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 Available to the Entire Global Music Community.

January 25, 2016

**Re: Over 100 new Support Letters for .MUSIC Community Application (ID 1-1115-14110)**

Dear ICANN and Economist Intelligence Unit (EIU),

Attached are over 100 new, independently-verified Letters of Support for DotMusic Limited's multi-stakeholder .MUSIC community application<sup>1</sup> for Question 20f.<sup>2</sup> We request that this Letter is posted on ICANN's Correspondence page for the EIU and the Community Priority Evaluation (CPE) process.

Prior support letters filed before CPE already meet the maximum scoring CPE criteria of "*multiple institutions/organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed*"<sup>3</sup> (DotMusic is supported by organizations with members representing over 95% of global music consumed). DotMusic support letters submitted by thousands of relevant entities -- more than all of CPE applicants combined (e.g. the SPA and HOTEL community applications have met CPE criteria with vastly less support and less community-tailored policies) -- provide further evidence that DotMusic exceeds CPE criteria and should consistently also pass CPE.<sup>4</sup>

In conclusion, a multi-stakeholder community-model approach serves the common good, instills consumer trust and ensures mass industry adoption of .MUSIC that benefits both ICANN and the New gTLD Program. DotMusic looks forward to working with ICANN and community to ensure that the New gTLD Program meets its objectives, including driving adoption, increasing awareness and serving the public interest.

Paul Zamek  
 EVP: Communications & Strategic Relationships  
 DotMusic

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 Email: [paul@music.us](mailto:paul@music.us)  
 Twitter: <https://twitter.com/mus>  
 Supporting Organizations: <http://www.music.us/supporters>  
 Board: <http://www.music.us/board>

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

<sup>2</sup> For DotMusic support letters, See <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails/downloadattachment/142588?t:ac=1392>,  
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-eiu-11jan16-en.pdf> (120)  
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-eiu-22dec15-en.pdf> (400+)  
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-eiu-11dec15-en.pdf> (125+)  
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-eiu-23nov15-en.pdf> (100),  
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-eiu-09nov15-en.pdf>, (400+)  
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-31oct15-en.pdf> (85+)  
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-16sep15-en.pdf> (100+)  
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-02sep15-en.pdf> (30+)  
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-eiu-17aug15-en.pdf> (40+)  
<https://www.icann.org/en/system/files/correspondence/roussos-to-icann-eiu-12aug15-en.pdf> (100+)  
<https://www.icann.org/en/system/files/correspondence/zamek-to-icann-eiu-01dec15-en.pdf> (500)

<sup>3</sup> CPE Guidelines, <https://newgtlds.icann.org/en/applicants/cpe/guidelines-27sep13-en.pdf>, Pg.18

<sup>4</sup> DotMusic's music community definition of "delineated and organized logical alliance of communities...related to music" also meets the CPE criteria requiring a "delineated" and "organized" community that also matches the string's nexus.

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Alexis Smith*

Signature: alexiscsellers@gmail.com, Jan 10 '16 ip: 66.219.236.173

Name: Alexis Smith

Organization/Artist Name/Self: Sirona'sLark

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

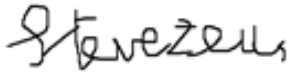
<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

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Signature: universoszl@gmail.com, Jan 13 '16 ip: 87.1.226.65

Name: stefano ze i

Organization/Artist Name/Self: steve zeus

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<sup>1</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392>, DotMusic Limited  
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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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) matches with the string;
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Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Clint Everett*

Signature: clinteverett@hotmail.com, Jan 13 '16 ip: 173.23.41.242

Name: Clint Everett

Organization/Artist Name/Self: Clint Everett

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

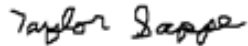
<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>



**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: taylor@captainbluerecords.com, Jan 14 '16 ip: 174.59.59.39

Name: Taylor Sappe

Organization/Artist Name/Self: Taylor Sappe, Captain Blue Records

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[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

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<sup>10</sup> <http://music.us/expert/letters>

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<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

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*Evan Oliver*

Signature: itfloatsband@gmail.com, Jan 14 '16 ip: 173.66.250.202

Name: Evan Oliver

Organization/Artist Name/Self: ITFLOATS

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details:download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.



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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Trevor Earl Bye*

Signature: earlvonbye@gmail.com, Jan 14 '16 ip: 68.144.124.187

Name: Trevor Earl Bye

Organization/Artist Name/Self: Earl Von Bye

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
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13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: scottymanzo@me.com, Jan 16 '16 ip: 70.56.48.230

Name: Scotty Manzanara

Organization/Artist Name/Self: Blue Outermost Artists

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



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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

Signature:   
demetrickferguson@gmail.com, Jan 17 '16 ip: 173.175.20.109

Name: Demetrick Ferguson

Organization/Artist Name/Self: The Bitcoin Podcast

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.



Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: collin.cusce@gmail.com, Jan 17 '16 ip: 71.163.48.121

Name: Collin K Cusce

Organization/Artist Name/Self: Self

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

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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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Glen S Allan*

Signature: glenallan1@live.ca, Jan 16 '16 ip: 174.3.6.213

Name: Glen Allan

Organization/Artist Name/Self: PARADOX Collective

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."



