCA AS.

VMware images of all virtual machines are made daily using Veeam Backup & Replication software

In addition to streaming replication, SRS data is sent to CoCCA's failover SRS and Escrow sites every 10 minutes (or sooner depending on activity) via SCP in the form of postgresql PITR files, and daily in the form of compressed database dumps and VMware images.

24.12 List of Registrars Connected to the CoCCA SRS in Sydney AU as of March 30, 2012

Name		Country
12idn Limited	NZ	
1API GmbH		DE
3w Media GmbH	DE	
abayard		HT
AB NameISP		SE
Active24 .CZ	CZ	
AFGNIC Registrar	AF	
AGJ Times		GB
Alpha Communications Network	HT	
Ascio Technologies	DK	
Atlantis North Ltd	GB	
Automattic Inc	US	
DomainReg		DE
Bamik Network Information	AF	
BBCWYSE Technology Co. Ltd	MU	
BB Online UK Limited	GB	
Beijing Guoxu Network	CN	
Bizcn.com, Inc.	CN	
Biz.Vi Networks Ltd.	HT	
Blacknight Internet Solutions	IE	
Brights Consulting Inc.	JP	
Brown Domain Services	HT	
cctldnames		GY
Cogent IPC		SE
Com Laude		GB
Communigal Communication Ltd	IL	
Connect-Ireland	IE	
Core | Council of Registrars	CH	
CPS-Datensysteme GmbH	DE	
Cronon AG		AF
Corporation Service Company	CA	
Consortium For Success, Inc.	US	
Cybernaptics Ltd	MU	
DA Domains		DM
DANILOU.COM		HT
Digital Technology	GY	
Dinahosting SL	ES	
Dipcon AB		SE
documentdata anstalt	LI	
DomainClub.com	US	
Domaine.fr		FR
Domaininfo AB	SE	
DomainKeep		US
Domain The Net Technologies	IL	
Dominiando IT	IT	
Dynamic Network Services	US	
E-advert Ltd	MU	
Easy Line Host	FI	
Easyspace Ltd	GB	

Encirca			US	
Enet Corporation		JP		
enom			US	
Entorno Digital S.A		ES		
EPAG Domainservices		DE		
Euro Billing Grona Verket AB	SE			
EuroDNS			LU	
IVX B.V.			NL	
FBS				TR
FING GLOBAL NETWORK Inc		JP		
Fody Technologies Ltd.		MU		
FRCI eServices Ltd		MU		
Gabia, Inc			KR	
Gandi SAS			FR	
Gastein IT Services		AT		
Gauss research Laboratory, Inc.	PR			
Guyananet			GY	
Government Online Centre (MU)	MU			
GoHoto Pty Ltd		AU		
Golden Internet		RU		
GRAFIKLIF-WebalaMinute		HT		
Gransy s.r.o.		CZ		
GUYANANET			GY	
HAICOM (HAITI Communications)	HT			
HAINET S.A.			HT	
Haiti Domain		HT		
Haqmal ICT Solution Services	AF			
Hikaru Kitabayashi		JP		
Holomedia			FR	
ht_hostmicrofos		HT		
Hostnet bv			NL	
Ultraspeed UK		GB		
FSM II			FM	
HTG				HT
GaMa Consulting S.A.		HT		
Koborg			MU	
Indeca GmbH			DE	
INDOMCO			FR	
Innovative Systems		GY		
Innter.Net			CY	
Instra Corporation		AU		
IntaServe			AU	
InterNetworX Ltd. & Co. KG		DE		
InterNetX GmbH		DE		
Indian Ocean Territories		CX		
IP Mirror Pte Ltd		SG		
Iron Mountain IPM		US		
Interactivetool.biz		MU		
Jestina Mesepitu		SB		
Jms-Networks (TM)		GB		
J SQUAD SYSTEMS INC.		AF		
Kawing Chiu			US	
Keiichi SHIGA (old: Keiichi dot business)		JP		
Key-Systems			DE	
Klute-Thiemann GmbH		DE		
Knipp			DE	
Larsen Data			DK	
Legekko Info Ltd		MU		
Lexsynergy Limited		GB		
LGLovells			FR	
MailClub (France)		FR		
Marcaria.com		US		
Marcus Cake			AU	
MARIDAN InterNET GmbH		DE		
MarkMonitor			US	
Maudeline Auguste		HT		
MediaWars CO LTD		JP		
Melbourne IT CBS AB		SE		
Domainbox			GB	
MICROCIS			AF	
Moniker Online Services, LLC.	US			
Mauritius Domains		MU		
Naikbeen NCP		AF		
LIVING BY BLUE CO.,LTD		JP		
NameAction			CL	
Name.com LLC		US		
Nameshield			FR	
NameWeb BVBA		BE		
NATCOM S.A			HT	
National Computer Board		MU		
Nemesys Ltd			MU	
Nessus GmbH			AT	
NetAccess / AccessHaiti S.A.	HT			

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NetNames Ltd		GB		
Net-Chinese Co., Ltd.	TW			
NETCOM S.A.			HT	
NETLINKS			AF	
Network Solutions, LLC	US			
Networking4all		NL		
Mauritius.biz Hosting	MU			
Nexus			GB	
NICE S.r.l. d/b/a niceweb.eu	IT			
Norfolk Island Data Services	NF			
Novagroup			HT	
Novutec Inc.		US		
OFFICE DE MANAGEMENT ET DE RESSOURCES HUMAINES		HT		
MB OPTIMAL SYSTEMS LTD	GB			
Our Telekom			SB	
OVH				FR
OXWELL CC			VG	
Multilink S.A		HT		
Peweb Ltda			BR	
PlanA Corp			AI	
pointcruz.com		SB		
pro.vider.de		DE		
Quick Net			HT	
Redspider.biz		GY		
register_com		US		
Register.it spa		IT		
Register.mu			MU	
Register.eu			BE	
Domain Name Registration Service Reg.Net.Ua		UA		
101Domain, Inc.		US		
RWGUSA			US	
Safenames			GB	
Solomon Telekom		SB		
Solutions S.A.		HT		
SpeedPartner GmbH		DE		
studio28			GY	
SunnyNames LLP		US		
TainoSystems		HT		
Telecommunications Authority of Kiribati		KI		
Telecom Plus Ltd		MU		
TierraNet Inc.		US		
Timor Hosting		TL		
TradeMark Unlimited, Inc	US			
Todaynic.com,Inc.		HK		
TPP Domains Pty Ltd		AU		
I.C.S. Trabia-Network S.R.L.	MD			
TRANSNET S.A		HT		
TRANSVERSAL			HT	
Timor Telecom		TL		
Tucows			CA	
ugcit			GY	
UNICART Ltd.		BG		
united-domains AG		DE		
Variomedia AG		DE		
Melbourne IT DBS, Inc.	US			
V-Trade Ltd			MU	
Visiant Outsourcing S.r.l.	IT			
Web Commerce Communications WebCC	MY			
WEB Development and Hosting Ltd MU				
WEB Ltd			MU	
Web Solutions ApS		DK		
WebWorkers Internet Consultants cc	NA			
NamIT cc Namibia		NA		
WSR Corporation		GB		
Xcess Interactive		GY		
Xin Net Technology Corp .	CN			

25. Extensible Provisioning Protocol (EPP): provide a detailed description of the interface with registrars, including how the applicant will comply with EPP in RFCs 3735 (if applicable), and 5730-5734.
If intending to provide proprietary EPP extensions, provide documentation consistent with RFC 3735, including the EPP templates and schemas that will be used.
Describe resourcing plans (number and description of personnel roles allocated to this area).
A complete answer is expected to be no more than 5 pages. If there are proprietary EPP extensions, a complete answer is also expected to be no more than 5 pages per EPP extension.

CoCCA was among the first registry providers to embrace the EPP standard seven years ago. CoCCA's traditional clients have been small to medium sized ccTLD operators un-encumbered by the legal, contractual and governance issues that often result in protracted delays in rolling out new policy, technology or standards in larger ccTLDs or in the gTLD environment. CoCCA and the users of its SRS software have been historically free to trial and introduce innovative technology policy.

The CoCCA SRS is an "all in one" software package (RDDS/ EPP/ GUI / Accounting) however this does not prevent

it from being deployed in a clustered environment where multiple instances answer for a specific protocol under a load balanced, high availability environment. Using a load balance appliance EPP traffic can be sent to one or more servers which are in turn connected to the same database. In all small to medium sized deployments tested to date load balancing the EPP service is not required - the load balancer is simply configured to provide failover and HA.

An aggressive three-year development program commenced in January 2009 with the objective of ensuring CoCCA's software was compliant with ICANN's new gTLD requirements - as well as the meeting needs of new and existing users in the ccTLD community.

25.1 Current EPP RFC Compliance:

RFC 5730 Extensible Provisioning Protocol (EPP)

This RFC is a base protocol document for EPP. EPP is an XML-text object based client-server protocol, atomic in its transactions, and developed to support multiple transports and lower level security protocols. There are no partial failures; all commands either succeed or fail definitively. Object-to-object associations are standard with limited application of parent-child relationships where delegate relationships are necessary for affected functionality, such as internal host data and its relationship to domain objects. The pamoja SRS fully implements the service discovery, commands, responses, and the extension framework described.

RFC 5730

This RFC is a base protocol document for EPP. EPP is an XML-text object based client-server protocol, atomic in its transactions, and developed to support multiple transports and lower level security protocols. There are no partial failures; all commands either succeed or fail definitively. Object-to-object associations are standard with limited application of parent-child relationships where delegate relationships are necessary for affected functionality, such as internal host data and its relationship to domain objects. The pamoja SRS fully implements the service discovery, commands, responses, and the extension framework described.

RFC 5731

This RFC explains the mapping of the primary EPP registry object, the domain object. It reviews associated attributes and states of the domain object as well as child object relationships (hosts). It also details associations with other contact objects. The pamoja SRS complies with the full XML examples and descriptions and applies flexibility where permitted. For example, 5731 allows operators to implement the info command with different responses for a "sponsoring registrar" and a "non-sponsoring registrar" in regards to many domain object attributes. The pamoja SRS implements this as a base protocol document for EPP.

RFC 5732

The pamoja SRS implements this as a base protocol document for EPP. The pamoja SRS notes this RFC describes the mapping of relationships to host objects, which are by definition subordinate to the superordinate domain name object. Host objects that are defined as internal or in the namespace of the registry must be related to a superordinate domain object to be created. Internal hosts, as full child objects, face restrictions associated with the management of their superordinate domain object. External hosts are hosts belonging to another domain namespace and as such are not subordinate in the present namespace. Internal hosts can have a glue or an A record associated with them, external hosts refer to another namespace or zone for the associated A record.

RFC 5733

Another RFC implemented in the The pamoja SRS server, this RFC describes the contact object mappings in EPP. Contact objects are used to contain related data surrounding the standardized contacts types in TLD registries including attributes such as contact type, country, telephone numbers, email addresses, etc. As a standalone object, a contact object can be created and associated with no domain objects or with any number of domain objects available in the registry. This is used commonly by registrars to update common contact information associated across large numbers of domains in a single transaction. Like the domain object, it can be secured with a passphrase or "authinfo" code. Contact object data represents the definitive data source for authoritative RDDS (WHOIS) in new TLDs.

RFC 5734

The pamoja SRS implements this RFC as the preferred industry transport and in compliance with ICANN's requirements. This RFC describes a standard implementation of TCP incorporating TLS. The transport of choice for the EPP registry community has been TCP. Implementers are encouraged to take precautions against denial of service attacks through the use of standard technologies such as firewall and border router filters.

RFC 5735

The pamoja SRS implements this RFC as applicable to any extensions it utilizes as this RFC provides specific and detailed guidance on EPP extensions. An important principle in creating extensions to, as opposed to modifying, the EPP protocol was to fully preserve the integrity of the existing protocol schema. Additionally, a valid extension itself should be extensible. Another important requirement in the RFC is to include announcements of all available extensions in the EPP server greeting element before establishing an interactive client session.

RFC 3915

The pamoja SRS supports this extension since this all CoCCA managed TLDs implement the grace period implementation known as the Redemption Grace Period or "RGP". When RGP is in use, domains are deleted into the RGP where Registrars may request a restoration of the domain. This is a billable event and requires a three-step process: placement of the domain into a pending restore state, submission of a restore report explaining why the domain is being restored, and finally the restoration of the domain. The RFC extends the domain update command, adds related domain statuses, such as "redemptionPeriod" and "pendingRestore," and extends the responses of

domain info and other details. The RFC provides a lifecycle description of the RGP and defines the format and content for client to server submission of the associated restore reports.

RFC 5910

The pamoja SRS will support DNSSEC and therefore will also support this extension from initiation of the registration process. DNSSEC is a mechanism for cryptographically verifying that each delegate zone in the DNS hierarchy has been referred to or is referring to its genuine parent or child zone respectively. Since TLD zone files are generated from authoritative registry data, this extension specifically provides the ability to add elements to the domain-create and domain-update functions and to the domain-info responses, allowing registrars to submit associated delegated signer (DS) information of the child zone indicating it is digitally signed and that the parent zone recognizes the indicated key as a valid zone key for the child zone.

SRS General

The pamoja SRS Session Management - pamoja listens on port 700 for client requests.
The pamoja SRS Message Exchange - pamoja complies with the EPP message exchange rules
The pamoja SRS Data Unit Format - pamoja uses the prescribed packet formats

25.2 EPP Security:

CoCCA's SRS performs username/clid/password/ssl certificate checks and also contains application level code to restrict connections to a set of IP addresses for each client and login.

Additional security is provided by firewall IP restrictions that restrict port 700 access to the SRS to trusted IP's and the use of stateful firewalls and load balancing devices to mitigate DoS attacks or other malicious activity.

25.3 EPP - Demonstrating Capability

CoCCA authors the most widely deployed EPP SRS solution and has a long history of both development of and production experience operating an EPP SRS. The CoCCA NOC currently has 12 TLDs on it's production EPP SRS, over 20 TLD managers have deployed the CoCCA EPP solution locally for production use.

In order to demonstrate capability and compliance with the RFC's in 24.1 and CoCCA's Extensions in 25.3. Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. has instructed CoCCA to make available to evaluators an Operational and Testing and Evaluation (OTE) EPP interface should they desire to evaluate CoCCA's RFC compliance. Alternatively, evaluators may download CoCCA's pamoja SRS, install locally and contact CoCCA for configuration advice.

The URL to download pamoja is https://downloads.coccaregistry.net. Installers are available for Linux64x (Centos / Ubuntu), OSX (10.6+) and WIN7+ servers.

25.3 EPP Extensions

The CoCCA SRS currently provides several extensions to EPP, using the practices defined in RFC-3735. The CoCCA greeting currently defines the following four extensions:

```
...
 (svcMenu)
...
 (objURI) urn:ietf:params:xml:ns:host-1.0 (/objURI)
 (svcExtension)
 (extURI) urn:ietf:params:xml:ns:rgp-1.0 (/extURI)
 (extURI) https://../cocca-ip-verification-1.1 (/extURI)
 (extURI) https://../cocca-contact-proxy-1.0 (/extURI)
 (extURI) https://../cocca-contact-proxy-create-update-1.0 (/extURI)
 (extURI) https://../cocca-reseller-1.0 (/extURI)
 (/svcExtension)
 (/svcMenu)
...
```

25.3.1 Registry Grace Period Extension
(extURI) urn:ietf:params:xml:ns:rgp-1.0 (/extURI)
Implemented as defined in RFC-3915 - http://www.ietf.org/rfc/rfc3915.txt

25.3.2 Reseller Mapping Extension
(extURI) https://../cocca-reseller-1.0 (/extURI)
Extensions for Domain:Create and Domain:Update

This extension tags a domain as being registered via one of registrars' resellers. The reseller reference is provided in the reference section, and is recorded against the domain as it is registered or updated. The reseller list must be maintained by the Registrar through the CoCCA Registry web interface.

If a registrar decides to load reseller information and map domains, the .pars WHOIS server (port 43 and 443), Historical Abstracts, and Premium WHOIS will display the reseller contact information as well as the Registrar information. If ICANN advises that display of reseller information in the port 43 WHOIS is inconsistent with the response format required in Specification 4, 1.4.2 then CoCCA will disable port 43 and or port 443 display of reseller data for the .pars TLD. Reseller information would still be stored and available for Historical Abstracts and users of the CoCCA's Premium WHOIS service.

```
 ("xml version="1.0" encoding="UTF-8"")

  (xs:schema targetNamespace="https://production.coccaregistry.net/cocca-reseller-1.0"
```

```
            xmlns="https://production.coccaregistry.net/cocca-reseller-1.0"
            xmlns:xs="http://www.w3.org/2001/XMLSchema"
            elementFormDefault="qualified")

    (xs:element name="extension")
        (xs:complexType)
            (xs:sequence)
                (xs:element name="reference" type="xs:string"/)
            (/xs:sequence)
        (/xs:complexType)
    (/xs:element)
  (/xs:schema)

 (extension)
  (reseller:extension xmlns:reseller="https://production.coccaregistry.net/cocca-reseller-1.0")
  (reseller:reference) XXXXX (/reseller:reference)
  (/reseller:extension)
 (/extension)
```

25.3.3 Clearinghouse for Intellectual Property Extension

Extension to connect to an external database to validate IP rights.

```
 (extURI) https://../coccaregistry.net/cocca-ip-verification-1.1 (/extURI)
```

Extension for Domain:Create

```
 (?xml version="1.0" encoding="UTF-8"?)

 (xs:schema targetNamespace="https://../cocca-ip-verification-1.1"
           xmlns="https://production.coccaregistry.net/cocca-ip-verification-1.1"
           xmlns:xs="http://www.w3.org/2001/XMLSchema"
           elementFormDefault="qualified")

     (xs:annotation)
         (xs:documentation)
            Extensible Provisioning Protocol v1.0
            Extension for providing IP Verification to CoCCA Registries

            v1.1 adds extra fields for trademark verification
         (/xs:documentation)
     (/xs:annotation)

     (xs:element name="extension")
         (xs:complexType)
             (xs:choice)
                 (xs:element name="chip" type="chipType"/)
                 (xs:element name="trademarks" type="trademarkType"/)
             (/xs:choice)
         (/xs:complexType)
     (/xs:element)

     (xs:complexType name="chipType")
         (xs:sequence)
             (xs:element name="code")
                 (xs:simpleType )
                     (xs:restriction base="xs:token")
                     (xs:maxLength value="255"/)
                     (xs:minLength value="1"/)
                   (/xs:restriction)
                 (/xs:simpleType)
             (/xs:element)
         (/xs:sequence)
     (/xs:complexType)

     (xs:complexType name="trademarkType")
         (xs:sequence)
             (xs:element name="trademark" minOccurs="1" maxOccurs="unbounded")
                 (xs:complexType)
                     (xs:sequence)
                         (xs:element name="registeredMark")
                             (xs:simpleType)
                                 (xs:restriction base="xs:token")
                                     (xs:maxLength value="255"/)
                                     (xs:minLength value="1"/)
                                 (/xs:restriction)
                             (/xs:simpleType)
                         (/xs:element)
                         (xs:element name="registrationNumber")
                             (xs:simpleType)
                                 (xs:restriction base="xs:token")
                                     (xs:maxLength value="255"/)
                                     (xs:minLength value="1"/)
```

```
                    (/xs:restriction)
                (/xs:simpleType)
            (/xs:element)
            (xs:element name="registrationLocality")
                (xs:simpleType)
                    (xs:restriction base="xs:token")
                        (xs:pattern value="[A-Z]{2}"/)
                    (/xs:restriction)
                (/xs:simpleType)
            (/xs:element)
            (xs:element name="capacity")
                (xs:simpleType)
                    (xs:restriction base="xs:token")
                        (xs:enumeration value="OWNER"/)
                        (xs:enumeration value="ASSIGNEE"/)
                    (/xs:restriction)
                (/xs:simpleType)
            (/xs:element)
            (xs:element name="companyNumber" minOccurs="0")
                (xs:simpleType)
                    (xs:restriction base="xs:token")
                        (xs:maxLength value="255"/)
                        (xs:minLength value="1"/)
                    (/xs:restriction)
                (/xs:simpleType)
            (/xs:element)
        (/xs:sequence)
    (/xs:complexType)
(/xs:element)
(/xs:sequence)
(/xs:complexType)
(/xs:schema)
```

This extension allows registrars to provide proof of their Intellectual Property claim for a name, when registering. It can be used to specify Clearing House for IP codes, or Trademarks. A CHIP request XML is as follows:

```
(extension)
(coccaip:extension xmlns:coccaip="https://../cocca-ip-verification-1.1")
(coccaip:chip)
(coccaip:code) XXXXXXX (/coccaip:code)
(/coccaip:chip)
(/coccaip:extension)
(/extension)
```

An extension containing trademark information is as follows:

```
(extension)
(coccaip:extension xmlns:coccaip="https://../cocca-ip-verification-1.1")
(coccaip:trademarks)
(coccaip:trademark)
(coccaip:registeredMark) CoCCA (/coccaip:registeredMark)
(coccaip:registrationNumber) 12345 (/coccaip:registrationNumber)
(coccaip:registrationLocality) NZ (/coccaip:registrationLocality)
(coccaip:capacity) OWNER (/coccaip:capacity)
(coccaip:companyNumber) 1234 (/coccaip:companyNumber)
(/coccaip:trademark)
(/coccaip:trademarks)
(/coccaip:extension)
(/extension)
```

At the time of application it is not envisioned that this extension will be used for the .pars TLD. However it demonstrates an existing technical capacity to query and synchronize data with external databases in order to validate IP or other rights.

