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September 2, 2015

**Re: Over 30 new Support Letters for DotMusic's .MUSIC Community-Based Application
(Application ID 1-1115-14110)**

Dear ICANN and Economist Intelligence Unit ("EIU"),

Please accept the attached, over 30 new Letters of Support for DotMusic Limited and its .MUSIC community-based application with ID 1-1115-14110.¹

We kindly request that the attached Letters of Support be considered by the EIU Panel as an additional attachment and Letter of Support to Question 20f of the DotMusic application during the .MUSIC Community Priority Evaluation ("CPE") process.

As per the ICANN CPE FAQ,² we electronically submit the attached Letter of Support and request that it is posted on the ICANN Correspondence page.

Respectfully Submitted,

Paul Zamek
EVP: Communications & Strategic Relationships
DotMusic
4508 Wayland Drive, Nashville, TN 37215, USA
(o) +615 665 1930 (c) +615 260 6900

Website: <http://www.music.us>

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Supporting Organizations: <http://www.music.us/supporters>

Multi-Stakeholder Governance Board: <http://www.music.us/board>

¹ See <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>

² See <http://newgtlds.icann.org/en/applicants/cpe/faqs-10sep14-en.pdf>, Pg. 5

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

- by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
 11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
 12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.


²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: host@frederickisaac.com, Aug 19 '15 ip: 68.36.127.212

Name: Frederick Isaac

Title: Musician

Organization: Musician

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

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Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

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² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁴
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁵ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from negligible entities that not publicly recognized as relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁵ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁶ ISRC,¹⁷ ISWC,¹⁸ ISNI¹⁹). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²⁰ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²¹ that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²²
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known by most people²³) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 3 in 4 or 75% of the respondents) responded “Yes.”²⁴ In

¹⁶ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁷ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁸ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

¹⁹ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²⁰ <http://music.us/expert/letters>

²¹ CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²² <http://music.us/expert/letters>

²³ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁴ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>

- conclusion, the general public in majority agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁵) matches the string, is representative and accurate;
10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁶
 11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁷ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List to protect famous music brands;
 12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);²⁸

Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁵ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

²⁶ <http://music.us/board/>

²⁷ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase, and helps spur Industry adoption. This process provides increased relevancy in .MUSIC names while also preventing cybersquatting of famous music brand names that could create user confusion. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names in the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁸ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

13. will provide innovative services, including (i) providing exposure to Community members through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
14. is accountable to the global Music Community through its Public Interest Commitments²⁹ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: nguyre@gmail.com, Aug 18 '15 ip: 67.0.16.78

Name: Nathan Guyre

Title: musician

Organization: musician

²⁹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
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²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

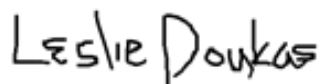
²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afiliast, ³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afiliast has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afiliast is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: ldoukas@gmail.com, Aug 19 '15 ip: 75.140.33.158

Name: Leslie Doukas

Title: MS .

Organization: Journeys with Thor

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music Policy and Copyright Infringement Dispute Resolution Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afiliast.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

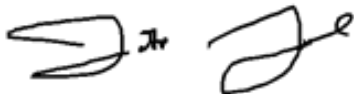
²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: johnfoval@gmail.com, Aug 19 '15 ip: 63.158.217.3

Name: John Foval

Title: Bassist from Lucy and the Gamblers

Organization: Lucy and the Gamblers

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: temofeofulue@hotmail.com, Aug 19 '15 ip: 69.158.62.41

Name: Chinua Ofulue

Title: Mr .

Organization: N/A

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community TLD multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. Our organization supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Shekler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from the NMPA and on behalf of a music publisher and songwriter community coalition representing a

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. is supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others;⁸
3. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition files against it.⁹ It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating any last minute spurious letter of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹⁰
4. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
5. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders.”¹¹

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁹ The public comment window has been open since 13 June 2012 for over 3 years. If there was any opposition of reasoned nature then any relevant music organization would have already voiced such concerns.