25.3.4 Contact Proxy Extension

(extURI) https:// epp.ote.pars.coccaregistry.net/cocca-contact-proxy-1.0 (/extURI)
Extension to allow registrars to lodge several sets of contact details for a given domain and select which one is displayed in the port WHOIS.

https://production.coccaregistry.net/cocca-contact-proxy-1.0 and https://production.coccaregistry.net/cocca-contact-proxy-create-update-1.0 - extensions for Contact:Create and Contact:Update.

```
(?xml version="1.0" encoding="UTF-8"?)

(xs:schema targetNamespace="https://production.coccaregistry.net/cocca-contact-proxy-create-update-1.0"
           xmlns="https://production.coccaregistry.net/cocca-contact-proxy-create-update-1.0"
           xmlns:proxy="https://production.coccaregistry.net/cocca-contact-proxy-1.0"
           xmlns:xs="http://www.w3.org/2001/XMLSchema"
           xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance"
           xsi:schemaLocation="https://production.coccaregistry.net/cocca-contact-proxy-1.0 cocca-contact-proxy-
```

```
1.0.xsd"
           elementFormDefault="qualified")

   (xs:import namespace="https://production.coccaregistry.net/cocca-contact-proxy-1.0" schemaLocation="cocca-
contact-proxy-1.0.xsd"/)

   (xs:annotation)
     (xs:documentation)
      Extensible Provisioning Protocol v1.0

      Extension for creating or updating a contact, with proxy information. This proxy information
      is provided as a WHOIS response, instead of the contact's real information if zone settings
      allow. Proxy information may be specified in full, by providing all the details or by using a
      reference to a previous contact proxy info. If you want to clear a contact's proxy info, send
      an existingProxy type request with an empty reference string.
     (/xs:documentation)
   (/xs:annotation)

   (xs:element name="extension")
     (xs:complexType)
       (xs:choice)
         (xs:element name="newProxy" type="proxyType"/)
         (xs:element name="existingProxy")
           (xs:complexType)
             (xs:sequence)
               (xs:element name="reference" type="proxy:referenceType"/)
             (/xs:sequence)
           (/xs:complexType)
         (/xs:element)
       (/xs:choice)
     (/xs:complexType)
   (/xs:element)

   (xs:complexType name="proxyType")
     (xs:sequence)
       (xs:element name="proxyDetails")
         (xs:complexType)
           (xs:sequence)
             (xs:element name="reference" minOccurs="0" type="proxy:referenceType")
                 (xs:annotation)
                   (xs:documentation)
                     This is an optional field you can use to give this proxy info a particular reference.
                     Each reference must be unique, so if you have an existing contact proxy info record
                     with this reference value, you will UPDATE that record, changing the proxy info for
                     any existing contact referencing that proxy.

                     If you don't specify a reference, one will be created for you and returned in the EPP
                     response.
                   (/xs:documentation)
                 (/xs:annotation)
             (/xs:element)
             (xs:element name="email")
               (xs:simpleType)
                 (xs:restriction base="xs:token")
                   (xs:maxLength value="255"/)
                   (xs:minLength value="1"/)
                 (/xs:restriction)
               (/xs:simpleType)
             (/xs:element)
             (xs:element name="voice" type="proxy:phoneNumberType"/)
             (xs:element name="fax" minOccurs="0" type="proxy:phoneNumberType"/)
             (xs:element name="internationalAddress" type="proxy:addressType"/)
             (xs:element name="localAddress" type="proxy:addressType" minOccurs="0"/)
           (/xs:sequence)
         (/xs:complexType)
       (/xs:element)
     (/xs:sequence)
   (/xs:complexType)

   (xs:element name="resData")
     (xs:annotation)
       (xs:documentation)
        If a contact is created or updated with contact proxy information specified, or if the registrar
        creating the contact has a default proxy specified, then the reference value identifying the proxy
        is returned in the response, in the extension/resData field described here.  If the contact was updated
to
        clear the reference field (i.e. setting the contact's proxy using the existingProxy type, but leaving
        the reference field empty) then the reference value will be empty, confirming the update.
       (/xs:documentation)
     (/xs:annotation)
     (xs:complexType)
       (xs:sequence)
         (xs:element name="reference" type="proxy:referenceType"/)
```

```
      (/xs:sequence)
    (/xs:complexType)
  (/xs:element)
(/xs:schema)


(?xml version="1.0" encoding="UTF-8"?)

(xs:schema targetNamespace="https://production.coccaregistry.net/cocca-contact-proxy-1.0"
          xmlns="https://production.coccaregistry.net/cocca-contact-proxy-1.0"
          xmlns:xs="http://www.w3.org/2001/XMLSchema"
          elementFormDefault="qualified")

  (xs:simpleType name="referenceType")
    (xs:restriction base="xs:token")
      (xs:maxLength value="40"/)
      (xs:minLength value="0"/)
    (/xs:restriction)
  (/xs:simpleType)

  (xs:complexType name="phoneNumberType")
    (xs:sequence)
      (xs:element name="number")
        (xs:simpleType)
          (xs:restriction base="xs:token")
            (xs:maxLength value="64"/)
            (xs:minLength value="1"/)
          (/xs:restriction)
        (/xs:simpleType)
      (/xs:element)
      (xs:element name="extension" minOccurs="0")
        (xs:simpleType)
          (xs:restriction base="xs:token")
            (xs:maxLength value="64"/)
            (xs:minLength value="1"/)
          (/xs:restriction)
        (/xs:simpleType)
      (/xs:element)
    (/xs:sequence)
  (/xs:complexType)

  (xs:complexType name="addressType")
    (xs:sequence)
      (xs:element name="street1")
        (xs:simpleType)
          (xs:restriction base="xs:token")
            (xs:maxLength value="255"/)
            (xs:minLength value="1"/)
          (/xs:restriction)
        (/xs:simpleType)
      (/xs:element)
      (xs:element name="street2" minOccurs="0")
        (xs:simpleType)
          (xs:restriction base="xs:token")
            (xs:maxLength value="255"/)
            (xs:minLength value="0"/)
          (/xs:restriction)
        (/xs:simpleType)
      (/xs:element)
      (xs:element name="street3" minOccurs="0")
        (xs:simpleType)
          (xs:restriction base="xs:token")
            (xs:maxLength value="255"/)
            (xs:minLength value="0"/)
          (/xs:restriction)
        (/xs:simpleType)
      (/xs:element)
      (xs:element name="city")
        (xs:simpleType)
          (xs:restriction base="xs:token")
            (xs:maxLength value="255"/)
            (xs:minLength value="1"/)
          (/xs:restriction)
        (/xs:simpleType)
      (/xs:element)
      (xs:element name="stateProvince" minOccurs="0")
        (xs:simpleType)
          (xs:restriction base="xs:token")
            (xs:maxLength value="255"/)
            (xs:minLength value="0"/)
          (/xs:restriction)
        (/xs:simpleType)
      (/xs:element)
```

```
      (xs:element name="postcode" minOccurs="0")
        (xs:simpleType)
          (xs:restriction base="xs:token")
            (xs:maxLength value="255"/)
            (xs:minLength value="0"/)
          (/xs:restriction)
        (/xs:simpleType)
      (/xs:element)
      (xs:element name="countryCode")
        (xs:simpleType)
          (xs:restriction base="xs:token")
            (xs:pattern value="[A-Z]{2}"/)
          (/xs:restriction)
        (/xs:simpleType)
      (/xs:element)
    (/xs:sequence)
  (/xs:complexType)
(/xs:schema)
```

This extension allows the association of a contact proxy with a contact.

The contact:create and contact:update extensions can specify an existing proxy contact by ID. or create a new proxy contact. To associate a contact with an existing contact proxy, use this form:

```
(extension)
(proxyupdate:extension xmlns:proxyupdate="https://production.coccaregistry.net/cocca-contact-proxy-create-update
-1.0")
(proxyupdate:existingProxy)
(proxy:reference xmlns:proxy="https://production.coccaregistry.net/cocca-contact-proxy-1.0") XXXXX
(/proxy:reference)
(/proxyupdate:existingProxy)
(/proxyupdate:extension)
(/extension)
```

where XXXXX is the ID of the proxy contact you wish to use. To create a new contact and associate it with a contact, use this form of the create or update extension:

```
(extension)
(proxyupdate:extension xmlns:proxyupdate="https://production.coccaregistry.net/cocca-contact-proxy-create-update
-1.0" xmlns:proxy="https://production.coccaregistry.net/cocca-contact-proxy-1.0")
(proxyupdate:newProxy)
(proxyupdate:proxyDetails)
(proxy:reference) XXXXX (/proxy:reference)
(proxy:email) XXXXX (/proxy:email)
(proxy:voice)
(proxy:number) XXXXX (/proxy:number)
(proxy:extension) XXXXX (/proxy:extension)
(/proxy:voice)
(proxy:internationalAddress)
(proxy:street1) XXXXX (/proxy:street1)
(proxy:street2) XXXXX (/proxy:street2)
(proxy:city) XXXXX (/proxy:city)
(proxy:stateProvince) XXXXX (/proxy:stateProvince)
(proxy:postcode) XXXXX (/proxy:postcode)
(proxy:countryCode) XXXXX (/proxy:countryCode)
(/proxy:internationalAddress)
(/proxyupdate:proxyDetails)
(/proxyupdate:newProxy)
(/proxyupdate:extension)
(/extension)
```

At the time of application it is not envisioned that this extension will be used for the .pars TLD.

Other:

In addition to the above statuses, the CoCCA Registry provides additional lifecycle statuses over and above those defined in RFC-5731. The CoCCA Activation statuses are provided using namespaced status elements in the Domain:Create and Domain:Info responses, and are accompanied by an RFC-3735 compliant extension section. A Domain:Create response for a newly registered domain would appear as follows:

```
(?xml version="1.0" encoding="UTF-8" standalone="no"?)

(epp xmlns="urn:ietf:params:xml:ns:epp-1.0" xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance"
xsi:schemaLocation="urn:ietf:params:xml:ns:epp-1.0 epp-1.0.xsd")
    (response)
        (result code="1000")
            (msg) Command completed successfully (/msg)
        (/result)
        (msgQ count="229" id="21192"/)
        (resData)
            (domain:infData xmlns:domain="urn:ietf:params:xml:ns:domain-1.0"
xsi:schemaLocation="urn:ietf:params:xml:ns:domain-1.0 domain-1.0.xsd")
                (domain:name) info.confirm.test (/domain:name)
```

```
                (domain:roid) 234511-CoCCA (/domain:roid)
                (domain:status s="inactive") Delegation information has not been supplied (/domain:status)
                (activation:status xmlns:activation="https://production.coccaregistry.net/cocca-activation-1.0"
s="pendingActivation")
                   This domain requires acceptance of AUP and registrant agreement by 2012-02-29 10:19
                (/activation:status)
               (domain:registrant) regis-80ESBqGtje (/domain:registrant)
                (domain:clID) registrar (/domain:clID)
                (domain:crID) registrar (/domain:crID)
                (domain:crDate) 2012-02-21T21:19:32.887Z (/domain:crDate)
                (domain:exDate) 2013-02-21T21:19:33.006Z (/domain:exDate)
                (domain:authInfo)
                    (domain:pw) Hh7Wz3c9dC (/domain:pw)
                (/domain:authInfo)
            (/domain:infData)
        (/resData)
        (extension)
            (rgp:infData xmlns:rgp="urn:ietf:params:xml:ns:rgp-1.0"
xsi:schemaLocation="urn:ietf:params:xml:ns:rgp-1.0 rgp-1.0.xsd"/)
            (activation:extension xmlns:activation="https://production.coccaregistry.net/cocca-activation-1.0")
                (activation:url) https://registry-adam/activate.jsp?
activationCode=ITIhi1kma8SmbCsYefY18uEaJikwOXKNLOMLu0HHXkXjZUynrDZZUh6SB2h8h1D8 (/activation:url)
                (activation:link) /activate.jsp?
activationCode=ITIhi1kma8SmbCsYefY18uEaJikwOXKNLOMLu0HHXkXjZUynrDZZUh6SB2h8h1D8 (/activation:link)
            (/activation:extension)
        (/extension)
        (trID)
            (clTRID) CR-4 (/clTRID)
            (svTRID) 1329859182069 (/svTRID)
        (/trID)
    (/response)
(/epp)
```

25.4 EPP Access Requirements

1. IP Address white listing (firewall and application layer)
2. Signed registry issued SSL certificates
3. Username/Password

Authentication requires that the IP address the connection is made from be white listed IP, that the entity connecting use a CoCCA-issued SSL certificate and that correct clientID and passwords be used. By default registrars have only GUI access to the SRS, EPP is enabled by request and only after a Registrar has been certified on CoCCA's OT&E platform.

25.5 CoCCA GUI Environment

In addition to providing the standard implementation of EPP that runs on Port 700, CoCCA also provides a secure web based Graphical User Interface running on Port 443 that allows Registrars to register and manage domains in their portfolio without connecting by EPP.

25.6 EPP Via the GUI

In cases where a registrar uses the SRS GUI, all domain, host and contact operations supported by the RFC's are executed by pamoja's internal EPP engine to ensure that GUI and port 700 EPP interfaces behave identically.

These methods of authentication include:
1. IP Address white listing
2. Using a one-time password ("OTP") delivered via hardware token, soft token or SMS is issued by CoCCA.
3. The use of a Username/Password

25.7 Registrars

A list of registrars that have already successfully integrated and connected to CoCCA's SYD SRS is attached. CoCCA's SYD SRS is used by 200+ Registrars, many of which currently utilize the XML based EPP protocol for the purpose of providing automated services to their clients.

25.8 Resourcing and Continuous Development

CoCCA's software development team and systems administrators support both their own in-house SRS and that of over 23 other TLD managers who have deployed the pamoja SRS software locally on their own infrastructure. Development is on-going and active. The CoCCA SRS has been developed over the past 9 years, the bulk of the development on the EPP platform has been completed, however two full time developers are employed by CoCCA to customize, maintain and improve the software for the TLD's that use it.

Because of the co-operative nature of the development process CoCCA works closely with over a dozen developers and network engineers employed by users of CoCCA's TLD software to resolve bugs, continuously improve pamoja's performance and add new features.

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26. Whois: describe

- how the applicant will comply with Whois specifications for data objects, bulk access, and lookups as defined in Specifications 4 and 10 to the Registry Agreement;
- how the Applicant's Whois service will comply with RFC 3912; and
- resourcing plans for the initial implementation of, and ongoing maintenance for, this aspect of the criteria (number and description of personnel roles allocated to this area).

A complete answer should include, but is not limited to:

- A high-level Whois system description;
- Relevant network diagram(s);
- IT and infrastructure resources (e.g., servers, switches, routers and other components);
- Description of interconnectivity with other registry systems; and

Frequency of synchronization between servers.
To be eligible for a score of 2, answers must also include:

- Provision for Searchable Whois capabilities; and
- A description of potential forms of abuse of this feature, how these risks will be mitigated, and the basis for these descriptions

A complete answer is expected to be no more than 5 pages.

CoCCA currently delivers proven, innovative WHOIS and Registration Data Directory Services ("RDDS") technology to the TLDs hosted by CoCCA and to the TLDs that deploy the pamoja SRS on their own infrastructure. CoCCA's Specification Four compliant WHOIS and RDDS technology will be utilized by CoCCA for the .pars TLD. Under CoCCA's SRS Architecture one WHOIS server will answer for all the TLDs in the SRS. Each TLD Sponsor can configure the WHOIS such that it serves different results depending on the wishes of the Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. and applicable ICANN requirements.

26.1 WHOIS Architecture and Infrastructure Overview

CoCCA"s flexible WHOIS architecture is designed for high availability, complies with RFC 3912 and surpasses the requirements in Specifications 4 and 10. The flexible pamoja WHOIS server may be configured to provide a variety of information, and in a variety of formats that supplements ICANN's proposed gTLD requirements.

As registrations appear (or are modified) in the registration database, changes are committed to a replicated read only secondary database utilized by CoCCA's WHOIS server. Because the replication is synchronous WHOIS data is presented in real time. If at a future date WHOIS query response times becomes an SLA issue, WHOIS responses may be cached using "infinite cache" horizontal caching technology, which has been tested and can readily scale to meet future demand, alternatively RDDS services may be answered by a SRS instance off-site (one of the CoCCA secondary/failover SRS's) for near real-time WHOIS and RDDS.

26.2 Port 43 WHOIS (command line)

CoCCA has confirmed that the format of the domain status, individual and organizational names, address, street, city, state/province, postal code, country, telephone and fax numbers, email addresses can and will be configured to conform to the mappings specified in EPP RFC"s 5730-5734. The originating IP address and date time of all WHOIS queries are logged and will be stored for a minimum of 28 days in the production SRS.

GUI configuration and command line flags allow a client to request output in ASCII, Unicode, ASCII and Unicode or HTML output (with tables). For IDN TLDs, a variety of command line WHOIS options have been tested in conjunction with the Arabic TLDs that use the CoCCA SRS. CoCCA supports all the current IETF standards and several developed for current IDN users. CoCCA's SRS can be readily modified should ICANN mandate a particular technology in the future.

26.2.1 Domain Name Data:
* Proposed Production Query format: whois "h -whois.nic. (TLD) domain
* Response format: Currently compliant with Specification 4, Section 1.4.2 (pages 40-41).

26.2.2 Registrar Data:
* Proposed Production query format: whois "h -whois.nicpars registrar
* Response format: Currently compliant with Specification 4, Section 1.5.2 (pages 41-42) -- with the exception of the registrar "WHOIS Server" object (p. 42), under the proposed .pars thick registry model registrars will not operate their own WHOIS servers.

Inclusion of this object seems redundant and may cause confusion regarding the authoritative WHOIS server for the .pars. If required by ICANN the registrar WHOIS object data will be collected and displayed by CoCCA.

26.2.3 Name Server Data:
* Proposed Production Query format: whois "h -whois.nic. (TLD) (Host or IP)
* Response format: Currently compliant with Specification 4, Section 1.6.2 (p. 42)

26.3 Public WHOIS service via a secure port 443 web-based interface:
CoCCA"s pamoja software has a publicly accessible port 443 GUI service that allows individuals to query the SRS for registration data for individual domain, registrar or host records.

CoCCA has confirmed that the format of the domain status, individual and organizational names, address, street, city, state/province, postal code, country, telephone and fax numbers, email addresses can and will be configured to conform to the mappings specified in EPP RFC"s 5730-5734.

To prevent abuse, CoCCA implements rate limiting via CAPTCHA for each individual transaction. The procedure would follow as per below.

1) An individual would navigate in a browser to https://whois.nic. (TLD)
2) Click on the appropriate button (Domain, Registrar, or Name Server)
3) Enter the applicable parameter:
----Domain name, including the TLD (e.g., EXAMPLE.TLD)
----Full name of the registrar, including punctuation (e.g., Example Registrar, Inc.)
----Full host name or the IP address (e.g., NS1.EXAMPLE.TLD or 198.41.3.39)
4) Enter the CAPTCHA phrase or symbols

5) Click on the Submit button

Possible Outcomes from the query:
* If an exact match for the domain, host, or registrar exists in the SRS, the Port 443 WHOIS will display the same information and with the same formatting, as the port 43 WHOIS (see above and Specification 4, Sections 1.4 " 1.6).

* If there is no exact match but a super-ordinate domain exists the SRS data for the super- ordinate name is to be displayed. By way of example if an individual searches for abc.domainpars and abc.domainpars does not exist then the SRS would display the information on domainpars and advise the individual accordingly.

26.4 WHOIS and RDDS | Demonstrating Capability

CoCCA has almost a decade of experience running multiple TLDs and providing WHOIS services. WHOIS and RDDS are integrated into CoCCA"s pamoja software. In order to demonstrate capability and compliance with the Specification Four, Section One, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. has instructed CoCCA to make available to evaluators an Operational and Testing and Evaluation (OTE) WHOIS and RDDS interface on request. Alternatively, evaluators may download CoCCA's pamoja SRS, install locally and contact CoCCA for configuration advice.

The URL to download pamoja is https://downloads.coccaregistry.net. Installers are available for Linux64x (Centos / Ubuntu), OSX (10.6+) and WIN7+ servers.

26.5 Network Diagrams

CoCCA's RDDS services serve data directly from the SRS, there is no separate WHOIS database. If performance becomes and issue pamoja's RDDS read-only services can be configured to extract data from a replicated copy of the SRS.

Individuals or entities that desire to run multiple queries against the SRS for law enforcement purposes, IP protection or to mitigate cyber-crimes need simply subscribe to CoCCA's Premium RDDS Service and may query the SRS via EPP as well as port 43 and the 443 GUI. Premium RDDS users are granted EPP read-only access (on request) and need not be ICANN Accredited registrars. In many cases EPP may be a better tool for automation of multiple queries than port 43 WHOIS.

The systems supporting WHOIS are fully redundant with hardware and software that can easily scale to meet the Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.'s growth projections of the TLD. For comprehensive description of the SYD NOC see questions 31 and 32.

The WHOIS server at the CoCCA Data Centre in Sydney currently answers for 12 TLDs and processes on average fewer than 8000 WHOIS requests per hour. The current WHOIS server and database has been tested and can answer in excess of 9,000 TPS as currently configured - network latency may impact real world results depending on the origin of the query.

26.6 Synchronization Frequency Between Servers

CoCCA's WHOIS architecture is designed to ensure WHOIS data is current, accurate and reliable. CoCCA's RDDS services serve data directly from the SRS, in the default configuration there is no separate WHOIS database. CoCCA uses PostgreSQL and synchronous replication data is committed to the production SRS master database and a secondary database (read only) server configured to serve WHOIS data, so that at all times the SRS and CoCCAs WHOIS servers serve the same data.

CoCCA streams SRS data off-site asynchronously (and by log file shipping as a failover) to their SRS servers in Palo Alto and Auckland to enable those SRS's to serve near-real time WHOIS data if the primary SRS experiences an issue that negatively impacts CoCCA's ability to meet SLA's for the .pars TLD.

If WHOIS caching is required as the .pars TLD grows, compliance with the SLA requirements in the ICANN agreement may necessitate that Failover SRS or Escrow SRS answer RDDS queries or that cache servers be deployed, in such a circumstance, the WHOIS response would be near real-time (accurate to within a min or two of the primary SRS).

26.7 Compliance with Specification 4

CoCCA will provide free RDDS Services via both port 43 and a web-based port 443 site in accordance with RFC 3912.

Additionally, the CoCA will also provide fee-based Premium RDDS service described in further detail below. CoCCA and the Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. acknowledge that ICANN reserves the right to specify alternative formats and protocols and if such change were to occur; CoCCA will implement specification changes as soon as practical.

CoCCA and the Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will provide bulk access of thin RDDS data to ICANN to verify and ensure operational stability of registry services, as well as to facilitate compliance checks on accredited registrars. Access will be provided to ICANN on a weekly basis and the format will be based on section 3 of Specification 4. Further, exceptional access to thick RDDS will be provided to ICANN per Specification 2.

Should ICANN request it CoCCA will provide ICANN with a Premium RDDS login at no charge which will provide them with continuous access to the SRS to extract thick SRS data for the .pars at its leisure.

The proposed format of the data objects for domains, name servers , and the registrar output are provided below:

1.4. Domain Name Data:
1.4.1. Query format: whois EXAMPLE.TLD
1.4.2. Response format:
Domain Name: EXAMPLE.TLD

Domain ID: D1234567-TLD
WHOIS Server: whois.example.tld
Referral URL: http://www.example.tld
Updated Date: 2009-05-29T20:13:00Z
Creation Date: 2000-10-08T00:45:00Z
Registry Expiry Date: 2010-10-08T00:44:59Z Sponsoring Registrar: EXAMPLE REGISTRAR LLC Sponsoring Registrar IANA ID: 5555555
Domain Status: clientDeleteProhibited Domain Status: clientRenewProhibited Domain Status: clientTransferProhibited Domain Status: serverUpdateProhibited Registrant ID: 5372808-ERL
Registrant Name: EXAMPLE REGISTRANT Registrant Organization: EXAMPLE ORGANIZATION Registrant Street: 123 EXAMPLE STREET
Registrant City: ANYTOWN
Registrant State/Province: AP
Registrant Postal Code: A1A1A1
Registrant Country: EX
Registrant Phone: +1.5555551212
Registrant Phone Ext: 1234
Registrant Fax: +1.5555551213
Registrant Fax Ext: 4321
Registrant Email: EMAIL@EXAMPLE.TLD Admin ID: 5372809-ERL
Admin Name: EXAMPLE REGISTRANT ADMINISTRATIVE Admin Organization: EXAMPLE REGISTRANT ORGANIZATION Admin Street: 123 EXAMPLE STREET
Admin City: ANYTOWN
Admin State/Province: AP
Admin Postal Code: A1A1A1
Admin Country: EX
Admin Phone: +1.5555551212
Admin Phone Ext: 1234
Admin Fax: +1.5555551213
Admin Fax Ext:
Admin Email: EMAIL@EXAMPLE.TLD
Tech ID: 5372811-ERL
Tech Name: EXAMPLE REGISTRAR TECHNICAL
Tech Organization: EXAMPLE REGISTRAR LLC
Tech Street: 123 EXAMPLE STREET
Tech City: ANYTOWN
Tech State/Province: AP
Tech Postal Code: A1A1A1
Tech Country: EX
Tech Phone: +1.1235551234
Tech Phone Ext: 1234
Tech Fax: +1.5555551213
Tech Fax Ext: 93
Tech Email: EMAIL@EXAMPLE.TLD
Name Server: NS01.EXAMPLEREGISTRAR.TLD
Name Server: NS02.EXAMPLEREGISTRAR.TLD
DNSSEC: signedDelegation
DNSSEC: unsigned
))) Last update of WHOIS database: 2009-05-29T20:15:00Z (((

1.5. Registrar Data:
1.5.1. Query format: whois "registrar Example Registrar, Inc." 1.5.2. Response format:
Registrar Name: Example Registrar, Inc. Street: 1234 Admiralty Way
City: Marina del Rey
State/Province: CA
Postal Code: 90292
Country: US
Phone Number: +1.3105551212 Fax Number: +1.3105551213
Email: registrar@example.tld
WHOIS Server: whois.example-registrar.tld
Referral URL: http://www. example-registrar.tld
Admin Contact: Joe Registrar
Phone Number: +1.3105551213
Fax Number: +1.3105551213
Email: joeregistrar@example-registrar.tld
Admin Contact: Jane Registrar
Phone Number: +1.3105551214
Fax Number: +1.3105551213
Email: janeregistrar@example-registrar.tld
Technical Contact: John Geek
Phone Number: +1.3105551215
Fax Number: +1.3105551216
Email: johngeek@example-registrar.tld
))) Last update of WHOIS database: 2009-05-29T20:15:00Z (((

1.6. Nameserver Data:
1.6.1. Query format: whois "NS1.EXAMPLE.TLD" or whois "nameserver (IP Address)" 1.6.2. Response format:
Server Name: NS1.EXAMPLE.TLD
IP Address: 192.0.2.123
IP Address: 2001:0DB8::1
Registrar: Example Registrar, Inc.
WHOIS Server: whois.example-registrar.tld
Referral URL: http://www. example-registrar.tld

))) Last update of WHOIS database: 2009-05-29T20:15:00Z (((

26.8 Supplemental Data
Subject to ICANN Approval, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will ensure the SRS is configured to display of the following Supplemental RDDS data (objects only displayed if applicable).

Activation Expiry Date: 2011-12-31T11:11:11Z
Activation Date: 2011-12-31T11:11:11Z
Contact Confirmation Expiry Date: 2011-12-31T11:11:11Z
Contact Confirmation Date: 2011-12-31T11:11:11Z
Registration Grace Expiry Date: 2011-12-31
Registration MIN Expiry Date: 2011-12-31
Redemption Expiry Date: 2011-12-31
Purge Date: 2011-12-31
Renewal Grace Expiry Date: 2011-12-31
Transfer Grace Expiry Date: 2011-12-31

Reseller ID: 4261797-ERL
Reseller Name: ACME Reseller A
Reseller Street: 123 RESELLER STREET
Reseller City: RESELLER VILLE
Reseller State/Province: RS
Reseller Postal Code: 12345
Reseller Country: US
Reseller Phone: +1.5555551219
Reseller Phone Ext: 1239
Reseller Fax: +1.5555551219
Reseller Fax Ext: 4329
Reseller Support Email: helpdesk@reseller. (TLD)

26.9 Compliance with Specification 10

CoCCA's WHOIS service will comply and/or exceed the Registration Data Directory Service (RDDS) performance specifications outlined in Specification 10 of the proposed Registry agreement. For the existing TLDs supported by CoCCA, all service levels already exceed the Specification 10 Requirements:

* RDDS Availability) 98%
* RDDS Query) 95%
* RDDS Update) 95%

CoCCA"s current RDDS availability statistics are available online at http://stats.coccaregistry.net

RDDS Services that are near real time can be provided from the failover or escrow SRS's by simply changing the IP/ CNAME for the whos.nic.[TLD] if there are SLA related or loading issues. This has been tested and is being done automatically at any time by CoCCA's monitoring software with near immediate effect (30 seconds.

26.10 Historical Abstracts
In addition to CoCCA's RDDS services, detailed Historical Abstracts for individual domains are also made readily available to the general public, law enforcement and rights owners.

Historical Abstracts are a compilation of all information available on a domain (including deleted / archived domains) that are held in the registry. This includes the time and date of all changes in contacts, hosts, registrars, resellers, status's as well as all registration, activation, confirmation, renewal, restore or commercial transactions related to the maintenance of domain in the SRS.

A representative sample of a Historical Abstract detailing the full history of a domain is attached.

26.11 Premium RDDS (port 443 and port 700 EPP)

Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti., with the service support of CoCCA, intends to offer Boolean partial and exact match search capability of all Domain, Contact, Host, Registrar data in the SRS within the Directory Service via a web interface. This Premium service will be billed at a monthly rate depending on the number of queries.

ICANN's requirement that thin SRS data be made available in bulk makes it trivial for any entity who has thin data provided by the Centralized Zone Data Access Provider to run automated queries against the .pars WHOIS pubic WHOIS server and extract thick SRS data - for all the domains in a zone. CoCCA's Premium RDDS makes access to registration data by IP Owners, Law Enforcement and CERT's efficient (EPP and GUI) and timely (real-time), Premium RDDS does not expose any information that ICANN's gTLD policy does not effectively require Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. to otherwise make publicly available to the public via WHOIS and the services of CZDA Provider.

Because experience has demonstrated that entities often attempt to use the WHOIS for a variety of purposes, rights protection, research etc., and because WHOIS is a rather blunt instrument which does not provide always provide the most useful advice on reserved domains, wildcard string registrations etc. entities with a Premium RDDS Service will, on request, be granted read-only EPP access to retrieve domain information.

In order to make it unnecessary for IP owners or others to continuously query the SRS via EPP or command line WHOIS subscribers to the Premium RDDS may create lists that use regular java expressions and boolean operations that will notify them by email and if applicable EPP polling messages when a domain that matches a given string is registered.

To mitigate abuse of this feature, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will implement the

following measures to ensure legitimate authorized users and ensure the feature is in compliance with any applicable privacy laws or policies:

* Premium RDDS subscribers must agree, as a condition of access to comply with Section 2.1.5 of Specification 4.To monitor that RDDS services are not being abused and used to "support the transmission by e- mail, telephone, or facsimile of mass unsolicited, commercial advertising or solicitations to entities other than user's own existing customers, or (ii) enable high volume, automated, electronic processes that send queries or data to the systems of Registry Operator or any ICANN-accredited registrar" CoCCA will seed the SRS with unique records and that enable them to track reported abuse back to an individual RDDS subscriber.

* Because this is only offered as a premium and paid service, the request must follow the CoCCA application process to confirm the user identification and process the financial transaction. Thus, the typical end-user will not have access to this service.

* All GUI searches are conducted via authenticated user access using a combination of username and password and OTP tokens.

* CoCCA will monitor for out of band usage patterns of the Premium RDDS service and take appropriate action if policy thresholds are exceeded.

26.12 Zone File Access

Subscribers to the Premium RDDS may download .pars zone files via the port 43 GUI up to six (6) times in any 24 hour period.

CoCCA will comply all the requirements set out in Specification 4, Sections 2.1-2.1.7. Specifically, CoCCA will operate a dedicated server supporting FTP, and or other data transport access protocols in a manner specified by ICANN and the Centralized Zone Data Access Provider.

26.13 Resource Plans

The .pars TLD will be added to CoCCA's SRS at their primary data center in Sydney which currently supports the features noted above.

The Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will dedicate 2 professionals to coordinate the operation of the .pars TLD. At the same time, the technical professionals at CoCCA will be supporting the vast majority of the technical aspects of operating the .pars TLD.

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27. Registration Life Cycle: provide a detailed description of the proposed registration lifecycle for domain names in the proposed gTLD. The description must:

- explain the various registration states as well as the criteria and procedures that are used to change state;
- describe the typical registration lifecycle of create/update/delete and all intervening steps such as pending, locked, expired, and transferred that may apply;
- clearly explain any time elements that are involved - for instance details of add-grace or redemption grace periods, or notice periods for renewals or transfers; and
- describe resourcing plans for this aspect of the criteria (number and description of personnel roles allocated to this area).

The description of the registration lifecycle should be supplemented by the inclusion of a state diagram, which captures definitions, explanations of trigger points, and transitions from state to state.
If applicable, provide definitions for aspects of the registration lifecycle that are not covered by standard EPP RFCs.
A complete answer is expected to be no more than 5 pages.

Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will adopt the CoCCA harmonized life cycle currently adopted by a dozen ccTLDs. The .pars life-cycle described bellow builds on the CoCCA technology and policy launched in November 2011 that sought to increase the accuracy of WHOIS data, minimize harm and increase consumer trust in TLDs. The life-cycle for the .pars TLD builds on the traditional gTLD life-cycle by adding direct Registrant-Registry interaction.

The proposed .pars life-cycle ensures key elements of the .pars TLD abuse prevention and mitigation framework are adhered to by delaying mapping of the Registrant's desired NS delegation information until the registrant has Activated a domain. All .pars registrations are provisional until Activated. Activation requires that the registrant confirm (with CoCCA) the accuracy of the contact information lodged by the registrar and reads agrees to the .pars Registrant Agreement (RA), AUP and Privacy RDDS Policy.

Activation takes place via automated processes that store the time : date and IP address of the Activation as part of the domains history.

Registrants will also be required to confirm (with CoCCA) the accuracy of the contact details and agreement with the .pars RA, AUP and Privacy RDDS Policy at a) the time of renewal, b) on transfer and c) on the anniversary of registration. The following Life-Cycle describes the CoCCA SRS EPP and WHOIS behavior at various stages in the Life-Cyle.

27.1 Registration | Initial Registration

Not Registered
SRS EPP domain:check response

```
 ("xml version="1.0" encoding="UTF-8" standalone="no"")
 (epp xmlns="urn:ietf:params:xml:ns:epp-1.0" xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance"
xsi:schemaLocation="urn:ietf:params:xml:ns:epp-1.0 epp-1.0.xsd")
   (response)
```

```
    (result code="1000")
      (msg) Command completed successfully (/msg)
    (/result)
    (msgQ count="309" id="21153"/)
    (resData)
      (domain:chkData xmlns:domain="urn:ietf:params:xml:ns:domain-1.0"
xsi:schemaLocation="urn:ietf:params:xml:ns:domain-1.0 domain-1.0.xsd")
        (domain:cd)
          (domain:name avail="1") no-exist.example (/domain:name)
        (/domain:cd)
      (/domain:chkData)
    (/resData)
    (trID)
      (clTRID) 1333577979408 (/clTRID)
      (svTRID) 1333577979414 (/svTRID)
    (/trID)
  (/response)
 (/epp)
SRS WHOIS response
$ whois no-exist.example
Domain Name: no-exist.example
Domain Status: Available

TERMS OF USE:  (Legal Notice)

) ) )  Last update of WHOIS database:  2012-04-04T10:55:27.634Z  ( ( (

Note if a string cannot be registered for policy reasons the following the SRS will return the following. EPP
domain:check Status

 ("xml version="1.0" encoding="UTF-8" standalone="no"")
 (epp xmlns="urn:ietf:params:xml:ns:epp-1.0" xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance"
xsi:schemaLocation="urn:ietf:params:xml:ns:epp-1.0 epp-1.0.xsd")
   (response)
     (result code="1000")
       (msg) Command completed successfully (/msg)
     (/result)
     (msgQ count="309" id="21153"/)
     (resData)
       (domain:chkData xmlns:domain="urn:ietf:params:xml:ns:domain-1.0"
xsi:schemaLocation="urn:ietf:params:xml:ns:domain-1.0 domain-1.0.xsd")
         (domain:cd)
           (domain:name avail="0") profanity.example (/domain:name)
           (domain:reason) Registry policy (/domain:reason)
         (/domain:cd)
       (/domain:chkData)
     (/resData)
     (trID)
       (clTRID) 1333579251148 (/clTRID)
       (svTRID) 1333579251168 (/svTRID)
     (/trID)
   (/response)
 (/epp)

WHOIS Status Display

$ whois profanity.example
Domain Name: profanity.example
Domain Status: Not Registered
Notes: This name is not allowed by the policy of this registry, and cannot be registered

) ) )  Last update of WHOIS database:  2012-04-04T10:55:27.634Z  ( ( (

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Registered | Status "Pending Activation"

The Activation and Confirmation requirements run in parallel to Grace, MIN, Pending Delete, Pending Purge and
other SRS states. As soon the application is lodged via the SRS EPP and WHOIS servers will return the following.

EPP domain:info Status

 ("xml version="1.0" encoding="UTF-8" standalone="no"")
 (epp xmlns="urn:ietf:params:xml:ns:epp-1.0" xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance"
xsi:schemaLocation="urn:ietf:params:xml:ns:epp-1.0 epp-1.0.xsd")
   (response)
     (result code="1000")
       (msg) Command completed successfully (/msg)
     (/result)
     (msgQ count="309" id="21153"/)
     (resData)
       (domain:infData xmlns:domain="urn:ietf:params:xml:ns:domain-1.0"
xsi:schemaLocation="urn:ietf:params:xml:ns:domain-1.0 domain-1.0.xsd")
```

```
        (domain:name) pending.example (/domain:name)
        (domain:roid) 1234-CoCCA (/domain:roid)
        (domain:status s="inactive") Delegation information has not been mapped (/domain:status)
        (activation:status xmlns:activation="https://production.coccaregistry.net/cocca-activation-1.0"
s="pendingActivation") This domain requires acceptance of AUP and registrant agreement by 2012-04-09 15:39
 (/activation:status)
        (domain:registrant) example (/domain:registrant)
        (domain:clID) adam (/domain:clID)
        (domain:crID) adam (/domain:crID)
        (domain:crDate) 2012-04-02T03:39:55.925Z (/domain:crDate)
        (domain:exDate) 2013-04-02T03:39:55.942Z (/domain:exDate)
        (domain:authInfo)
          (domain:pw) example (/domain:pw)
        (/domain:authInfo)
      (/domain:infData)
    (/resData)
    (extension)
      (activation:extension xmlns:activation="https://production.coccaregistry.net/cocca-activation-1.0")
        (activation:url)
https://registry.example/activate.jsp"activationCode=Q7DCanzCN1REmVnB1gjVIasJnLLMa4pacVRLn6ev9kc6sFppcs7FHLfX3PLPM
        (/activation:url)
        (activation:link)
         /activate.jsp"activationCode=Q7DCanzCN1REmVnB1gjVIasJnLLMa4pacVRL n6ev9kc6sFppcs7FHLfX3PLPM3x0
        (/activation:link)
      (/activation:extension)
    (/extension)
    (trID)
      (clTRID) TR-2 (/clTRID)
      (svTRID) 1333581885177 (/svTRID)
    (/trID)
  (/response)
 (/epp)

WHOIS Status Display Example

$ whois pending.example
Domain Name: pending.example
Domain ID: 12345-CoCCA
WHOIS Server: whois.example
Referral URL:
Updated Date: 2012-02-07T03:51:17.543Z
Creation Date: 2010-03-04T04:15:10.423Z
Registry Expiry Date: 2015-07-04T04:15:10.434Z
Sponsoring Registrar: Example Registrar
Sponsoring Registrar IANA ID: 1234
Domain Status: pendingActivation

Registrant ID: 12345-CoCCA
Registrant Name: Example Registrant
Registrant Organization: Example Org
Registrant Street: 1 Example Rd
Registrant City: Exampleville
Registrant State/Province: EX
Registrant Postal Code: 1234
Registrant Country: EX

Name Server: ns1.example.com
Name Server: ns2.example.com

DNSSEC: unsigned

Unless ICANN objects, the WHOIS server (port 43 and 443) and an EPP Domain:info query will also display the
following values - after display of the values required in the EPP RFC's and in Specification 4 Section 1.4.

Activation Expiry Date: 2011-12-31T11:11:11Z
Contact Confirmation Expiry Date: 2011-12-31T11:11:11Z
Registration Grace Expiry Date: 2011-12-31T11:11:11Z
Registration MIN Expiry Date: 2011-12-31T11:11:11Z

27.1.1  Contractual Considerations:

Under the .pars TLD policy all registrations are considered provisional by Asia Green IT System Bilgisayar San.
ve Tic. Ltd. Sti. until the Registrant accepts the .pars RA and confirms the accuracy of the contact details
lodged by the Registrar.

27.1.2  Behavior:

Until such time as the domain is Activated it is parked on a Asia Green IT System Bilgisayar San. ve Tic. Ltd.
Sti. controlled website that displays the domains port 43 WHOIS information. The SRS ignores the registrar-
submitted Name Server ("NS") delegation information for all domains with a status of "Pending Activation" and
replaces them with the CoCCA parking servers.

27.1.3  Duration:
```