¹⁰ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

6. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹²
7. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase for Community members belonging to Music Community Member Organizations; naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List to protect famous music brands;
8. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);¹³ and
9. is accountable to the global Music Community through its Public Interest Commitments¹⁴ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

Music is recognized by ICANN and GAC as a regulated sector, comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music.¹⁵ As such, the string is aligned with DotMusic's Community definition ("a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music"¹⁶). Its Nexus matches the applied-for string because it

¹² <http://music.us/board/>

¹³ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

¹⁵ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

¹⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

represents the Community and allows all constituents to register a .MUSIC domain without any conflict of interests, over-reaching or discrimination.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,

Brenda Bottomley

Signature: tulparecords@execs.com, Aug 16 '15 ip: 173.32.48.210

Name: Brenda Bottomley

Title: Owner/Manager

Organisation: Tulpa Records

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,

Daniel E. Smith Jr.

Signature: dsmith3975@gmail.com, Aug 18 '15 ip: 75.97.137.14

Name: Daniel E. Smith Jr.

Title: Artist

Organization: Last Name First Music

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

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⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

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¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

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http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

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²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

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its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: toddlask@gmail.com, Aug 20 '15 ip: 172.0.249.53

Name: todd laskowicz

Title: musician

Organization: Sonic Radiation

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: toddlask@gmail.com, Aug 20 '15 ip: 172.0.249.53

Name: todd laskowicz

Title: musician

Organization: Sonic Radiation

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community TLD multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. Our organization supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Shekler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from the NMPA and on behalf of a music publisher and songwriter community coalition representing a

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. is supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others;⁸
3. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition files against it.⁹ It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating any last minute spurious letter of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹⁰
4. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;
5. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders.”¹¹

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

⁹ The public comment window has been open since 13 June 2012 for over 3 years. If there was any opposition of reasoned nature then any relevant music organization would have already voiced such concerns.

¹⁰ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

6. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;¹²
7. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase for Community members belonging to Music Community Member Organizations; naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List to protect famous music brands;
8. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under its .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);¹³ and
9. is accountable to the global Music Community through its Public Interest Commitments¹⁴ that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

Music is recognized by ICANN and GAC as a regulated sector, comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music.¹⁵ As such, the string is aligned with DotMusic's Community definition ("a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music"¹⁶). Its Nexus matches the applied-for string because it

¹² <http://music.us/board/>

¹³ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

¹⁴ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

¹⁵ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

¹⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

represents the Community and allows all constituents to register a .MUSIC domain without any conflict of interests, over-reaching or discrimination.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,

Shere Kaan

Signature: shere.kaan@gmail.com, Aug 12 '15 ip: 207.38.43.28

Name: Shere Kaan

Title: Musician

Organisation: Electric Nimbus

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

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³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

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the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

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1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
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²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: gardenbred@gmail.com, Aug 21 '15 ip: 98.252.240.71

Name: Ngoya Vice

Title: Owner

Organization: Gardenbred Entertainment

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
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²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afiliast,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afiliast has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afiliast is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,

Marie Martine Bédard

mariemartinebedard@gmail.com, Aug 21 '15 ip: 173.178.249.6

Signature:

Name: Marie Martine Bédard

Title: Independent Music Professional

Organization: Verte Folium inc.

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afiliast.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afiliast,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afiliast has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afiliast is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: ncopeland@uco.edu, Aug 21 '15 ip: 198.102.159.208

Name: Noah Copeland

Title: Mr .

Organization: Self

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afiliast.info/about-us>

³² <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

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⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

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2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
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 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

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¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

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²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

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²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
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²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

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13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: rlaplante@afilias.info, Aug 21 '15 ip: 50.198.139.201

Name: Roland Laplante

Title: CMO

Organization: Afilias plc

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afiliast,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afiliast has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afiliast is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,

Steve Cochrane

Signature: stevec@spiritcompass.com, Aug 21 '15 ip: 173.206.151.163

Name: Steve Cochrane

Title: Music Artist

Organization: Spirit Compass Music

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afiliast.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

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http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
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²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.