A provisional application may be Activated by the Registrant or Administrative Contact at any time during the first 28 days after the Registration request is lodged in the SRS. On the 29th day after registration if a domain has not already been deleted by the Registrar, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. deems the application to have been withdrawn by the registrant and the Status is changed to "Pending Purge " Restore Not Possible".

```
("xml version="1.0" encoding="UTF-8" standalone="no"")
(epp xmlns="urn:ietf:params:xml:ns:epp-1.0" xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance"
xsi:schemaLocation="urn:ietf:params:xml:ns:epp-1.0 epp-1.0.xsd")
  (response)
    (result code="2303")
      (msg) Object does not exist (/msg)
    (/result)
    (trID)
      (clTRID) TR-2 (/clTRID)
      (svTRID) 1333583795929 (/svTRID)
    (/trID)
  (/response)
(/epp)
```

EPP domain:check Status

```
("xml version="1.0" encoding="UTF-8" standalone="no"")
(epp xmlns="urn:ietf:params:xml:ns:epp-1.0" xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance"
xsi:schemaLocation="urn:ietf:params:xml:ns:epp-1.0 epp-1.0.xsd")
  (response)
    (result code="1000")
      (msg) Command completed successfully (/msg)
    (/result)  (msgQ count="309" id="21153"/)
    (resData)
      (domain:chkData xmlns:domain="urn:ietf:params:xml:ns:domain-1.0"
xsi:schemaLocation="urn:ietf:params:xml:ns:domain-1.0 domain-1.0.xsd")
        (domain:cd)
          (domain:name avail="0") purge.example (/domain:name)
          (domain:reason) The domain exists (/domain:reason)
        (/domain:cd)
        (/domain:chkData)
    (/resData)
    (trID)
      (clTRID) 1333584255405 (/clTRID)
      (svTRID) 1333584255410 (/svTRID)
    (/trID)
  (/response)
(/epp)
```

WHOIS Status Display (Domain Status: Excluded - Pending Purge). The Registrant and their Registrar are sent an email and EPP Polling message indicating the Status change.

On the 31st day after Registration, a domain that has not been Activated is purged from the SRS and instantly available for registration. Registrars are sent a polling message and email informing them that the domain application has been rejected and the domain has been deleted.

27.1.4 Commercial Considerations:

Funds are debited from the Registrars account instantly and refunded in full after 31 days if a domain is not activated and where Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. has deemed the application to register to have been withdrawn. Names that are not Activated are not delegated in accordance with the Registrants wishes and cannot be used for tasting.

27.2 Registered Activated
Once Activated the EPP Domain:info Status is automatically changed to "Active - Delegated" and the WHOIS display to "Active - Delegated".

Unless ICANN objects, the WHOIS server (port 43 and 443) and EPP Domain:info query will also display the following values - after display of the values required in the EPP RFC's and in Specification 4 Section 1.4.

) Activation Date: 2011-12-31T11:11:11Z
) Contact Confirmation Date: 2011-12-31T11:11:11Z
) Registration Grace Expiry Date: [Activation Date: 2011-12-31T11:11:11Z]
Note : [Grace Period expires as soon as a name is activated]
) Registration MIN Expiry Date: 2011-12-31

27.3 Registration Grace
A one (1) day Grace period applies to all registrations, Provisional (pending activation) registrations. If a name is Activated the Grace Period is instantly expired. This policy effectively mitigates the prospect of abuse of the .pars TLD or CoCCA's SRS for domain tasting, kiting or other similar activity, while allowing a registrar 24 hours to reverse a registration that included a typographical error or was found to be fraudulent without incurring a commercial penalty.

EPP domain:info Status

```
("xml version="1.0" encoding="UTF-8" standalone="no"")
```

```
(epp xmlns="urn:ietf:params:xml:ns:epp-1.0" xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance"
xsi:schemaLocation="urn:ietf:params:xml:ns:epp-1.0 epp-1.0.xsd")
  (response)
    (result code="1000")
      (msg) Command completed successfully (/msg)
    (/result)
    (msgQ count="309" id="21153"/)
    (resData)
      (domain:infData xmlns:domain="urn:ietf:params:xml:ns:domain-1.0"
xsi:schemaLocation="urn:ietf:params:xml:ns:domain-1.0 domain-1.0.xsd")
        (domain:name) pending.example (/domain:name)
        (domain:roid) 1234-CoCCA (/domain:roid)
        (domain:status s="inactive") Delegation information has not been supplied (/domain:status)
        (domain:registrant) example (/domain:registrant)
        (domain:clID) adam (/domain:clID)
        (domain:crID) adam (/domain:crID)
        (domain:crDate) 2012-04-02T03:39:55.925Z (/domain:crDate)
        (domain:exDate) 2013-04-02T03:39:55.942Z (/domain:exDate)
        (domain:authInfo)
          (domain:pw) example (/domain:pw)
        (/domain:authInfo)
      (/domain:infData)
    (/resData)
    (extension)
      (rgp:infData xmlns:rgp="urn:ietf:params:xml:ns:rgp-1.0" xsi:schemaLocation="urn:ietf:params:xml:ns:rgp-1.0
rgp-1.0.xsd")
        (rgp:rgpStatus s="addPeriod"/)
      (/rgp:infData)
    (/extension)
    (trID)
      (clTRID) TR-2 (/clTRID)
      (svTRID) 1333581885177 (/svTRID)
    (/trID)
  (/response)
(/epp)
```

WHOIS Status Display

Unless ICANN objects, the WHOIS server (port 43 and 443) and EPP Domain:info query will also display the following values - after display of the values required in the EPP RFC's and in Specification 4 Section 1.4.

) Activation Expiry Date: 2011-12-31T11:11:11Z
) Contact Confirmation Expiry Date: 2011-12-31T11:11:11Z
) Registration Grace Expiry Date: 2011-12-31T11:11:11Z
) Registration MIN Expiry Date: 2011-12-31T11:11:11Z

27.3.1 Registration Grace | Behavior
Domains deleted during Grace do NOT go into redemption and are instantly available. Domains may NOT be transferred during GRACE. The Domain Status shown in a WHOIS and EPP query during grace is "clientTransferProhibited".

27.3.2 Registration Grace |Commercial Considerations
A full refund equal to 100% of the registration value is applied to a registrars account for domains that are not activated in the first 24 hours. If a domain is Activated in the first 24 hours then deleted it is considered to have been deleted during the "MIN" period as Grace expires on Activation. See Section 28 bellow for explanation of "MIN".

27.4 MIN Period
The MIN period is a life-cycle element that is probably unique to the CoCCA SRS - and mostly commercial in nature. The MIN period for the .pars is 14 days, the MIN period starts when a name is registered.

Unless ICANN objects, the WHOIS server (port 43 and 443) and EPP Domain:info query will also display the following value - after display of the values required in the EPP RFC's and in Specification 4 Section 1.4.

) Registration MIN Expiry Date: 2011-12-31T11:11:11Z

27.4.1 Registration MIN | Behavior
Domains deleted by a registrar during the MIN period do NOT go into redemption. Domains may not be transferred during MIN. (the Domain Status shown in a WHOIS and EPP query is "clientTransferProhibited"). An EPP polling message is sent when the MIN period expires.

27.4.2 Registration MIN | Commercial Considerations
Since the Grace period is only one day - and only for domains that are not activated, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will give registrars a partial refund (80% of the annual registration fee) for Activated names that are deleted in the first 14 days after registration.

27.5 Renewals
Under the .pars TLD RA registrants are required to confirm the accuracy of the contact details and accept the .pars TLD RA, AUP and Privacy Policy with the registry within 28 days of renewal or the domain is suspended until such time as the RA is accepted and contact details confirmed.

27.6 Expiry
The SRS supports "registrar configurable auto renew", registrars may custom configure the auto-renew behavior

via CoCCA's GUI. Some registrars may wish to auto renew domains on expiry while others may not. If a registrar has configured auto renew the SRS, and they have available credit, the SRS will renew the domain for the period selected by the registrar (up to the maximum allowable) on the day it expires. If a name expires the following would apply.

Unless ICANN objects, the SRS will automatically update the domain record so that a query of the WHOIS server (port 43 and 443) or EPP Domain:info query will also display the following value - after display of the values required in the EPP RFC's and in Specification 4 Section 1.4.

) Contact Confirmation Expiry Date: 2011-12-31T11:11:11Z
) Renewal Grace Expiry Date: 2011-12-31:T11:11:Z

27.6.1 Expiry Grace | Suspension
On Expiry a domain automatically enters a seven day Expiry Grace period in which the domain is Suspended by the SRS and parked on a Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. parking page.

```
(?xml version="1.0" encoding="UTF-8" standalone="no"?)
(epp xmlns="urn:ietf:params:xml:ns:epp-1.0" xmlns:xsi="http://www.w3.org/2001/XMLSchema-instance"
xsi:schemaLocation="urn:ietf:params:xml:ns:epp-1.0 epp-1.0.xsd")
  (response)
    (result code="1000")
      (msg) Command completed successfully (/msg)
    (/result)
    (msgQ count="354" id="21153"/)
    (resData)
      (domain:infData xmlns:domain="urn:ietf:params:xml:ns:domain-1.0"
xsi:schemaLocation="urn:ietf:params:xml:ns:domain-1.0 domain-1.0.xsd")
        (domain:name) suspended-expired.example (/domain:name)
        (domain:roid) 1234-CoCCA (/domain:roid)
        (domain:status s='serverHold") Suspended automatically (/domain:status)
        (domain:registrant) MI8JPiQP (/domain:registrant)
        (domain:ns)
          (domain:hostObj) ns2.example (/domain:hostObj)
          (domain:hostObj) ns1.example (/domain:hostObj)
        (/domain:ns)
        (domain:clID) example (/domain:clID)
        (domain:crID) example (/domain:crID)
        (domain:crDate) 2009-05-17T21:49:34.649Z (/domain:crDate)
        (domain:upID) example (/domain:upID)
        (domain:upDate) 2012-04-05T01:38:12.649Z (/domain:upDate)
        (domain:exDate) 2011-11-17T20:49:34.644Z (/domain:exDate)
        (domain:trDate) 2009-05-17T21:49:34.728Z (/domain:trDate)
        (domain:authInfo)
          (domain:pw) example (/domain:pw)
        (/domain:authInfo)
      (/domain:infData)
    (/resData)
    (extension)
    (/extension)
    (trID)
      (clTRID) TR-2 (/clTRID)
      (svTRID) 1333590323304 (/svTRID)
    (/trID)
  (/response)
(/epp)
```

An expired and suspended name is not locked and may be renewed without a restore fee in the first seven (7) days after expiration. Suspended domains may NOT be transferred.

27.6.2 Expiry | Pending Delete - Restorable (Redemption)

On the eighth day after expiration the SRS will change the domain's Status to "Pending Delete Restorable" for a period of 28 days. Suspended and Pending Delete domains may NOT be transferred. At any point between after day seven (7) and before day 29 a registrar may Restore a domain via EPP (RFC-3915) after restoration a domain must be renewed.

The SRS will automatically update the domain record so that a query of the WHOIS or EPP will also display the following values.

) Redemption Expiry Date: 2011-12-31
) Purge Date: 2011-12-31

27.6.3 Expiry | Pending Purge (No longer Restorable)

On the 29th day after expiry the SRS will change the status of the domain to "Pending - Purge" and apply a registry lock. The WHOIS status and EPP Domain:info query would be displayed as Pending Purge. The domain would stay in this state for seven (7) days until purged from the SRS 35 days after Expiry. Once purged it is available - subject to any restrictions or polices in effect at the time.

See Attached Life - Cycle Diagram

28. Abuse Prevention and Mitigation: Applicants should describe the proposed policies and procedures to minimize abusive registrations and other activities that have a negative impact on Internet users. A complete answer should include, but is not limited to:

- An implementation plan to establish and publish on its website a single abuse point of contact responsible for addressing matters requiring expedited attention and providing a timely response to abuse complaints concerning all names registered in the TLD through all registrars of record, including those involving a reseller;
- Policies for handling complaints regarding abuse;
- Proposed measures for removal of orphan glue records for names removed from the zone when provided with evidence in written form that the glue is present in connection with malicious conduct (see Specification 6); and
- Resourcing plans for the initial implementation of, and ongoing maintenance for, this aspect of the criteria (number and description of personnel roles allocated to this area).

To be eligible for a score of 2, answers must include measures to promote Whois accuracy as well as measures from one other area as described below.

- Measures to promote Whois accuracy (can be undertaken by the registry directly or by registrars via requirements in the Registry-Registrar Agreement (RRA)) may include, but are not limited to:
  - Authentication of registrant information as complete and accurate at time of registration. Measures to accomplish this could include performing background checks, verifying all contact information of principals mentioned in registration data, reviewing proof of establishment documentation, and other means
  - Regular monitoring of registration data for accuracy and completeness, employing authentication methods, and establishing policies and procedures to address domain names with inaccurate or incomplete Whois data; and
  - If relying on registrars to enforce measures, establishing policies and procedures to ensure compliance, which may include audits, financial incentives, penalties, or other means. Note that the requirements of the RAA will continue to apply to all ICANN-accredited registrars.
- A description of policies and procedures that define malicious or abusive behavior, capture metrics, and establish Service Level Requirements for resolution, including service levels for responding to law enforcement requests. This may include rapid takedown or suspension systems and sharing information regarding malicious or abusive behavior with industry partners;
- Adequate controls to ensure proper access to domain functions (can be undertaken by the registry directly or by registrars via requirements in the Registry-Registrar Agreement (RRA)) may include, but are not limited to:
  - Requiring multi-factor authentication (i.e., strong passwords, tokens, one-time passwords) from registrants to process update, transfers, and deletion requests;
  - Requiring multiple, unique points of contact to request and/or approve update, transfer, and deletion requests; and
  - Requiring the notification of multiple, unique points of contact when a domain has been updated, transferred, or deleted.

A complete answer is expected to be no more than 20 pages.

28.1 Policy Matrix

Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. has chosen to adopt CoCCA"s tested acceptable use-based policy matrix, recommendations for minimising harm in TLDs, and subject the .pars TLD to the CoCCA Complaint Resolution Service ("CRS"). Any individual who has a concern regarding abuse involving a .pars domain, glue record, or the CoCCA PCH or ISC"s network services as they relate to .pars needs to lodge a complaint via the CRS. CoCCA's policy regarding glue records is quite simple, Registrars cannot create or use a host if the super-ordinate domain does not exist. When a domain is purged from the SRS CoCCA automatically deletes any glue records. All other glue record related issues can be dealt with via the CRS.

The CoCCA Best practice policy matrix has been developed over a decade and has currently been adopted by 16 TLDs. It was developed for (and by) ccTLDs managers that desired to operate an efficient standards-based SRS system complemented by a policy environment that addressed a registrants use of a string as well as the more traditional gTLD emphasis rights to string.

A key element of CoCCA's policy matrix is that it provides for registry-level suspensions where there is evidence of AUP violations. The .pars TLD will join other TLDs that utilize the CoCCA's single-desk CRS. The CRS provides a framework for the public, law enforcement, regulatory bodies and intellectual property owners to swiftly address concerns regarding the use of .pars domains, and the COCCA network. The AUP can be used to address concerns regarding a domain or any other resource record that appears in the .pars zone.

The CRS procedure provides an effective alternative to the court system while allowing for Complaints against domains to be handled in a way treats each complaint in a fair and equal manor and allows for all affected parties to present evidence and arguments in a constructive forum.

In certain cases, it may be necessary for the CRS to trigger a Critical Issue Suspension, which suspends service of a domain, or removes a host record, when there is a compelling and demonstrable threat to the stability of the Internet, critical infrastructure or public safety. The intent of any CIS is to minimize any abuse that may occur in a timely manor. Any CIS may be appealed through the CoCCA ombudsman's Amicable Complaint Resolution service.

28.1 Contractual Framework

Under the proposed framework Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will bind registrants to a .pars TLD Registrant Agreement ("RA"). This RA is a collateral agreement that supersedes any Registrar – Registrant agreement and binds all Registrants to the .pars AUP, Privacy and WHOIS policy, CoCCA CRS and any other requirements or dispute mechanisms mandated by ICANN.

The draft .pars AUP follows below in sections 28.4. The RA and WHOIS and Privacy Policy may be viewed at http://coccaregistry.net/.pars/policy

28.2 Minimizing Harm, Pro-active Measures

Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will adopt the following five (5) key provisions of CoCCA's already field – tested policies and technology aimed at preventing and mitigating abuse.

28.2.1 "Trust but Verify"

Applicants for .pars registrations must confirm to the registry that they agree to be bound by the registrant agreement and confirm the accuracy of contact details lodged by the Registrar with the registry. Until the Registrant or Administrative contact confirm their contact details with the Registry directly, and view accept the Registrant Agreement .pars domains are excluded from the zone. See Life-Cycle Policy.

Automated Activation processes are already in place for 12 TLD currently using the CoCCA SRS. The process involves direct registry – registrant communication using email details provided to the registry by the

Registrar. An automated email is sent to the Registrant and Admin contact that contains a link. The recipient must click on the link where they are directed to a web page that 1) displays the contact information the Registrar provided, 2) displays the .pars RA and AUP policy.

All responses (positive or negative) are lodged against the domains permanent history in the SRS and the time: date ⁄ IP address stored.

The process also allows the registry the opportunity to independently verify the accuracy of contact data supplied by the registrar, or at least that there is a functioning email - improving WHOIS accuracy. The SRS uses dynamically generated images as a challenge-response verification to prevent automated processes activating domains and to directly collect and store additional identifying information about individuals Activating a domain, which can be utilised to control fraud or investigate cyber crimes.

Although registrars are required to advise registrants of the TLD policies and conditions, with the prevalence of highly automated registration systems and expansive reseller networks it cannot be guaranteed that registrants have reviewed or agreed to the policy.

The registrant or administrative contact must confirm the accuracy of the WHOIS data on not only on Registration but also the anniversary of Registration and Renewal. On any change of Registrant or Transfer the new Registrant must also agree to the RA and AUP directly with the Registry before the changes to the contacts are committed in the registry.

These procedures and the underlying technology are in use now and undergoing constant refinement in response to Registrar and Registrant suggestions.

28.2.2 Registrants' rights to a limited license

The .pars RA and AUP limit a registrants' rights to a limited license to use but not to sub-license the use of any portion of the allocated SLD, subject to continuing compliance with all policies in place during that time. Registrants must warrant they will not assign the licence or sub-license any sub-domain without:

(a) securing the sub-licensee's agreement to the RA, AUP and all other applicable policies; and
(b) obtaining the registry's consent in writing.

Rationale: It has occurred that registrants have registered a second level domain in order to set up what amounts to a third level registry, effectively sub-licensing to third parties the use of portions of their allocated second level domain. Most abuse seems to occur in lower level domains created by Registrants or third parties.

The .pars TLD policy is recursive, however combating abusive activity in a TLD is complicated if the registry has no information as to the user of the subordinate domain or any way to suspend a single domain created by a registrant at a subordinate level.

28.2.3 Fast flux mitigation

Fast flux mitigation - queue for manual intervention by SRS admins all DNS delegation modifications that exceed four (4) requests in any 28 day period or three (3) in a one week period.

Rationale: This minimizes a registrant's ability to frequently redelegate a domain, in order to overcome service limitations imposed by Internet service providers. Frequent redelegation may also assist a malicious user to obscure their identity. Limiting frequent redelegations enhances the effectiveness of service termination as a sanction by an Internet service provider.

28.2.4 Anycast Resiliency

A denial of service attack from, say, a single ISP will usually only affect a single node. All other nodes in the world will not notice anything about the attack and the rest of the Internet will thus not notice it either. A local attack is therefore only affecting the local neighborhood. Distributed denial of service attacks usually affects a few nodes only, but because the attack is spread out between nodes, so is the amount of traffic flowing to each node. With 80+ noes and two Anycast networks, the .pars TLD is well protected against abuse targeting the .pars DNS resolvers.

28.2.5 High Risk Strings

Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will require manual intervention by the registry operator before domains that contain various strings such as "bank", "secure", "PayPal" etc., go into the zone. A comprehensive list of high-risk strings

28.2.6 Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. CERT Law Enforcement Collaboration

Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will provide CERT, Law Enforcement and other interested parties direct read - only Access to the SRS on application for research and other activities related to identifying and mitigating abuse. The CoCCA already provides direct access to the Australian Government CERT.

The CoCCA SRS contains a variety of login types with various permissions, one such type is "Cert ⁄ Law Enforcement" which allows GUI - based query as well as EPP and Zone Access.

28.3 COCCA Complaint Resolution Service

The Complaint Resolution Service ("CRS") provides a transparent, efficient and cost effective way for the public, law enforcement, regulatory bodies and intellectual property owners to have their concerns addressed regarding use of a TLD managers network or SRS services. The CRS provides a single framework in which cyber-crime, accessibility of prohibited Internet content and abuse of intellectual property rights are addressed. The framework relies on three tiers of review: immediate action to protect the public interest, amicable complaint resolution lead by an independent Ombudsman, and where applicable, adjudication by an Expert. The CRS provides an efficient and swift alternative to the Courts.

All complaints made against a domain to CoCCA are referred through the CRS protocol. When a complaint is filed, a CoCCA Complaints Officer (CCO) ensures that it meets the necessary criteria. If it does, notice is sent to involved parties and CRS Proceedings begin. If a Registrant responds to the complaint, it may be referred to an Ombudsman for Amicable Complaint Resolution (ACR). If ACR does not achieve acceptable resolution, binding arbitration by an Expert be requested by the Complainant.

In some cases, a Critical Issue Suspension (CIS) may become necessary. If a CIS has been determined to be necessary, the domain, or other resource record in a zone will be disabled until a resolution is found using the

CRS protocol. A CIS is triggered in cases where there is a compelling and demonstrable threat to the stability of the Internet, critical infrastructure or public safety. A CIS does not terminate the license to a domain, and cannot be used to trigger the transfer a domain - it simply suspends resolution.
CRS Overview Diagram - cocca-crsl.pdf

28.4 Acceptable use policy

INTRODUCTION
AGITSys supports the free flow of information and ideas over the Internet. AGITSys does not exercise editorial control over the content of any message or web site made accessible by domain name resolution services in the .PARS TLD.
AGITSys may discontinue, suspend, or modify the services provided to the registrant of a .PARS Domain name (for example, through modification of .PARS zone files), to address alleged violations of this AUP (described further below). AGITSys may determine in its sole discretion whether use of the AGITSys network or a .PARS Domain name is prima facie violation of this AUP. AGITSys or affected parties may utilize the AGITSys AUP CRS and/or the courts in the jurisdiction and venue specified in the Registrant Agreement to resolve disputes over interpretation and implementation of this AUP, as described more fully in the AGITSys AUP CRS.
Users of the AGITSys Network are obliged and required to ensure that their use of a .PARS Domain name or the AGITSys Network is at all times lawful and in accordance with the requirements of this AUP and applicable laws and regulations of Turkey.
This AUP should be read in conjunction with the AGITSys Registrant Agreement, Complaint Resolution Policy, Privacy Policy, Acceptable Use Policy, and other applicable agreements, policies, laws and regulations. By way of example, and without limitation, the Registrant Agreement sets forth representations and warranties and other terms and conditions, breach of which may constitute non-compliance with this AUP.
PROHIBITED USE
A "Prohibited use" of the AGITSys Network or a .PARS Domain name is a use which is expressly prohibited by provisions of this AUP. The non-exhaustive list of restrictions pertaining to use of the AGITSys Network and .PARS Domain names in relation to various purposes and activities are as follows. Registration of one or more .PARS Domain names or access to services provided by AGITSys may be cancelled or suspended for any breach of, or non-compliance with this AUP:
1. COMPLIANCE WITH AGITSys AUP
1.1 The AGITSys Network and .PARS Domain names must be used for lawful purposes and comply with this AUP. The creation, transmission, distribution, storage of, or linking to any material in violation of applicable law or regulation or this AUP is prohibited. This may include, but is not limited to, the following:
(1.1) Communication, publication or distribution of material (including through links or framing) that infringes upon the intellectual and/or industrial property rights of another person. Intellectual and/or industrial property rights include, but are not limited to: copyrights (including future copyright), design rights, patents, patent applications, trademarks, rights of personality, and trade secret information.
(1.2) Communication, publication or distribution of material (including through links or framing) that denigrates the Persian Language, Culture and History.

(1.3) Registration or use of a .PARS Domain name in circumstances in which, in the sole discretion of the AGITSys:
(1.3.a) The .PARS Domain name is identical or confusingly similar to a personal name, company, business or other legal or trading name as registered with the relevant Turkish agency, or a trade or service mark in which a third party complainant has uncontested rights, including without limitation in circumstances in which:
(1.3.a.i) The use deceives or confuses others in relation to goods or services for which a trade mark is registered in Turkey, or in respect of similar goods or closely related services, against the wishes of the registered proprietor of the trade mark; or
(1.3.a.ii) The use deceives or confuses others in relation to goods or services in respect of which an unregistered trade mark or service mark has become distinctive of the goods or services of a third party complainant, and in which the third party complainant has established a sufficient reputation in Turkey, against the wishes of the third party complainant; or
(1.3.a.iii) The use trades on or passes-off a .PARS Domain name or a website or other content or services accessed through resolution of a .PARS Domain as being the same as or endorsed, authorized, associated or affiliated with the established business, name or reputation of another; or
(1.3.a.iv) The use constitutes intentionally misleading or deceptive conduct in breach of AGITSys policy, or the laws of Turkey; or
(1.3.b) The .PARS Domain name has been used in bad faith, including without limitation the following:
(1.3.b.i) The User has used the .PARS Domain name primarily for the purpose of unlawfully disrupting the business or activities of another person; or
(1.3.b.ii) By using the .PARS Domain name, the User has intentionally created a likelihood of confusion with respect to the third party complainant's intellectual or industrial property rights and the source, sponsorship, affiliation, or endorsement of website(s), email, or other online locations or services or of a product or service available on or through resolution of a .PARS Domain name;
(1.3.b.iii) For the purpose of selling, renting or otherwise transferring the Domain name to an entity or to a commercial competitor of an entity, for valuable consideration in excess of a User's documented out-of-pocket costs directly associated with acquiring the Domain Name;
(1.3.b.iv) As a blocking registration against a name or mark in which a third party has superior intellectual or industrial property rights.
(1.4) A .PARS Domain name registration which is part of a pattern of registrations where the User has registered domain names which correspond to well-known names or trademarks in which the User has no apparent rights, and the .PARS Domain name is part of that pattern;
(1.5) The .PARS Domain name was registered arising out of a relationship between two parties, and it was mutually agreed, as evidenced in writing, that the Registrant would be an entity other than that currently in the register.
(1.6) Unlawful communication, publication or distribution of registered and unregistered know-how, confidential information and trade secrets.
(1.7) Publication or distribution of content which, in the opinion of the AGITSys:
(1.7.a) is capable of disruption of systems in use by other Internet users or service providers (e.g. viruses or malware);
(1.7.b) seeks or apparently seeks authentication or login details used by operators of other Internet sites (e.g. phishing); or

(1.7.c) may mislead or deceive visitors to the site that the site has an affiliation with the operator of another Internet site (e.g. phishing).
(1.8) Communication, publication or distribution, either directly or by way of embedded links, of images or materials (including, but not limited to pornographic material and images or materials that a reasonable person as a member of the community of Turkey would consider to be obscene or indecent) where such communication, publication or distribution is prohibited by or constitutes an offence under the laws of Turkey, whether incorporated directly into or linked from a web site, email, posting to a news group, internet forum, instant messaging notice which makes use of domain name resolution services in the .PARS TLD.
Material that a reasonable member of the community of Turkey would consider pornographic, indecent, and/or obscene or which is otherwise prohibited includes, by way of example and without limitation, real or manipulated images depicting child pornography, bestiality, excessively violent or sexually violent material, sexual activity, and material containing detailed instructions regarding how to commit a crime, an act of violence, or how to prepare and/or use illegal drugs
(1.9) Communication, publication or distribution of defamatory material or material that constitutes racial vilification.
(1.10) Communication, publication or distribution of material that constitutes an illegal threat or encourages conduct that may constitute a criminal offence.
(1.11) Communication, publication or distribution of material that is in contempt of the orders of a court or another authoritative government actor within Turkey.
(1.12) Use, communication, publication or distribution of software, technical information or other data that violates Turkey's export control laws.
(1.13) Use, communication, publication or distribution of confidential or personal information or data including confidential or personal information about persons that collected without their knowledge or consent.
2. ELECTRONIC MAIL
2.1 AGITSys expressly prohibits Users of the AGITSys Network from engaging in the following activities:
(1.1) Communicating, transmitting or sending unsolicited bulk e-mail messages or other electronic communications ("junk mail" or "Spam") of any kind including, but not limited to, unsolicited commercial advertising, informational announcements, and political or religious tracts. Such messages or material may be sent only to those who have expressly requested it. If a recipient asks a User to stop sending such e-mails, then any further e-mail messages or other electronic communications would in such event constitute Spam and violate the provisions and requirements of this AUP.
(1.2) Communicating, transmitting or sending any material by e-mail or otherwise that harasses, or has the effect of harassing, another person or that threatens or encourages bodily harm or destruction of property including, but not limited to, malicious e-mail and flooding a User, site, or server with very large or numerous pieces of e-mail or illegitimate service requests.
(1.3) Communicating, transmitting, sending, creating, or forwarding fraudulent offers to sell or buy products, unsolicited offers of employment, messages about "Make-Money Fast", "Pyramid" or "Ponzi" type schemes or similar schemes, and "chain letters" whether or not the recipient wishes to receive such messages.
(1.4) Adding, removing, modifying or forging AGITSys Network or other network header information with the effect of misleading or deceiving another person or attempting to impersonate another person by using forged headers or other identifying information ("Spoofing").
(1.5) Causing or permitting the advertisement of a .PARS Domain name in an unsolicited email communication.
3. DISRUPTION OF AGITSys NETWORK
3.1 No-one may use the AGITSys Network or a .PARS Domain name for the purpose of:
(1.1) Restricting or inhibiting any person in their use or enjoyment of the AGITSys Network or a .PARS Domain name or any service or product of AGITSys.
(1.2) Actually or purportedly reselling AGITSys services and products without the prior written consent of AGITSys.
(1.3) Transmitting any communications or activity, which may involve deceptive marketing practices such as the fraudulent offering of products, items, or services to any other party.
(1.4) Providing false or misleading information to AGITSys or to any other party through the AGITSys Network.
(1.5) Facilitating or aiding the transmission of confidential information, private, or stolen data such as credit card information (without the owner's or cardholder's consent).
4. NETWORK INTEGRITY AND SECURITY
4.1 Users are prohibited from circumventing or attempting to circumvent the security of any host, network or accounts ("cracking" or "hacking") on, related to, or accessed through the AGITSys Network. This includes, but is not limited to:
(1.1) accessing data not intended for such user;
(1.2) logging into a server or account which such user is not expressly authorized to access;
(1.3) using, attempting to use, or attempting to ascertain a username or password without the express written consent of the operator of the service in relation to which the username or password is intended to function;
(1.4) probing the security of other networks;
(1.5) executing any form of network monitoring which is likely to intercept data not intended for such user.
4.2 Users are prohibited from effecting any network security breach or disruption of any Internet communications including, but not limited to:
(2.1) accessing data of which such User is not an intended recipient; or
(2.2) logging onto a server or account, which such User is not expressly authorized to access.
For the purposes of this section 4.2, "disruption" includes, but is not limited to:
port scans, TCP/UDP floods, packet spoofing;
forged routing information;
deliberate attempts to overload or disrupt a service or host;
using the AGITSys Network in connection with the use of any program, script, command, or sending messages with the intention or likelihood of interfering with another user's terminal session by any means, locally or by the Internet.
4.3 Users who compromise or disrupt AGITSys Network systems or security may incur criminal or civil liability. AGITSys will investigate any such incidents and will cooperate with law enforcement agencies if a crime is suspected to have taken place.
5. NON-EXCLUSIVE, NON-EXHAUSTIVE
This AUP is intended to provide guidance as to what constitutes acceptable use of the AGITSys Network and of .PARS Domain names. However, the AUP is neither exhaustive nor exclusive.
6. COMPLAINTS
Persons who wish to notify AGITSys of abusive conduct in violation of this AUP may report the same pursuant to the AGITSys Acceptable Use Policy Enforcement Procedure, which is instituted by submitting to AGITSys a

completed AGITSys Acceptable Use Policy Violation Complaint Form.
7. ENFORCEMENT
AGITSys may, in its sole discretion, suspend or terminate a User's service for violation of any of the requirements or provisions of the AUP on receipt of a complaint if AGITSys believes:
(1.1.a) a violation of the AUP has or may have occurred; or
(1.1.b) suspension and/or termination may be in the public interest.
AGITSys may delegate its right to take any action to an Internet security agency or may act upon any report from an Internet security agency without prior notification to the User.
If AGITSys elects not to take immediate action, AGITSys may require Registrants and a complainant to utilise the AUP Complaint Resolution Service and Policy to ensure compliance with this AUP and remedy any violation or suspected violation within a reasonable time prior to suspension or terminating service.
8. LIMITATION OF LIABILITY
In no event shall AGITSys be liable to any User of the AGITSys Network, any customer, nor any third party for any direct, indirect, special or consequential damages for actions taken pursuant to this AUP, including, but not limited to, any lost profits, business interruption, loss of programs or other data, or otherwise, even if AGITSys was advised of the possibility of such damages. AGITSys's liability for any breach of a condition or warranty implied by the Registrant Agreement or this AUP shall be limited to the maximum extent possible to one of the following (as AGITSys may determine):
(i) supplying the services again; or
(ii) paying the cost of having the services supplied again.
9. REMOVAL OF CONTENT RESPONSIBILITY
At its sole discretion, AGITSys reserves the right to:
(i) Remove or alter content, zone file data or other material from its servers provided by any person that violates the provisions or requirements of this AUP;
(ii) re-delegate, redirect or otherwise divert traffic intended for any service;
(iii) notify operators of Internet security monitoring, virus scanning services and/or law enforcement authorities of any apparent breach of this AUP or .PARS TLD Policies; and/or
(iv) terminate access to the AGITSys Network by any person that AGITSys determines has violated the provisions or requirements of this AUP.
In any regard, AGITSys is not responsible for the content or message of any newsgroup posting, e-mail message, or web site regardless of whether access to such content or message was facilitated by the AGITSys Network. AGITSys does not have any duty to take any action with respect to such content or message by creating this AUP, and Users of the AGITSys Network are obliged and required to ensure that their use of a .PARS Domain name or the AGITSys Network is at all times in accordance with the requirements of this AUP and any applicable laws and/or regulation.

28.5 CoCCA CRS - Policies and Procedures

1. Statement of Purpose

1.1. This Complaint Resolution Service ("CRS") provides a transparent, efficient and cost effective way for the public, law enforcement, regulatory bodies and intellectual property owners to have their concerns addressed regarding use of a TLD Managers network or services.

1.2. The Service provides a single framework in which cyber-crime, accessibility of prohibited Internet content via a member"s network or services and abuse of intellectual property rights are addressed. The framework relies on three tiers of review: immediate action to protect the public interest, amicable complaint resolution lead by an independent Ombudsman, and where applicable, adjudication by an Expert. The CRS provides an efficient and swift alternative to the Courts.

This document should be read in conjunction with the Acceptable Use Policy ("AUP") applicable to the domain / TLD you are considering lodging a complaint against. If after having reviewed the applicable AUP Policy it is determined a violation has occurred, a complaint may be lodged by completing the CoCCA CRS Complaint form.

NOTE: IF YOU DO NOT LODGE THE SIGNED COMPLAINT FORM THAT FOLLOWS BELLOW ON PAGES 8- 13 OF THIS DOCUMENT, YOUR COMPLAINT WILL NOT BE REVIEWED.

Complaints will be reviewed in accordance with the following Steps:

Step One | Confirmation / Communication

A CoCCA Complaints Officer ("CCO") will review all formally lodged complaints for compliance with the CRS and the applicable AUP. If the CCO considers that the Complaint does not address the matter covered by the AUP, or is unsigned or otherwise violates this Procedure, theComplainant will be promptly notified of the deficiencies identified.

The Complainant shall have five (5) Days from the receipt of notification within which to correct the deficiencies and return the Complaint, failing which the CCO will deem the Complaint to bewithdrawn. This will not prevent the Complainant from submitting a different Complaint.

On receipt of the Complaint the CCO will lock domain and associated records until a period of ten (10) Days after the COO and Parties are notified of a Decision by the Ombudsman or and Expert, at which time the domain name may be unlocked.

Step Two | Immediate Review of Request for Suspension in the Public Interest

On receipt of a properly lodged Complaint, the CCO will initiate a review. When specifically requested by the Complainant the CCO may initiate a Critical Issue Suspension ("CIS").