²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afiliast,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afiliast has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afiliast is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: puertored@gmail.com, Aug 22 '15 ip: 68.174.177.232

Name: Francisco Rivera

Title: mr

Organization: none

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afiliast.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

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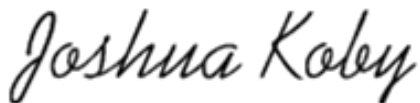
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DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: joshuakoby@icloud.com, Aug 23 '15 ip: 24.85.78.162

Name: Joshua Kobay

Title: Mr

Organization: Quantum

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

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¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

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⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
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¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

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¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

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http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,

Michael J Warren

Signature: michael.warren@gmail.com, Aug 23 '15 ip: 131.113.186.2

Name: Michael Jason Warren

Title: Co-Founder

Organization: Gonohe Music Festival

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

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²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
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²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
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²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

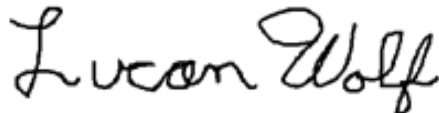
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DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: lucanwolf1@cox.net, Aug 21 '15 ip: 70.189.142.239

Name: Lucan Wolf

Title: Musician

Organization: Lucan Wolf Productions

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

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⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
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¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,

Duncan Parsons

Signature: musicus@dsparsons.co.uk, Aug 23 '15 ip: 2.102.36.3

Name: Duncan Parsons

Title: Mr

Organization: RoughDraftAudio

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

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¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

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²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

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²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

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its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

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14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,

Chris Stone

Signature: protosapien@hotmail.com, Aug 25 '15 ip: 68.103.18.147

Name: Chris Stone

Title: Music Producer / Artist

Organization: Member of BMI

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

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the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

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⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: minimoniotaku@gmail.com, Aug 25 '15 ip: 71.102.98.21

Name: CJ Marsicano

Title: founder/songwriter

Organization: TGML Entertainment

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music Policy and Copyright Infringement Dispute Resolution Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

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¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

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²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

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²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
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²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

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DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,

Florian Harres

Signature: phacefunk@gmail.com, Aug 25 '15 ip: 2.241.69.196

Name: Florian Harres

Title: Mr .

Organization: Phace Music

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music Policy and Copyright Infringement Dispute Resolution Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

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¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

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the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: ceg.music.mb@gmail.com, Aug 25 '15 ip: 12.169.71.4

Name: Michael Butler

Title: Executive Director

Organization: I Love Music Tour, Inc

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

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http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

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²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
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²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
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²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

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15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: contact@alienskinmusic.com, Aug 27 '15 ip: 120.147.233.24

Name: George Pappas

Title: Musician

Organization: Alien Skin

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afiliast.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afiliast,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afiliast has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afiliast is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: kamal.sharif722@gmail.com, Aug 28 '15 ip: 204.94.39.142

Name: Kamal Sharif

Title: Senior Vice President

Organization: Kamdre Entertainment

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music Policy and Copyright Infringement Dispute Resolution Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afiliast.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
Akram Attallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

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⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

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2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
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 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

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¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

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²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

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²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
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²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

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13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: ronratliffjr@live.com, Aug 29 '15 ip: 71.12.10.233

Name: Ronald Ratliff Jr

Title: Band Manager

Organization: GovernmentCheez Media

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Cherine Chalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
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DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: mostlynnumber6@hotmail.com, Aug 29 '15 ip: 76.251.32.53

Name: John Spengler

Title: Artist

Organization: John Ward

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

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2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

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http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
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²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afiliast,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afiliast has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afiliast is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: computer97@hotmail.com, Aug 29 '15 ip: 108.231.218.193

Name: David Church

Title: Individual

Organization: Global community

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afiliast.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
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Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

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DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: slimtailor@gmail.com, Aug 31 '15 ip: 108.82.162.148

Name: Jeremiah Houston

Title: Mr. Slim Tailor

Organization: Tailor Music

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

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³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

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⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

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⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
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¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

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¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

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systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

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http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

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²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afiliast,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afiliast has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afiliast is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,



Signature: reeselemons@gmail.com, Sep 1 '15 ip: 24.199.50.98

Name: Maurice Lemons

Title: Manager/Marketing

Organization: Houlem Music at Houlem LLC

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afiliast.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

Dr. Steve Crocker, Chairman of the ICANN Board;
Fadi Chehadé, ICANN President & CEO;
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Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement;
John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
 6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment...aligned with [its] community-based Purpose” and uphold its established Community definition of a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” that “encompasses global reaching commercial and non-commercial stakeholders, and amateur stakeholders;”¹⁵
 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
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²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
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²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

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its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,