A request for a CIS may be granted in cases where there is a compelling and demonstrable threat to the stability of the Internet, critical infrastructure or public safety. A "critical issue suspension" does not terminate the registrant"s rights or their domain license; it simply modifies the NS records in the zone temporarily disabling resolution. All suspensions under the CRS, including a CIS, may be appealed to the Ombudsman"s office for

amicable resolution, an
Expert Panelist for binding arbitration or a court of competent jurisdiction.

Where the CCO has triggered a CIS, notice will be sent to the Registrant, Administrative Contact, Registrar and Ombudsman within 24 hours of triggering the CIS.

Step Three | Formal Notification

The CCO will send a copy of the Complaint to the Respondent (normally the Registrant and/or Administrative Contact) and the TLD Sponsors designated contact with an explanatory note within 5 days by:

a) Sending the Complaint by post, fax or e-mail to the Respondent at the contact details shown as the Registrant or any other contacts in the TLD Register for the Domain Name that is the subject of the Complaint.

b) The CCO may also, at their discretion send the complaint to any addresses provided to the CCO by the Complainant so far as this is practicable.

c) Except as set forth otherwise, all written communication to a Party or a party"s representative under the Policy or this Procedure shallbe made by fax, post or e-mail.

d) Communication shall be made in English, E-mail communications (other than attachments) should be sent in plain text or PDF format so far as this is practicable.

During the course of the proceedings under the CRS, if either Party wishes to change its contact details it must notify the CCO of all changes. However, no change shall be made in the Registrant Information for the Domain Name without mutual agreement of the parties or unless a settlement is reached. Except as otherwise provided in this Procedure or as otherwise decided by the CCO or if appointed, the Expert, all communications provided for under this procedure shall be deemed to have been received:

a) if sent by courier, when singed for by the recipient;
b) if sent via the Internet, on the date that the communication was transmitted

Unless otherwise provided in this Procedure, the time periods provided for under the Policy and this Procedure shall be calculated based on the time zone of the CCO.

Any communication between:

a) the CCO and any Party shall be copied by the CCO to the other Party and if appointed, the Ombudsman or Expert;

b) a Party to another Party shall be copied by the sender to the CCO. The CCO will copy such correspondence to the Ombudsman or Expert, if appointed.

Commencement of Complaint Resolution Service proceedings

The CCO will promptly notify the Parties by email of the date of the Commencement of Complaint Resolution Service proceedings. The date
and time of transmission of such email in the time zone of the CCO according to the email header generated by the CCO"s transmitting emails system will be the date of Commencement of CRS proceedings.

The Response

Within fifteen (15) Days of the date of Commencement of Complaint Resolution Service proceedings, the Respondent may submit a Response.

The Respondent must send the Response to the CCO signed in electronic form at the addresses set out in the explanatory coversheet. In determining whether a Response was submitted in a timely manner, the date and time of receipt (as determined by the CCO"s receiving email server) shall be considered by the CCO as the date and time of submission, provided that such email i) contains a scanned copy of documents which include signatures, ii) contains all attachments, iii) is of a form and format which may be opened by the CCO. The Response shall:

a) include any grounds that the Respondent wishes to rely upon to rebut the Complainant"s assertions;

b) specify whether the Respondent wishes to be contacted directly or through an authorized representative, and set out the e-mail address, telephone number, fax number, and postal address which should be used in communications with the Respondent;

c) disclose to the CCO whether any legal proceedings have been commenced or terminated in connection with the Domain Name(s) which is the subject of the Complaint;

d) conclude with the following statement followed by the signature of the Respondent or its authorized representative:

"The information contained in the response is to the best of the respondent"s knowledge true and complete and the matters stated in this response comply with the Policy and Procedure and applicable law."

Within (3) Days following the receipt of a signed copy of the Response, the CCO will forward the Response to the Complainant. If the Respondent does not submit a Response, the Domain will be suspended 15 days after the CRS proceedings commence.

Reply by the Complainant

Within five (5) Days of receiving the Respondent"s Response from the CCO, the Complainant may submit a Reply to

the Respondent"s Response, which shall not exceed 2000 words (not including annexes). The Reply should be confined to answering any new points raised in the Response not previously dealt with in the Complaint.

Step Four | Amicable Complaint Resolution | Ombudsman

No Amicable Complaint Resolution ("ACR") will occur if the Respondent does not file a Response. Within three (3) Days of the receipt of the Complainant"s Reply (or the expiry of the deadline to do so), the CCO will arrange with the Ombudsman"s office for Amicable Complaint Resolution to be conducted. ACR will be conducted in a manner that the Ombudsman, at his or her sole discretion, considers appropriate.

Negotiations conducted between the Parties during ACR (including any information obtained from or in connection to negotiations) shall be confidential as between the Parties. Any such information will not be shown to an Expert, should one latter be appointed. Neither the Ombudsman nor any Party may reveal details of such negotiations to any third parties unless a decision-making body of competent jurisdiction orders disclosure. Neither Party shall use any information gained during mediation for any ulterior or collateral purpose or include it in any submission likely to be seen by any court or decision-making body of competent jurisdiction or an arbitral tribunal of competent jurisdiction in this Complaint or any later Complaint or litigation.

If the Parties reach a settlement during the ACR, then the existence, nature and terms of the settlement shall be confidential as between the Parties unless the Parties specifically agree otherwise, a court or decision-making body of competent jurisdiction orders otherwise, or applicable laws or regulations require it.

No binding verbal agreements can be reached as part of the ACR: any settlement reached by the Parties must be in writing to be enforceable.

If the Parties did not achieve an acceptable resolution through ACR within ten (10) Days, the Ombudsman will send notice to the Parties that the Complainant has the option to request appointment of an Expert. The Complainant will have ten (10) Days upon receipt of the notice from the Ombudsman to pay the applicable fees to CoCCA if he or she wants to move forward with binding arbitration by an Expert.

Step Five | Appointment of the Expert and Timing of Decision (Optional)

If the Ombudsman does not receive the Complainant"s request to refer the matter to an Expert together with the applicable fees within ten (10) Days, the Complaint will be deemed to have been withdrawn. This will not prevent the Complainant submitting a different Complaint.

Within five (5) Days of the receipt of the applicable fees from the Complainant, the Ombudsman will appoint an Expert on a rotational basis from a list of Experts. An Expert may only be a person named in the CoCCA list of Experts, which the Ombudsman will maintain and publish along with the Experts" qualifications. No Expert"s appointment will be challenged on the grounds that they are insufficiently qualified. Once the Expert has been appointed, the Parties will be notified of the name of the Expert appointed and the date by which the Expert will forward, except in the case of exceptional circumstances, his or her decision to the CCO and copy the Ombudsman.

The Expert shall be both impartial and independent before accepting the appointment. During the proceedings the Expert will disclose to the Ombudsman any circumstances giving rise to the justifiable doubt as to their impartiality or independence. The Ombudsman will have the discretion to appoint a substitute Expert if necessary, in which case the timetable will be adjusted accordingly.

In addition to the Complaint, and if applicable the Response, the Reply, any appeal notice and appeal notice response, the Expert may request further statements or documents from the Parties. However, the Expert will not be obliged to consider any statements or documents from the Parties which he or she has not received according to the Policy or this Procedure or which he or she has not requested. The Expert may request a further statement that will be limited to a defined topic but will not be obliged to consider any material beyond that requested.

Step Six | Expert Decision

The Expert will decide a Complaint on the basis of the Policy, the Procedure and the submissions made by the Party. If, in the absence of exceptional circumstances, a Party does not comply with any provision in the Policy, Procedure or any request by the Ombudsman or the Expert, the Expert may draw such inferences from the Party"s non-compliance, as he or she deems appropriate.

Unless exceptional circumstances apply, an Expert shall forward his or her Decision to the Ombudsman within ten (10) Days of his or her appointment. The Decision shall be in writing and signed by the Expert. It will provide the reasons on which the decision is based, indicate the date on which it was made, the place the Decision was made and identify the name of the Expert. Within three (3) Days of the receipt of a Decision from the Expert, the Ombudsman will communicate the full text of the Decision to each Party via email with the date for the implementation of the Decision in accordance with the Policy.

Effect of Court Proceedings

If, before or during the course of proceedings under the Complaint Resolution Service, the Ombudsman is made aware that legal proceedings have begun in or before an applicable court or decision-making body of competent jurisdiction or an arbitral tribunal of competent jurisdiction, and that such legal proceedings relate to a Domain Name which is the subject of a Complaint, he or she will suspend the Complaint Resolution Service proceedings pending the outcome of the legal proceedings.

A Party must promptly notify the Ombudsman if it initiates or becomes aware of legal proceedings in a court or decision-making body of competent jurisdiction, or arbitral tribunal of competent jurisdiction relating to a Domain Name that is the subject of a Complaint under the proceedings of the Complaint Resolution Service.

Either party may request, before or during the Complaint Resolution Service Proceedings, an interim measure of protection from a court.

Expert Fees

The applicable fees in respect of the referral of proceedings under the Complaint Resolution Service to an Expert are (in United States Dollars), for Complaints involving 1-5 Domain Names and only one Complainant, $2500 plus applicable taxes, such as goods and services taxes ("GST"). For Complaints involving 6 or more Domain Names, and / or more than one Complainant, the Ombudsman will set a fee in consultation with the Complainant. Fees are calculated on a cost-recovery basis, and are passed on in their entirety to the Expert(s). CoCCA does not charge for its mediation or administration services in respect of the Complaint Resolution Service.

Exclusion of Liability

Neither CoCCA nor its councilors, officers, members, employees or servants nor any Expert, Mediator or any employee of any Expert or Mediator shall be liable to a Party for anything done or omitted, whether negligently or otherwise, in connection with any proceedings under the Complaint Resolution Service unless the act or omission is shown to have been in bad faith.

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29. Rights Protection Mechanisms: Applicants must describe how their registry will comply with policies and practices that minimize abusive registrations and other activities that affect the legal rights of others, such as the Uniform Domain Name Dispute Resolution Policy (UDRP), Uniform Rapid Suspension (URS) system, and Trademark Claims and Sunrise services at startup.
A complete answer should include:

- A description of how the registry operator will implement safeguards against allowing unqualified registrations (e.g., registrations made in violation of the registry's eligibility restrictions or policies), and reduce opportunities for behaviors such as phishing or pharming. At a minimum, the registry operator must offer a Sunrise period and a Trademark Claims service during the required time periods, and implement decisions rendered under the URS on an ongoing basis; and
- A description of resourcing plans for the initial implementation of, and ongoing maintenance for, this aspect of the criteria (number and description of personnel roles allocated to this area).

>To be eligible for a score of 2, answers must also include additional measures specific to rights protection, such as abusive use policies, takedown procedures, registrant pre-verification, or authentication procedures, or other covenants.
A complete answer is expected to be no more than 10 pages.

Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. is fully aware of the importance of protecting the rights of others in the .pars gTLD and has made rights projections a core objective. The .pars TLD Rights Protection is something CoCCA has prioritized by necessity throughout its nine-year history. CoCCA currently complies with UDRP proceedings and will comply with URS proceedings as well with methods for handling Sunrise and Trademark Claims outlined below and guided by Specification requirements of the proposed Registry Agreement.

CoCCA also offers a wide range of services including, a wildcard registration program to block variants of a domain for Trademark holders as well as an "Alert" service that any interested party can subscribe to, alerting them if a specific string is registered in any CoCCA TLD. CoCCA recognizes that ICANN has not completed the Trademark Clearing House (TMCH) program. While CoCCA cannot fully describe the details of implementation for this application based on incomplete work, CoCCA intends to comply and/or exceed the final ICANN program.

In particular, CoCCA offers the following procedures to help protect the rights of trademark owners:
Sunrise Services
Trademark Claims Service
Name Selection Policy
Acceptable Use Policy
Unqualified Registration Safeguards
Wildcard Registrations / Alert services
Clearinghouse of Intellectual Property API
Thick WHOIS
RPM Compliance auditing of Registrars
UDRP, URS, PDDRP and RRDRP and CRS
Limited License
Rapid Takedown & Suspension
Malware Mitigation
Fast Flux Mitigation
Phishing Mitigation
DNSSEC Deployment
Law Enforcement and Anti-Abuse Community Collaboration
29.1 Registration Abuse Prevention Mechanisms - Pre Launch
To support Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.' s objectives, CoCCA will implement specific measures in compliance with ICANN's Applicant Guide Book. At a minimum, ICANN states that Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. must offer sunrise registration for a period of thirty days during pre-launch in conjunction with the Trademark Clearing House.

CoCCA's RPM framework contains several levels of safeguards to deter unqualified registration and other malicious behaviors during pre-launch. This not only exceeds requirements, but also provides customers of the TLD predictably in service offerings and protections.

29.1.1 Sunrise & Land-rush
To meet the ICANN requirement of a 30-day Sunrise process for those with verifiable trademark rights or owners of exact matching strings in other TLDs, CoCCA shall implement for Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. a Sunrise period for domain registrations. The validations of domains names that are an identical match will occur via the Trademark Clearinghouse via notice by Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. or Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.' approved Registrar.

During the Sunrise, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will be responsible for determining eligibility of the registration and it will require the Registrant to affirm that they meet Sunrise Eligibility Requirements (SERs) and incorporate a Sunrise Dispute Resolution Policy (SDRP).
The Sunrise will be followed by a 30 day Registration Land-rush for members of the community/business owners/residents/etc. The process will end in General Availability or Open Registration. Eligible Trademark holders may continue to register marks on an ongoing basis.
29.1.2 Trademark Claims Service
Per ICANN's Applicant Guide Book, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. is required to provide a Trademark Claims service during pre-launch phases and for at least 60 days from the date of open registration. During the Trademark Claims period, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. or the Registrar will provide notice to the prospective registrants where an identical match is identified in the Trademark Clearinghouse. The notice will include warranties that the prospective Registrant must understand and adhere that the domain will not infringe on the rights of the respective Trademark holder. A notice will also be sent to the designated Trademark holder of marks where an identical match has been identified.
29.1.3 Name Selection Policy
The .pars TLD will enforce a name selection policy that ensures that all names registered in the gTLD will be in compliance with ICANN mandated technical standards. These include restrictions on 2 character names, tagged names, and reserved names for Registry Operations. All names must also be in compliance with all applicable RFCs governing the composition of domain names. Registrations of Country, Geographical and Territory Names will only be allowed in compliance with the restrictions as outlined in the answer to Question 22.

Additionally, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. requires that domain names within the .pars TLD should consist of proper characters unique within top-level domain, followed by the characters '.pars'.
Domain names should meet the following technical requirements; They shall:
contain no more than 63 characters;
begin and end with a letter or a digit;
contain no characters different from letters, figures and a hyphen (allowable characters are the letters of the Roman alphabet; capital and lowercase letters do not differ);
contain no hyphens simultaneously in the third and forth positions.
Acceptable Use Policy
Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. has developed an Acceptable Use Policy (AUP) that is referenced in the answer to Question 28. This AUP clearly defines what type of behavior is expressly prohibited in conjunction with the use of a .pars domain name. Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will require, through both the Registry Registrar Agreement (RRA), and a Registry Registrant Agreement (RA) that this AUP be accepted by a registrant prior to Activation of a domain in the .pars TLD. See Life-Cyle and
29.2 Rights Protection Mechanisms - Post Launch
CoCCA offers a suite of post-launch Rights Protection Mechanisms. Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti., supported by CoCCA services, will promote the security and stability of the TLD with the following:
Unqualified Registration Safeguards
Wildcard Registration / Alert services
Clearinghouse of Intellectual Property API
Thick WHOIS
RPM Compliance auditing of Registrars
UDRP, URS, PDDRP and RRDRP
Limited License
Rapid Takedown & Suspension
Malware Mitigation
Fast Flux Mitigation
Phishing Mitigation
DNSSEC Deployment
Law Enforcement and Anti-Abuse Community Collaboration
29.2.1 Unqualified Registration Safeguards
Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. plans to adopt the CoCCA Acceptable Use Policy (AUP) and Complaint Resolution Service Policy (CRS) as part of the operation of the .pars gTLD. See 28.X

The CoCCA model differs from the "classic" gTLD shared registry system in that Registrants are bound by a collateral agreement between themselves and the TLD Operator. This collateral agreement binds them to the TLD AUP policy, WHOIS policy and Complaint Resolution Service.

Although registrars are required to advise registrants of the TLD policies and conditions, with the prevalence of highly automated registration systems and expansive reseller networks it cannot be guaranteed that registrants have reviewed or agreed to the policy. An email reiterating these policies will be sent to each registrant to ensure that new applicants are made aware of and confirm their agreement to these policies.

The same process therefore allows the registry the opportunity to verify the accuracy of customer data supplied by the registrar, use dynamically generated images as a challenge-response verification to prevent automated processes activating domains and to directly collect and store additional identifying information about registrants, which can be utilized to control fraud.
29.2.2 Wildcard Defensive Registrations
CoCCA currently supports a Wildcard option, which will extend to all new gTLDs in which a brand owner/ trademark holder may register a Primary domain and then can upload evidence of the trademark or other rights via PDF in the GUI.

The Registrant may then they apply online to request a *.name or other wildcard block using java regular expressions for that text string. CoCCA will manually review the request for approval, collisions with other strings etc. If approval is granted, any attempt to register any domain that triggers that string returns "not available for policy reasons" via EPP or GUI.

The domain must be kept current and up to date in order for the Wildcard Registration to be active if the Primary registration lapses, or is subject to a dispute or UDRP ruling and is transferred the Wildcard is removed.
29.2.3 Alert
Subscribers to the Premium WHOIS service may request email alerts if a domain matching a given string, or

containing a specified string, is Registered.

29.2.3 Clearing House for Intellectual Property (CHIP)

CHIP is a new technology that is designed to allow trademark owners to efficiently and effectively safeguard and enforce their rights on the Internet, and in particular in the domain name space. CoCCA and IP Clearinghouse, the company that operates CHIP, have collaborated in the past to allow trademark owners to retroactively (or proactively) associate trademark information with specific domain names. This technology is available but may or may not be used depending on the outcome of developments in with gTLD clearinghouse.

29.2.4 Thick WHOIS

CoCCA will provide Thick WHOIS to enhance accessibility and stability and reduce malicious behavior thereby promoting increased rights protection mechanisms and investigations where applicable. All WHOIS services meet Specification 4 of the Registry Agreement in support of Thick WHOIS. The agreement between Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. and its Registrars specifies that Registrant information should be complete and accurate and instances where incomplete information occurs will be investigated to prevent reoccurrence. Given the current state nature of WHOIS, CoCCA intends to adapt to new formats and protocols as they go into effect.

29.2.5 Registrar Relationship

Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. views the protection of legal rights of a user's domain name and that of trademark owners as a strategic imperative to operating a successful TLD. Therefore, ICANN accredited Registrars will only be used and be bound to the registry-registrar agreement. Certain components of the RPM framework will be administered on behalf of Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.. To ensure compliance with designated RPMs, CoCCA will conduct annual reviews and enforce non-compliance where necessary. In cases where Registrars fail to meet Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.' standards, the Registrar will lose its certification to register domains of the TLD until all issues are resolved.

29.2.6 Uniform Dispute Resolution Policy (UDRP)

The UDRP is a proven rights protection mechanism whereby complainants can object to a domain registration via a UDRP provider. The Registrant in question has the opportunity to respond to the complaint and defend its registration and use as good faith. The UDRP provider and assigned panel provide a decision based on the information submitted by both the complainant and the respondent. Where the complainant is successful in proving a bad faith registration ownership of the domain will be transferred accordingly and in line with ICANN policy. Conversely, where the complainant is unable to prove bad faith, the domain registration will remain with the assigned Registrant. Registrars of Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.' must implement and respond to UDRP policy where applicable. Penalties will apply where Registrars are found to be in breach.

29.2.7 Uniform Rapid Suspension (URS)

CoCCA is required to implement the Uniform Rapid Suspension (URS) per the Applicant Guidebook. If an infringement is discovered, the complainant may file an objection with a URS provider. The URS provider will investigate compliance via an administrative review. Upon a successful review, the URS provider will notify Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. to place the domain in question in lock status within NEED A TIMEFRAME, meaning that no changes to registration data will occur, but the domain continues to resolve. Upon lock of the domain, the Registrant will be notified and have an opportunity to respond. If the complainant proves the domain is used in an abusive manner, the domain name will be suspended for the remainder of the registration period and will resolve to an informational site provided by the URS provider. The complainant will have the opportunity to extend the registration for one additional year. Conversely, if the evidence does not result in a successful determination of abuse, the URS Provider will contact CoCCA and controls of the registered domain will be returned to the Registrant.