Doris Williams

Signature: doris.sings@tesnar.com, Sep 1 '15 ip: 50.108.75.41

Name: Doris Williams

Title: Singer, Musician

Organization: Lady Doris

³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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John Jeffrey, ICANN General Counsel; and
Community Priority Evaluation Panel, Economist Intelligence Unit

Re: Support for .MUSIC Community-based Application¹ with Enhanced Safeguards

Dear ICANN and Economist Intelligence Unit (“EIU”):

Please accept this Letter of Support which supports the responsible, trusted and safe operation of the .MUSIC top-level domain under a community-based, multi-stakeholder governance model with Enhanced Safeguards tailored to serve the legitimate interests of the entire global Music Community.

Respecting and protecting music rights serves both the global music community and the public interest. This Letter supports the position of the International Federation of the Phonographic Industry,² which endorses DotMusic because it has “publicly committed to, and will be bound to, implement meaningful and robust safeguards to protect against online infringement.”³ Our organization also supports the positions expressed in the letter⁴ sent to ICANN (on March 5th, 2015) by Victoria Sheckler from the RIAA and on behalf of a global music community coalition representing “over 80% of the world’s music,” and the letter⁵ sent to ICANN (on March 7th, 2015) by Rich Bengloff from the A2IM and on behalf of a majority of a global music community coalition representing a majority of the independent music community, to support the [DotMusic] “community” application for .MUSIC and that “we expect...the community application process...to have meaning and for the community preference criteria (CPE)...to be interpreted thoughtfully, diligently, and in a responsible manner in light of the public interest and with consumer safety in mind ” and for ICANN “to expeditiously implement appropriate changes to address [concerns].” We also support the positions in the letter⁶ sent to ICANN (on April 14th, 2015) by Danielle Aguirre from

¹ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited Application ID 1-1115-14110

² The IFPI represents the recording industry worldwide and is an entity *mainly* dedicated to the global Music Community, <http://www.ifpi.org/about.php>

³ <https://www.icann.org/en/system/files/correspondence/moore-to-crocker-18may15-en.pdf>

⁴ <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>

⁵ <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>

⁶ <https://www.icann.org/en/system/files/correspondence/aguirre-to-icann-board-eiu-14apr15-en.pdf>

the NMPA and on behalf of a music publisher and songwriter community coalition representing a majority of the global music publishing community, which expressed their “support [for] the [DotMusic] .MUSIC community application because respecting and protecting music rights serves the global music community and the public interest.”

Please accept this Letter of Support for DotMusic Limited’s .MUSIC community-based application because DotMusic:

1. is the only .MUSIC applicant that follows unified principles, ideals and mission that the entire Community subscribes to, such as: creating a trusted identifier and safe haven for music consumption, protecting musicians’ rights and intellectual property, fighting copyright infringement/piracy, supporting fair compensation and music education, and following a multi-stakeholder approach of representation of all types of global music constituents without discrimination;⁷
2. developed its Mission and Registration Policies using a consensus-driven, bottom-up methodology via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008.⁸ This outreach gave the Community all-encompassing, open opportunities to engage with DotMusic to address any concerns (e.g. via events, meetings, social media, ICANN’s 2012 public comment period or other correspondence). DotMusic has participated in hundreds of international music/domain events and still continues to engage Community members;
3. is supported by an “(industry) community” with members that have the requisite awareness and recognition of the community defined. The cohesive global music community defined constitutes a clear “(industry) community” supported by relevant organizations with members representing over 95% of music consumed globally (i.e. a majority), including many entities *mainly* dedicated to the Community, such as the IFPI, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM and others.⁹ As such, DotMusic’s community application should overwhelmingly exceed the minimum “(industry) community” threshold for the applied for string given the EIU’s consistent rationale with respect to the prevailing “(industry) community” CPE determinations for .HOTEL, .RADIO and .SPA. Music community members participate in a shared system of creation, distribution and promotion of music with common norms and communal behavior i.e. commonly-known and established norms in regards to how music entities perform, record, distribute, share and consume music, including a shared legal framework

⁷ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

⁸ <http://music.us/events>

⁹ <http://music.us/supporters> and <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

- in a regulated sector governed by common copyright law under the Berne Convention, which was established and agreed upon by over 167 international governments¹⁰ with shared rules and communal regulations;¹¹
4. is the only .MUSIC applicant without a formal Community Objection or any relevant, substantiated opposition filed against it.¹² It is in the public interest that the Panel protects the legitimate interests of the global Music Community by invalidating last-minute spurious letters of opposition and clearly understands the objectives of such letters intended to unfairly disqualify this worthy, meaningful and well-intentioned community-based application supported by the majority of the Community;¹³
 5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community. DotMusic has more music-tailored policies than all other .MUSIC applicants combined;¹⁴
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 7. Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector,¹⁶ comprised of a logical alliance of interdependent communities relating to music with organized practices and institutions that enable and regulate the production, distribution and consumption of music. As such, the cohesive “(industry) community” defined is clearly globally-recognized, delineated and organized because it operates in a regulated sector which uses numerous globally-recognized standards and classification

¹⁰ http://www.wipo.int/treaties/en/ShowResults.jsp?lang=en&treaty_id=15

¹¹ The Berne Convention for the Protection of Literary and Artistic Works, usually known as the Berne Convention, is an international agreement governing copyright, which was first accepted in Berne, Switzerland, in 1886 – See http://www.wipo.int/treaties/en/text.jsp?file_id=283698

¹² DotMusic has followed a consensus-driven, bottom-up methodology to build its Policies and Mission via feedback and universal principles collected in its ongoing, extensive public global communication outreach campaign launched in 2008. Also, the public comment window has been open since 13 June 2012 for over 3 years. As such, last-minute opposition letters should be viewed as filed for the purpose of obstruction because any relevant organization had years and countless outreach opportunities to publicly voice legitimate concerns to DotMusic. Also any opposition from a negligible entity that is not relevant to the string is considered irrelevant.

¹³ See <http://newgtlds.icann.org/en/applicants/cpe/faqs-13aug14-en.pdf>, Pg. 6

¹⁴ <http://music.us/comparison.pdf>

¹⁵ <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 20a

¹⁶ <https://www.icann.org/en/system/files/bm/briefing-materials-2-05feb14-en.pdf>, Pg.3

systems, which identify who the individual songwriters, publishers and rights holders are and which songs they are associated with so that Community members are appropriately compensated, regardless whether the constituent is a commercial, non-commercial or amateur entity. The “MUSIC” string is commonly used in classification systems such as ISMN,¹⁷ ISRC,¹⁸ ISWC,¹⁹ ISNI²⁰). As such, the string is aligned with DotMusic’s Community definition (“a strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music”), which is also consistent with Expert opinion.²¹ Furthermore, its Nexus matches the string because it represents the Community, allowing all constituents to register a .MUSIC domain without conflict of interests, over-reaching or discrimination. DotMusic’s application clarifies that it does not unfairly prevent access to domain names to those with legitimate musical interests that have the requisite awareness of the community addressed;

8. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, providing compelling evidence and “conclusions that are compelling and defensible”²² that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria and thus should prevail, agreeing that the defined community is accurate and matches the applied-for string;²³
9. has provided an independent poll, conducted by independent polling organization Nielsen/Harris Poll, to address whether the string and DotMusic’s defined community fulfill the “Nexus” criterion that requires that the string is commonly-known (i.e. known

¹⁷ The International Standard Music Number (ISMN) is a unique number for the identification of all notated music publications from all over the world. The ISMN is an ISO certified global standard number (ISO 10957:2009). See <http://www.ismn-international.org/whatis.html> and

http://www.iso.org/iso/home/store/catalogue_ics/catalogue_detail_ics.htm?csnumber=43173

¹⁸ The ISRC (International Standard Recording Code) is the international identification system for sound recordings and music video recordings. The ISRC is an ISO certified global standard number (ISO 3901:2001) and is managed by the IFPI. See <http://isrc.ifpi.org>, <https://www.usisrc.org/about/index.html> and http://www.iso.org/iso/catalogue_detail?csnumber=23401

¹⁹ The ISWC (International Standard Musical Work Code) is a unique, permanent and internationally recognized reference number for the identification of musical works. The ISWC has been approved by ISO (International Organization for Standardisation) as a global standard (ISO 15707:2001) and is managed by CISAC. See <http://www.iswc.org/en/faq.html> and http://www.iso.org/iso/catalogue_detail?csnumber=28780