29.2.8 Post-Delegation Dispute Resolution Procedure (PDDRP)

Per the Applicant Guidebook, CoCCA is required to implement the Post-Delegation Dispute Resolution Procedure (PDDRP) that allows a complainant the right to object to Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.' manner of operation or use of the gTLD. A PDDRP provider will accept objections and perform a threshold review. CoCCA will respond to the complaint as necessary to defend the operation and use Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.' .pars gTLD.

29.2.9 Registration Restriction Dispute Resolution Procedure (RRDRP)

The Registration Restrictions Dispute Resolution Procedure (RRDRP) outlines the resolution proceedings whereby the Complainant determines that Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. has failed to comply with its defined registration restrictions. The parties to the dispute will be the gTLD registry operator and the harmed established institution where proper standing has been reviewed and confirmed. A successful complaint proves that the complainant is a defined community and that a strong association exists between it and the gTLD string. Further proof must be submitted that Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. violated its community-based restrictions and that measurable harm occurred. Upon administrative review of the complaint, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will file a response within 10 days of the filing.

If the complainant is determined to be the prevailing party, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will pay all Panel and Provider fees incurred, including filing fees. If Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. is found to have violated its registration restrictions, Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will implement all remedial measures outlined by the Expert Panel, including cases where registration suspension may occur. Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. recognizes that this procedure does not preclude entities seeking remedies in courts of laws.

29.2.10 Limited License

Limited License- Registration policies and terms and conditions limit registrants' rights to a limited license to use (but not to sub-license the use of any portion of) the allocated TLD, subject to continuing compliance with all policies in place during that time.

29.2.11 Rapid Takedown & Suspension

CoCCA, at Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.' request, will comply with any takedown or suspension. Usually, these types of requests are based on court orders of competent jurisdiction, but not limited to such. Before any domain take down, CoCCA maintains an internal checklist that will be followed to ensure validation of the request. If for any reason the validation procedure fails, the CoCCA Ombudsman will be notified. Upon confirmation that the registered domain is to be suspended or removed from the zone, CoCCA will execute its auditable procedure documenting the incident number, date, time, domain name, threat level, description and reason for the take down, and any other evidence that may be necessary to properly document the take down. The Ombudsman, Registrar, and Registrant will be notified before and at the time of take down execution.

29.2.13 Malware Mitigation

Where commercially sensible, or a risk factor has been identified, CoCCA will perform automated and regular scanning for malware of all domains (or a subset of domains) in the registry. Often, Registrants are unaware and compromised by malware deployments. Scanning for malware reduces occurrences for this type of abusive behavior for registered domain names in the TLD.

29.2.14 Phishing Mitigation

CoCCA will establish and act upon the results of a regular poll against one or more trusted databases for phishing sites operating (in second level or subordinate domains) within the TLD. Phishing activity most often occurs through a subordinate domain, rather than a directly registered second level domain. For this reason the registry should query for any wild-card occurrence of a domain that has been flagged as a phishing site or one that contains malware.

29.2.15 DNSSEC Deployment

As part of Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.' mission to maintain a highly secure and stable TLD, CoCCA will implement DNSSEC as part of its backend registry services. DNSSEC helps mitigate, for example, pharming attacks that use cache poisoning to redirect unsuspecting users to fraudulent websites or addresses. DNSSEC protects the DNS system from abuse threats in the following aspects:

Security of Domain Resolution - DNSKEY/RRSIG provide authentication and integrity verification to ensure data will be compromised during transmission. The CoCCA credit name server trust anchor is signed by the public key and then delivered to the Interim Trust Anchor Repository (ITAR) for TLD verification. NSEC resource records will also be used to verify negative response messages of queried resource records to ensure deletion does not occur during transmission.

Security of Zone File Distribution - TSIG allows communication among authentication servers to ensure that it is the correct server and that data is not compromised during transmission.

29.2.16 Law Enforcement and Anti-Abuse Community Collaboration

CoCCA does and will continue to cooperate closely with anti-abuse communities, experts, and law enforcement in the mitigation and prevention of abuse behavior. Not only will best practice be shared, but also collaboration on the latest issues will remain a priority. In addition to collaboration instances may take the form of early notification by security agency of malicious content. Another form of cooperation may be the provision of user information (including historical and non-publicly available information, where available) to the security agency, to assist identification of wrongdoers. The existence of existing arrangements for dealings between security agencies and the registry operator facilitates the ability for both registry and law enforcement to react promptly to threats, promptly minimizing harm. With respect to suspensions, the registrant will be given an opportunity to remedy via automated processes, given the time sensitive nature of criminal activity automated suspension based on triggers / flags, or at the request of law enforcement should be enabled. Critical domains can be manually "Super Locked" in the registry to ensure they are not removed from the zone or suspended inadvertently by automated suspension technology. Automated suspensions will only be initiated when required to protect the public interest or network integrity. They should not be initiated to simply protect an entity's or individuals intellectual or other property rights - those sorts of disputes should be dealt with via a formal complaint resolution service.

29.3 Resource Plans

Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. will dedicate 2 professionals to coordinate the operation of the .pars gTLD. At the same time, the technical professionals at CoCCA will be supporting the vast majority of the technical aspects of operating the .pars gTLD.

As the .pars gTLD is a community-supported effort, it is also expected that members of the community will help Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. develop policies and procedures that govern the operation of the gTLD.

The following Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. team members will be used to support the rights protection plan; CoCCA NOC Support, Ombudsman.

CoCCA acting as Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.' registry services provider maintains a resource model to meet the demands of RPM implementation and on-going operation of the protection mechanisms. CoCCA maintains a qualified and experienced technical staff to support registry services that meet or exceed defined service levels.

The CoCCA workforce-staffing model is sized to provide the appropriate services for each managed TLD. Given the dynamic nature of technologies and innovation, the CoCCA staff model is constantly reviewed and adjusted to achieve optimization without sacrifice to customer satisfaction and service level requirements. In cases where growth dictates an increase in staff, CoCCA maintains a proven staffing process for acquiring qualified candidates. Details of staffing resource plans can be found in response to questions of the Financial Projections section of the application.

There are eight CoCCA CRS Officers whose Role is to monitor registry services and review Complaints lodged online or from Law Enforcement / CERTs CoCCA has an established formal relationship with.

The complaints are dealt with in accordance with the CRS and AUP / Registrant Agreement, which allows the CRS officers discretion to suspend a domain instantly or send the complaint to the Ombudsman for amicable complaint resolution. CRS officers are available twenty-four hours a day, seven days a week, and three hundred and sixty five days a year.

CoCCA estimates it will require the following personnel to support the RPM implementation and operations for Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti.:

Complaint Resolution Service Officers: 8
Complaint Resolution Expert - Minimum of Eight
Ombudsman - One

30A. Security Policy: provide a summary of the security policy for the proposed registry, including but not limited to:

- indication of any independent assessment reports demonstrating security capabilities, and provisions for periodic independent assessment reports to test security capabilities;
- description of any augmented security levels or capabilities commensurate with the nature of the applied for gTLD string, including the identification of any existing international or industry relevant security standards the applicant commits to following (reference site must be provided);
- list of commitments made to registrants concerning security levels.

To be eligible for a score of 2, answers must also include:

- Evidence of an independent assessment report demonstrating effective security controls (e.g., ISO 27001).

A summary of the above should be no more than 20 pages. Note that the complete security policy for the registry is required to be submitted in accordance with 30(b).

Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. and CoCCA desire to ensure the highest levels of security are applied and maintained for all elements in the chain that ultimately result in the resolution of a .pars TLD on the Internet. CoCCA, together with partners PCH and ISC will endeavor to ensure the secure operation of Registry Services for the .pars TLD as described below.

30.1 DNSSEC - Facility for Key Storage
For reasons of economies of scale and because CoCCA has a nearly decade long relationship with PCH, the .pars key is to be stored offline at a Singapore facility hosted by the National University of Singapore, on behalf of the Singaporean Infocomm Development Agency (IDA), other DNSSEC key-store facilities that are part of PCH's project are hosted in Zurich by SWITCH, the Swiss national research and education network and at a U.S. facility hosted by Equinix in San Jose California. The PCH DNSSEC project facilities mirror the security and processes used by ICANN for maintenance of the root.

See Attachment PCH_SG_Backgrounder.pdf

30.1.1 Signature of the .pars

The .pars zones generated by the CoCCA SRS will include the DS records submitted by registrars, zones will be transferred from CoCCA's hidden signing master DNS to four PCH inbound masters using AXFER / IXFER and TSIG. PCH will transfer the zones using IXFR / AXFRE and TSIG to their signer servers in Frankfurt and Palo Alto. The signed zone is then exported to PCH's two outbound DNSSEC DNS for secure ASXFR / IXFR TSIG transfer back to CoCCA's inbound DNSSEC master in Sydney. Key signing keys and zone signing keys are to be rolled out in accordance with best practices and ICANN requirements. CoCCA and PCH's DNSSEC implementation fully adheres to applicable RFC's and to the requirements of Specification 6, section 1.3.

30.1.2 Secure Distribution of the Signed Zones

CoCCA has employed the use of a double Anycast and Unicast network for the purpose of distributing signed zones across the DNS. Due to CoCCA's desire to ensure that this process is not compromised, CoCCA logs and monitors the zone signing and distribution process, and also ensures that the management of signed zones is performed by CoCCA.

On receipt of the signed zones from PCH, CoCCA will perform some basic validation against the zones sent to PCH, and then transfer these zones onto a hidden distribution master DNS which will transfer zones via TSIG and IXAFR/ AXFR to ISC's SNC platform, PCH's Anycast platform and CoCCA's Unicast DNS servers. If a critical issue was found that was impacting both the primary and secondary SRS, and if instructed by CoCCA, PCH may distribute the zones to their own Anycast network, the ISC SNS Anycast network and the CoCCA Unicast nodes.

The procedures above have been tested by ccTLDs on CoCCA's SRS platform.

30.2 Securing the .pars DNS infrastructure and Nodes

The .pars TLD will rely on ISC's and PCH's Anycast networks and CoCCA's Unicast for resolution. ISC authors BIND and pioneered the use of DNSSEC and Anycast technology, PCH manages what is arguably the largest, most geographically dispersed Anycast network, CoCCA currently operates Unicast TLD servers for 12 TLDs. All three entities utilize best of class technology and have rigorous security policies in place to secure, monitor and respond to threats that may compromise the resolution of the .pars TLD.
Both PCH and ISC are members of NSP-Sec and have BGP sinkhole capabilities. Both organizations are well positioned and able to coordinate with ISPs that may be transiting or sourcing Denial of Service attacks (DoS) or other attack traffic to mitigate it closer to its source. The geographically diverse PCH and ISC Anycast services are extremely resilient against DoS attacks, if a node fails or is otherwise compromised, it will swiftly be taken out of the PCH or ISC Anycast cloud, causing traffic to flow to other nodes with minimal or no service disruption. The two independently operated and managed Anycast network's total distributed capacity will allow the .pars to absorb even a coordinated DoS attack originating from multiple locations at once.

The geographically diverse Anycast network proposed for .pars necessitates locating dozens of nodes in a variety of co-location facilities varying from Tier 4 to Tier 2 - and each facility has different security policies for physical access. From a security and stability perspective, the critical issue is that all nodes be monitored in real time by PCH, ISC and CoCCA and any node that experiences SLA issues (or is otherwise compromised) is swiftly taken offline or out of the Anycast network. Under CoCCA's agreements with PCH and ISC, any SLA or security issues with any node in their respective Anycast networks is to be reported immediately so that CoCCA may advise registrars or take any other appropriate action.

30.3 CoCCA's Sydney SRS Security Policy

30.3.1 CoCCA SYD NOC | SRS Physical Access
CoCCA's primary NOC is located at Global Switch in the Sydney CBD, an enhanced Tier-3 facility and one of the largest carrier neutral data centers in the southern hemisphere. CoCCA's SRS servers are housed in a dedicated, caged rack provided by PIPE networks, PIPE also provides CoCCA with the primary bandwidth used by the Sydney SRS.

In order to gain physical access to CoCCA's servers, an individual must be pre-authorised by CoCCA, pipe and Global Switch - and have formally been inducted by Global Switch. Once approved to enter the facility, an individual must be inspected and be granted access by the Global Switch Security Operations Centre - which is manned 24x7 by security personnel. After passing security, physical access requires passing through a mantrap. Access to the floor, pipe co-location room and master cage is controlled by key-cards with strict access control

lists.

Access to CoCCA's cage and rack require a combination of key-cards and physical keys both of which are distributed by, and only available to, CoCCA staff. All spaces are under constant CCTV surveillance by global switch security and the PIPE Network's NOC.

CoCCA's policy is to severely restrict physical access to network appliances, currently only six individuals have physical access to the CoCCA SRS in Sydney and all access is logged. CoCCA's security policy for physical access is collateral to the Global Switch and PIPE Networks.

30.3.2 CoCCA SYD NOC | SRS Admin Remote Access

The number of individuals with the ability to directly access and administer network appliances is very small - currently six, a number not expected to grow with additional gTLDs. Remote access is only accessible through VPN with the mandatory requirement to use one time passwords (OTP) for authentication purposes. SRS server command line logins use both OTP as well as traditional username and password authentication methods - enabling each login to be traced to an individual.

CoCCA NOC Support Staff, Registrar Support and Complaint / Abuse Officers and Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. staff may only access the SRS via port 443 with OTP from trusted IP addresses. CoCCA NOC Support Staff, Registrar Support and Complaint / Abuse Officers and Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. staff have no physical or remote administrative access to servers or network appliances.

30.3.3 CoCCA's "pamoja" SRS Software Testing

In designing any security regime it is important to clearly identity potential threats and design the policy to address them. The SRS data is a compilation of publicly available data, and all information on Registrants, Registrars, and Resellers is available via WHOIS, RDDS services or Historical Abstracts. CoCCA does not store credit card or other commercially sensitive confidential information on registrants or registrars in the SRS (or elsewhere). The security threat is not theft of SRS data, it is loss of data or tampering with data.

Information relating to the management of the Data Escrow processes performed by NCC and CoCCA Data Escrow (NZ) Limited, including information in relation to the backup policies are explained in response to question 38. The Data Escrow process ensures that data is protected against security breaches that result in the loss or unauthorized modification of SRS data, especially as the data can be recovered from several sources. The CoCCA security policy is designed to protect against un-authorized modification of production SRS data.

The only information stored in the SRS that could present a risk should the entire SRS be compromised, stolen and released "into the wild" are SRS credentials and AuthCodes. The credentials and AuthCodes are Hashed (MD5) and Encrypted in the DB. GUI access to CoCCA's production systems is only granted from trusted IP's with a requirement for OTP use. For EPP access to the production SRS, the registrar's IP must be white-listed and they must connect with a CoCCA issued SSL certificate. Even if one were able to steal the SRS DB and de-crypt the login credentials or AuthCodes, other security measures such as IP address locking, OTP and CoCCA issued certificates ensure potential data thieves would not be able to use them to access CoCCA's production SRS or modify data.

Securing the SRS largely requires ensuring the SRS software cannot be exploited by users. The SRS has four public facing websites, the WHOIS, RDDS, Historical Abstracts and Key Retrieval. The GUI login is not public facing.

CoCCA uses the same "pamoja" SRS database application that it distributes to over 20+ other TLD managers. While the application is tested internally by CoCCA and other TLD manager's, developers and systems administrators, CoCCA has a policy that each major release also be tested by an independent software testing laboratory. Currently we have contracted with Yonita (http://yonita.com). Yonita tests / audits the pamoja SRS application (not CoCCA's NOC) for:

* Security vulnerabilities
* Standard quality defects
* Performance anti-patterns
* Database and transaction misuses
* Concurrency issues
* Architectural bad practices

30.3.4 Monitoring and Detecting Threats

CoCCA monitors network traffic and activity through automated processes and seeks to detect threats that impact the SRS and more broadly CoCCA's Registry Services.

PCH and ISC directly monitor and attempt to detect threats that impact the DNSSEC signing and storage facilities as well as PCH's and ISC's respective Anycast networks. Any incident that impacts the security and stability of the .pars TLD in either the PCH DNSSEC facilities or nodes on the ISC or PCH Anycast networks is logged and reported to the CoCCA NOC immediately. ISC and PCH have near-real time reporting for all the Anycast nodes in their clouds and make this information available to CoCCA.

30.3.5 CoCCA SRS NOC | Essential Services Policy

CoCCA's Security Policy mandates that only essential SRS services (production EPP, WHOIS, RDDS, and SRS GUI with limited access) are to be hosted at the Sydney NOC.

Public facing policy websites, email servers, help-desk software, svn, GIT, team sites, OTE environments, and software development servers are all hosted externally using various commercial cloud - based services. None of these cloud-based servers are configured in such a way that they have access to any SRS services that are not normally available to the public.

30.3.6 CoCCA SRS NOC | Public Access Restrictions Policy

CoCCA's security policy dictates that only the port 43 WHOIS server, port 443 web-based WHOIS, port 443 AuthCode retrieval site, and port 443 Historical Abstract Site and a single unicast DNS server for the .pars TLD are to be publicly accessible.

Registrars, CoCCA's registrar support staff, law enforcement or CERTs may access the port 443 GUI interface only if their IP addresses have been white listed in advance and they authenticate using clientID, login and an OTP. CoCCA's use of OTP tokens allows CoCCA to track activity in the SRS by individual not just loginID (username).

30.3.7 CoCCA SRS NOC | Intrusion Detection

CoCCA Security Policy requires that all SRS traffic originating from outside the NOC be subjected to automated intrusion detection. CoCCA's firewalls (Watchgaurd XTM) are configured for intrusion detection and are able to inspect encrypted HTTPS traffic. CoCCA's Barracuda load balancers provide an additional layer of firewall protection, DoS and automated intrusion detection. CoCCA's NOC firewalls are configured in accordance with best practices with both port and application layer filtering. The load balancers are configured for NAT and are also configured for intrusion detection and DoS attacks.

30.3.8 CoCCA SRS NOC | Auditing an Logging

CoCCA's Security Policy requires that all access to the SRS via the port 443 GUI is logged with originating IP, clientID, OTP (generated by security token), and that the sessions are time and date stamped. All EPP and WHIOS access logs are to be stored for seven days in the production SRS where they can be readily accessed before being archived. Firewall and VPN access is also logged.

30.3.9 CoCCA SRS NOC | Incident Response

CoCCA NOC Support staff are on hand 24/7/365 to monitor the Registry Services offered at the primary SRS in Sydney and the availability of the Failover and Escrow SRS facilities. NOC Staff perform three "roles":

1) monitoring the CoCCA Sydney NOC and failover SRS's - and a dozen or so other SRS's that CoCCA supports;
2) registrar support for the CoCCA NOC and four other locally hosted ccTLDs; and
3) serve as front-line Complaint Resolution Service Officers able to trigger a CoCCA Critical Issue Suspension (CIS) or Uniform Rapid Suspension on a 24/7/365 basis.

The level of SRS access and skills required to perform all three roles are similar. CoCCA NOC support staff have no VPN access or other access to appliances at the CoCCA SRS. The GUI access they have is limited to Customer Service functions, and all the applications they use (helpdesk, monitoring, accounting, email) are hosted outside the primary NOC.

CoCCA's NOC support is a virtual "function" performed by individuals in New Zealand, Guyana and France (additional NOC staff will be trained and other centers incorporated into the service in Q4 2012). If there is a failure in any of CoCCA's Registry Services functions, the role of the NOC Support is to:

1) raise the alarm with CoCCA systems administrators or developers as conditions and events dictate;
2) liaise with PIPE Networks, PCH, ISC, IANA / ICANN and registrars as required.

30.3.10 Provisioning against DNS Denial of Service attacks

A Denial of Service (DoS) attack on a network service floods it with fraudulent requests so that there is no capacity left for legitimate requests. CoCCA's Anycast DNS service is outsourced to PCH and ISC's Anycast networks, CoCCA's managed Unicast DNS ensures Asia Green IT System Bilgisayar San. ve Tic. Ltd. Sti. has at least two "last resort" DNS nodes under direct management. Both PCH and ISC networks provide the .pars with substantial protection against DoS attacks, including Anycasting, over provisioning, and network traffic shaping.