²⁰ The International Standard Name Identifier (ISNI) is the ISO certified global standard number (ISO 27729) for identifying the millions of contributors to creative works and those active in their distribution. ISNI holds public records of over 8 million identities and 490,000 organizations. See <http://www.isni.org/> and http://www.iso.org/iso/catalogue_detail?csnumber=44292

²¹ <http://music.us/expert/letters>

²² CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

²³ <http://music.us/expert/letters>

by most people²⁴) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”²⁵ In conclusion, a majority of the general public agreed that DotMusic’s associated definition of the community addressed (i.e. “a logical alliance of communities of individuals, organizations and business that relate to music”²⁶) matches with the string;

10. is governed by the multi-stakeholder global Music Community with a diverse Policy Advisory Board encompassing commercial, non-commercial and amateur music-related constituent types;²⁷
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting. These include: restricting eligibility to Community members with the requisite awareness of the Community defined without discrimination; only allowing legal music content and usage; no parking pages; stopping domain hopping; anti-piracy takedown policies; authorization provisions; permanent blocks; privacy/proxy provisions; true name/address mandates; trusted sender complaints; registrant validation via a mandatory two-step phone and email authentication process; a priority-based launch phase²⁸ for Community members belonging to Music Community Member Organizations (MCMOs); naming conditions only allowing registrants to register their name, acronym or Doing Business As; and, a Globally Protected Marks List (GPML) to protect famous music brands;²⁹
12. commits to implement both proactive and reactive enforcement measures, such as proactive zone screening, Community crowdsourced enforcement and random compliance checks, with appropriate appeals mechanisms to fix compliance issues under

²⁴ <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

²⁵ Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>
Fielding Period: August 7-11, 2015, Pg. 1,2,3

²⁶ <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392>, 20a

²⁷ <http://music.us/board/>

²⁸ Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate or bad faith registrations. This phase provides better protection against abuse or impersonation, offers established community members a cost-effective alternative to the Sunrise phase (or an Early Access Program - <http://domainnamewire.com/2013/11/14/some-new-tlds-will-run-early-access-programs-for-the-landrush-phase>), and helps spur Industry adoption. This process provides increased relevancy for .MUSIC names while preventing cybersquatting of famous music brand names that could also create user confusion. Given DotMusic’s naming policies, Community members that do not have famous music names may register their names in the subsequent phase without the fear of famous artists registering their names. Furthermore, to ensure fair allocation and competition, Community members that do not belong to MCMOs can currently join many MCMOs for free if they want to secure their names during the MCMO phase. As such, social benefits will significantly exceed social costs.

²⁹ DotMusic’s GPML is a significantly more cost-effective alternative for famous music brands than submitting to the Trade Mark Clearing House. The GPML is also more cost-effective than other initiatives by competitors such as the Donuts’ DPML, which charges nearly \$3,000 every 5 years (<http://www.worldipreview.com/article/a-sweet-solution-donuts-and-trademarks>). DotMusic’s GPML is music-tailored and does not have such costs.

its music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF);³⁰

13. has partnered with Afilias,³¹ the backend registry provider for .ORG, to power .MUSIC domains. Afilias has the strongest background, track record and experience of any other .MUSIC backend registry provider. Afilias is the world's second largest Internet domain name registry with over than 20 million domain names under management, which is more than all other .MUSIC applicants combined.
14. will provide innovative services, including (i) providing increased Community member exposure through Premium Channels sorted based on delineated constituent type, and (ii) building a comprehensive global song registry; and
15. is accountable to the global Music Community through its Public Interest Commitments³² that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

DotMusic clearly exceeds the criteria required to pass Community Priority Evaluation, has provided music-tailored Public Interest Commitments, and responsibly serves a higher purpose to fulfill the Community's needs and legitimate interests.

Respectfully submitted,

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³⁰ See DotMusic MPCIDRP at <http://www.adrforum.com/RegistrySpec> and [http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20\(2\).docx](http://www.adrforum.com/users/odr/resources/Music_Policy_and_Copyright_Infringement_Dispute_Resolution_Process_final%20(2).docx)

³¹ <http://www.afilias.info/about-us>

³² <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>