Both PCH and ISC utilize traffic shaping methods that rate limit the number of queries per IP address to help prevent abuse and to trigger an investigation of elevated traffic levels to see whether an attacker is testing resource limits or whether ISC or PCH should provision additional bandwidth/servers or remove the node temporarily. In cases of an active DoS against ISC, CoCCA or PCH each will make every effort to identify the offending traffic and its sources to squelch offending traffic at ISP borders before reaching the servers as well as augmenting capacity to handle any legitimate elevated traffic levels.

30.3.11 Provisioning against WHOIS and EPP Denial of Service attacks

CoCCA actively monitors all Registry Services to ensure they meet any required SLA. In the event of a DoS attack that threatens to lower the SLA for WHOIS or EPP services required in the ICANN Agreement, CoCCA will work with our upstream providers (who also monitor the traffic) and attempt to squelch offending traffic at the ISP borders before it reaches the CoCCA RDDS servers. In the event the traffic is found to be legitimate, the bandwidth can be swiftly increased as required.

30.3.12 Failover Routing

CoCCA currently has multiple links to the Internet but does not load balance across them all. The secondary (failover) link is used to replicate and transfer backup WAL and VM image data files to CoCCA's Failover SRS infrastructure (currently located in Palo Alto) and Escrow NOC. If there is a critical infrastructure issue at PIPE Networks, BGP routing will be used to move our critical infrastructure on our IPV4 and IPV6 address blocks to the failover Telstra link or to one of the two SRS instances outside of Australia. A forth node will be added in Paris (France) in early 2013.

If the issue relates to an SLA problem, changing the A record and CNAME for RDDS services may be sufficient to resolve such an issue in a timely manner. If required by a pro-longed outage BGP routing may be used to re-rout

the entire ranges to a failover facility.

30.3.13 Commitments to Registrants

Taken from the .pars WHOIS and Privacy Policy

"6. DATA SECURITY

6.1 CoCCA shall take reasonable steps to protect the Personal Information it holds from misuse and loss and from unauthorized access, modification or disclosure.

7. OPENNESS
7.1 This Policy sets out CoCCA's policies on its management of Personal Information. CoCCA shall make this document available to anyone who asks for it.

7.2 On request by any person, CoCCA shall take reasonable steps to let the person know, generally, what sort of Personal Information CoCCA holds, for what purposes, and how it collects, holds, uses and discloses that information.

8. ACCESS AND CORRECTION
8.1 All Registrant information lodged by a registrar that is maintained in the CoCCA SRS is publicly available from CoCCA's RDDS services - WHOIS, Premium WHOIS, and Historical Abstracts.

See the .pars RDDS Policy (Attached) for more information.

8.2 If CoCCA holds Personal Information about a Registrant and the Registrant is able to establish that the information is not true, accurate, and complete and/or up-to-date, CoCCA shall take reasonable steps to facilitate corrections to the information so that current information is accurate, complete and up-to-date - except where the data is contained in an historical record or archive."

30.3.14 Independent Security Assessments

In addition to software and source security Audits, CoCCA has engaged the services of Connell Wagner Pty Ltd (now known as Aurecon Group Brand (Pte) Ltd) for the purpose of performing independent security audits of the primary data center.

On the condition that a gTLD is approved, CoCCA will engage the services of Aurecon to perform independent security audits to ensure the CoCCA system fully complies with all published security requirements set forth by ICANN. Such reports will be provided to ICANN on request. With new IT infrastructure planned for deployment in 2012 and early 2013, CoCCA will contract further independent assessments with third parties.

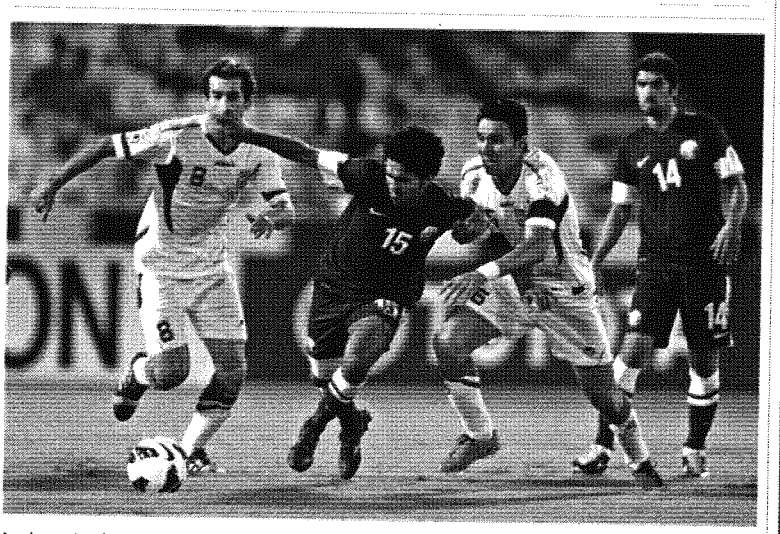
Annex 33

DAILY NEWS LEADING NEWS SOURCE FOR TURKEY AND THE REGION

Gulf rivalry between Iran, UAE transfered to the football pitch

James M. Dorsey

Tension between the United Arab Emirates and Iran over the naming of the Gulf has reached the football field when Iran captain Javad Nekounam's transfer to UAE was halted by his football federation



Iranian national team captain Javad Nekounam (2R) is at the center of a transfer controversy between his country and the United Arab Emirates. The midfielder's $2 million transfer to Al-Sharjah was halted by the Iranian Football Federation in a decision apparently led by political conflicts between Iran and the UAE. REUTERS photo

Qatar's expected deportation of workers raising concerns

The battle between Iran and various Gulf states for the identity of the energy-rich region has spilled onto its football pitches. It's the Persian Gulf League vs. the Arabian Gulf League.

The struggle erupted when the United Arab Emirates, alongside Saudi Arabia, the Gulf's most fervent opponent of political Islam, recently renamed its premier league as the Arabian Gulf League. The Iranian football federation, whose own top league, the Persian Gulf League, adheres to the Islamic republic's position in the war of semantics, responded by blocking the transfer of Iranian players to U.A.E. clubs and breaking the contracts of those who had already moved.

The war has stopped Iran's national team captain Javad Nekounam from being sold for $2 million to U.A.E. club Al-Sharjah. "We had to stop him from joining the Emirati league. We will ask the president (Mahmoud Ahmadinejad) to allocate" funds to compensate Nekounam for his loss, said Iranian football federation head Ali Kafashian. Quoted by Fars news agency, Kafashian said another eight or nine players had also been prevented from moving to the U.A.E.

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- Turkey, Egypt in fresh quarrel after Erdoğan's remarks
- Turkey should be cautious in gas deal with Russia
- How to fit the Alevis into 'New Turkey'
- Divulging cost of Ak Saray would hurt Turkey's economy, housing administration says
- Cover for Turkish president's novel lifted directly from TV show poster
- Turkey and US 'converge' on Syria: FM Çavuşoğlu
- Mentality problem
- Turkey falls behind in global corruption index

Gulf football diplomacy highlights regional divisions

Sponsorship of FIFA: A new front in Gulf political rivalry

"The Persian Gulf will always be the Persian Gulf. Money is worthless in comparison to the name of my motherland. I received an offer from Al-Sharjah three months ago and no one forced me to deny it, but I refused to do so myself. I would never join a team from a league offending the name of the Persian Gulf," Nekounam said on Iranian state television.

Strained relations

The Iranian federation, which has long been micro-managed from behind the scenes by Ahmadinejad, made its move three weeks before the president steps down and is succeeded by President-elect Hassan Rouhani, a centrist politician and cleric who many hope will seek to improve strained relations with Saudi Arabia and other Gulf states.

The kingdom, the U.A.E. and Bahrain have accused Iran of interfering in their domestic affairs by fueling Shiite anti-government protests. They are also at loggerheads over Syria with Iran-backing embattled President Bashar al-Assad and the Gulf states supporting rebels opposed to him. The animosity has fueled a widening sectarian gap in the region between Sunni and Shiite Muslims.

The U.A.E. moreover has its own gripes against Iran because of the Islamic republic's four-decade-old occupation of three potentially oil-rich islands claimed by the Emirates that are located near key shipping routes at the entrance to the Strait of Hormuz. The U.A.E. last year declared a boycott of Iranian players that it did not implement in a bid to pressure Iran to return the islands and put its controversial nuclear program under international supervision.

A year earlier, the U.A.E. became with remarks made by its ambassador to the United States, Yousef al-Otaiba, the first Gulf state to publicly endorse military force to prevent Iran from becoming a nuclear power.

The U.A.E. has in recent years further worked to link its security more closely to U.S. and European security interests. France inaugurated in Abu Dhabi its first military base in the region. The base, which comprises three sites on the banks of the Strait of Hormuz, houses a naval and air base as well as a training camp, and is home to 500 French troops. Alongside other smaller Gulf states, the U.A.E. has further agreed to the deployment of U.S. anti-missile batteries on its territory.

U.A.E. clubs signaled this week that they would comply with the Iranian boycott in a move that strengthens Emirati resistance to Iranian policies. "We don't want to be drawn into a political warfare and if it is true, the club management will take necessary action to avoid any confrontations," said an official of the Sharjah club that had been negotiating with Nekounam. Kafashian said it was negotiating with Ajman to break the contract of Iran's Mohammed Reza Khalatbari, who had transferred before the Iranian football federation declared its decision to bar Iranian players from moving to the U.A.E.

NAMING A GULF 'TURKISH STYLE'

ISTANBUL

The common practice in Turkish may be the way out of the dispute over how to name the gulf surrounded by Iran, Iraq, Saudi Arabia and Gulf states.

The gulf in question, Persian Gulf for many while the Arabian Gulf to others, is called the "Basra Gulf" in Turkish, as gulfs are named after the city or town that surrounds the end of the bay. For example, the gulf located in the northeastern Mediterranean is named the Gulf of İskenderun, after the town located at the end of it. A similar practice can also be observed in the names of other gulfs, including the Gulf of Aden, Gulf of Bahrain and Gulf of Odessa.

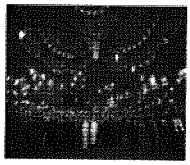
Such a method of naming limits the debate over the names of gulfs to geographical means, helping to avoid political and regional fights over a body of water.

Or all parties could continue debating whether it is the "Islamic Gulf" or the "Arabo-Persian Gulf."

July/29/2013

PHOTO GALLERY

Sheep flock to Eiffel Tower as French farmers cry wolf



Pope Francis prays in Istanbul's Blue Mosque

Hundreds paid tribute to Turkish woman killed in brutal attack in Germany

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Rights
Green
Local

ECONOMY
Macro
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Asia
Africa
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Annex 34

GAC Meeting Minutes
Durban, South Africa
13-18 July 2013

GAC Capacity Building Session

The GAC held its second capacity building session on Saturday 13 July 2013 in advance of the plenary sessions. The agenda covered topics regarding ICANN, the multistakeholder model and government participation as well as GAC representative preparations in advance of an ICANN meeting.

The GAC also received a briefing from Pierre Dandjinou, ICANN's Vice President Stakeholder Engagement – Africa, regarding the current outreach strategy for Africa.

Transcript

GAC Opening Plenary

The Chair welcomed the GAC to the 47th GAC meeting and the GAC agenda was reviewed.

The GAC welcomed five new members to the GAC, notably Madagascar, Namibia, São Tomé and Príncipe, Swaziland and Zambia.

Transcript

Staff Update on New gTLDs and the Registrar Accreditation Agreement

The GAC received a briefing from Cyrus Namazi, Vice President, DNS Industry Engagement, regarding the recently approved Registrar Accreditation Agreement. It was noted that the twelve (12) Law Enforcement Recommendations, endorsed by the GAC, had been included in the approved version.

It was also noted that some sections of the RAA are in violation of the European data protection framework as laid out by the Article 29 Working Group. ICANN responded that they are closely monitoring this situation, and the new RAA does protect registrars from being in breach of their local laws in their jurisdictions.

The GAC also received a briefing from Christine Willett, Vice President, New gTLD Program, regarding the current status of the program – and changes since Beijing. The program has been primarily in an initial evaluation stage and this has progressed significantly. The new gTLD team has published initial evaluation results of 1,100 applications; 13 applications have been identified as eligible for extended evaluation; of the first 1,200 applications prioritized 49 applications have been withdrawn; 3 applications have not been approved, based in part on GAC advice. Initial evaluation will continue through the end of August 2013. Starting on 3 July ICANN is initiating the contracting process with applicants through priority number 50 who were eligible to proceed.

Action items:

ICANN staff has agreed to look into providing the numbers relating to which applications withdrew as a result of GAC advice.

Transcript

GAC Advice on New gTLDs

The GAC agreed to module 3.1 GAC consensus objections on the applications for.amazon (application number 1-1315-58086) and related IDNs in Japanese (application number 1-1318-83995) and Chinese (application number 1-1318-5591 and the application for .thai (application number 1-2112-4478).

The GAC also agreed further discussion between applicants and relevant governments was needed on the applications for .spa (application number 1-1309-12524 and 1-1619-92115); the application for .yun (application number 1-1318-12524; the application for .guangzhou (IDN in Chinese - application number 1-1121-22691) and the application for .shenzhen (IDN in Chinese - application number 1-1121-82863).

The GAC finalized its consideration of .date after discussions between the applicant and the relevant government occurred and the GAC does not object to this application proceeding.

The GAC finalized its consideration of .persiangulf after hearing opposing views, the GAC determined that it was clear that there would not be consensus on an objection regarding this string and therefore the GAC does not provide advice against this string proceeding. The GAC noted the opinion of GAC members from UAE, Oman, Bahrain and Qatar that this application should not proceed due to lack of community support and controversy of the name.

The GAC agreed to extend the discussion regarding consensus safeguards on the strings .wine and . vin for 30 working days from 18 July 2013 with a view to concluding on the matter at that time.

The GAC noted the concerns expressed by the Government of India regarding .indians and .ram.

The GAC furthered its earlier advice regarding protection of names and acronyms of IGOs and Red Cross/Red Crescent.

The GAC stated its intention to continue the dialogue with the NGPC on Safeguard Advice.

The GAC agreed to advise the Board to collaborate with the GAC on aspects regarding geographic names and community views for future rounds.

The GAC advised the Board to urgently consider the SSAC recommendations in SAC053 and SAC057.

The GAC further noted that provisions in the RA and RAA may conflict with applicable law in certain countries.

Transcripts

Briefing from the GeoTLD Group

The GAC received a briefing from the GeoTLD group, a group comprised of 50 new gTLD applicants who have applied for a geographic name top level domain. The group expressed their concerns to the GAC regarding the Registry Agreement and conflicts with national legislation. Other concerns expressed relate to the registration phase, and the trademark clearinghouse phase and the order of implementation of these phases.

The GeoTLD group will apply to become a GNSO constituency within the Registry Stakeholder Group.

Transcript

GAC Meeting with New gTLD Program Committee

The GAC met with the New gTLD Program Committee and exchanged views on how to advance the work relating to category 1 safeguards and protection of IGO acronyms on the second level in view of a very recent letter from the NGPC, identifying certain problems with the advice received from the GAC on these topics. The discussion concluded on the need for further dialogue on these matters and for GAC to internally address the modalities for such dialogue and revert to the NGPC with suggestions.

Action Item: GAC to internally discuss issues regarding category 1 safeguards and protection of IGO acronyms and agree on proposed ways forward in dialogue format to suggest to the NGPC.

Transcript

GAC Meeting with the GNSO

The GAC met with the GNSO and exchanged views on key policy development work in the GNSO, including an ongoing Policy Development Process (PDP) regarding protection of IGO and INGO names and acronyms. An exchange focused on the opportunities for the GAC to engage early in GNSO Policy Development Processes.

Transcript

GAC Meeting with the ATRT 2

The GAC met with the ATRT 2 and discussed expectations and priorities. The GAC encouraged the ATRT2 to give advice on improving the accountability and transparency in ICANN's financial operations reporting. The ATRT2 was invited to advise on how to improve outreach and active participation, especially from developing countries. Broad participation of stakeholders from all regions is vital for the legitimacy of ICANN and the multi-stakeholder model. The GAC also invited the ATRT2 to give advice on how to improve the GAC and the transparency of GAC meetings, and to better explain and provide rationales for the advice of the GAC. The ATRT2 invited individual GAC members to provide further written inputs to the Review Team.

Transcript

GAC Meeting with the SSAC

The GAC met with the SSAC and received an update on recent SSAC work regarding namespace collisions, internal name certificates and dotless domains, as documented in SSAC reports SAC053 and SAC057. The GAC and the SSAC exchanged views on ensuing concerns and the SSAC expressed appreciation for support of the findings.

Transcript

GAC Meeting with the ccNSO

The GAC met with the ccNSO and received information about the recently concluded policy development regarding IDN ccTLDs, the modification of the IDN Fast Track process with creation of a second panel and the Framework of Interpretation work. The GAC and the ccNSO also discussed how to further improve the future dialogue between the GAC and the ccNSO.

Transcript

GAC Meeting with the ICANN Board

The GAC met with the ICANN Board and the GAC Chair referenced the ongoing dialogue with the NGPC regarding Category 1 safeguards and protections for IGO acronyms. GAC members brought up topics related to the strategic planning panels, ATRT 2, global stakeholder engagement and internationalization, string confusability, dotless domains and potential conflicts between the RA and RAA in relation to national laws. The Board Chair and some members commented on these topics. The ICANN CEO explained the rationale and the foreseen working methods for the strategic planning panels, emphasizing that they were of an advisory nature, and further highlighted recent improvements in the visibility of ICANN's accounting and planning.

Transcript

GAC Meeting with ALAC

The GAC met with the ALAC and received an introduction to ALAC's organization, bottom-up processes and output, including formal ALAC objections to certain new gTLD applications. The ALAC voiced concerns regarding issues on dot-less domains and domain name collisions and expressed support for recent SSAC statements. The ALAC also expressed concerns over the high threshold in the dispute resolution procedure for Public Interest Commitments (PIC) in particular in relation to the measurable harm standard required to file a complaint and the enforcement of these.

Transcript

GAC Briefing from the Domain Name Association

The GAC received a briefing from the Domain Name Association, which is currently in its early stages of creation. The interim Board Chairman, Adrian Kinderis, introduced the DNA to the GAC as a non-profit global business that represents the interests of the domain name industry. The DNA is not funded or affiliated with ICANN. Current members include groups, businesses and individuals that are involved in the provision and support of domain names – including registries, registrars, resellers, and registry service providers.

The DNA explained their mission, which is to promote the interests of the domain name industry by advocating the use, adoption, and expansion of domain names as the primary took for users to navigate the Internet.

Transcript

GAC Briefing from the Expert Working Group on gTLD Directory Services

The GAC met with the EWG and exchanged views on the model proposed by the EWG for the next generation directory service as a successor to the WHOIS service. The GAC referenced its WHOIS principles from 2007 and its Beijing advice regarding the WHOIS Review Team recommendations, which both have served as input for the work of the EWG. The GAC expressed its concerns about the risks associated with centralized storage of data in one repository in one jurisdiction, and raised a series of issues relating to the proposed data repository structure and access including security, data accuracy, consistency with national law, accreditation of database users, and privacy governance. The GAC stated its interest in further discussion of these issues as the working group progresses.

Transcript

GAC Planning Session

The GAC held a session to plan its further work and resolved to establish a Working Group on working methods, led by ES, and a Working Group on new gTLD matters for future rounds, led by AU.

GAC Briefing from Architelos

The GAC received a briefing on the TLD market and its development from Architelos, a consultancy focused on the domain name industry. John Matson and Alexa Raad from Architelos brought up trends in the market and how they could impact the use of new gTLDs, noting a decrease in the importance of domain names as the usage increases of search engines, social media, search codes and smart mobile devices. This was illustrated by examples of decreasing prices for some domain name transactions. The proliferation of TLDs may underline that trend and may further lead to changed abuse patterns. The briefing was concluded with suggestions on ways to address increased abuse risks.

Transcript