6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details:download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

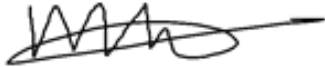
<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: mitchel\_heijdel@hotmail.com, Jan 18 '16 ip: 82.171.193.33

Name: Mitchel Heijdel

Organization/Artist Name/Self: PalmMute

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

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3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

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

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

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<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>



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Signature:   
gismya@gmail.com, Jan 19 '16 ip: 5.150.239.21

Name: Lars Johansson

Organization/Artist Name/Self: Interested party

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8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

Signature:  orl230@hotmail.com, Jan 19 '16 ip: 86.43.88.97

Name: Orlaith Hurley

Organization/Artist Name/Self: Me

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details:download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.



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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: shaden32@gmail.com, Jan 19 '16 ip: 60.48.69.35

Name: Sheaden Quah

Organization/Artist Name/Self: Selangor Philharmonic Orchestra (Malaysia)

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392,](https://gtldresult.icann.org/application-) 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

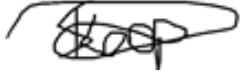
<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: stefan.koopmanschap@gmail.com, Jan 19 '16 ip: 77.241.229.246

Name: Stefan Koopmanschap

Organization/Artist Name/Self: Stefan Koopmanschap

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



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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

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Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Lovric Lidiija*

Signature: lidijasmilie@gmail.com, Jan 19 '16 ip: 46.188.216.19

Name: Lidiija Lovric

Organization/Artist Name/Self: Lidiija Lovric

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

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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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.



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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*E. Rowan*

Signature: emily.rowan@hotmail.co.uk, Jan 19 '16 ip: 193.61.236.101

Name: Emily Rowan

Organization/Artist Name/Self: Flora Greysteel (band)

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."<sup>13</sup> 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"<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: vilgoser@gmail.com, Jan 19 '16 ip: 187.201.110.51

Name: Hugo Vilchis

Organization/Artist Name/Self: Vilgoser

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

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<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

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

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<sup>19</sup> <http://www.afilias.info/about-us>

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*Louis Joseph Barcia Jr.*

Signature:

ljosephbarcia@gmail.com, Jan 19 '16 ip: 67.242.185.44

Name: Louis Joseph Barcia

Organization/Artist Name/Self: Joseph Barcia

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8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>



**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: harvey93@gmail.com, Jan 19 '16 ip: 5.102.85.86

Name: Harvey Puttock

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
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13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: adrunkeneiphany@gmail.com, Jan 19 '16 ip: 174.51.164.214

Name: Lauren A. Smith

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.



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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: karantulaa@yahoo.co.uk, Jan 19 '16 ip: 86.167.40.40

Name: Kara Alicia Hardy

Organization/Artist Name/Self: Kara

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

Signature: eleanor.i.palmer@gmail.com, Jan 19 '16 ip: 164.39.89.204

Name: Eleanor Palmer

Organization/Artist Name/Self: Self

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



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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) matches with the string;
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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

Signature:   
sapphostreaming@gmail.com, Jan 19 '16 ip: 72.92.93.102

Name: Ana von Hannover

Organization/Artist Name/Self: Self / Sappho.music

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.



Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: c\_p\_calnan@hotmail.com, Jan 19 '16 ip: 104.172.196.111

Name: Chris Calnan

Organization/Artist Name/Self: self

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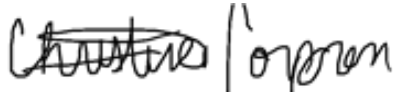
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Signature: chrishtina@gmail.com, Jan 19 '16 ip: 108.54.74.194

Name: Christina Corporon

Organization/Artist Name/Self: Self

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8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

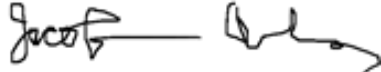
<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: timichaelso2@gmail.com, Jan 19 '16 ip: 69.251.153.208

Name: Jacob Adkins

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>



**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: scooterhp@gmail.com, Jan 19 '16 ip: 67.160.142.104

Name: Melissa Townsend

Organization/Artist Name/Self: Melissa Townsend

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Heather M. McGuirk*

Signature: gargirl@gmail.com, Jan 19 '16 ip: 71.235.163.118

Name: Heather M. McGuirk

Organization/Artist Name/Self: self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.



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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Matthew Ulmen*

Signature: mattumcp@gmail.com, Jan 19 '16 ip: 66.188.199.207

Name: Matthew Ulmen

Organization/Artist Name/Self: Raving Rendal

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) matches with the string;
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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

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15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: rlzack@gmail.com, Jan 19 '16 ip: 76.176.41.130

Name: Randy Zack

Organization/Artist Name/Self: Self

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



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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Brad Harrigan*

Signature: bradulio@gmail.com, Jan 19 '16 ip: 64.25.158.140

Name: Brad Harrigan

Organization/Artist Name/Self: Brad Harrigan

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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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

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<sup>19</sup> <http://www.afilias.info/about-us>

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Signature:  acefrehley2@googlemail.com, Jan 19 '16 ip: 84.13.218.83

Name: Anthony O'Brien

Organization/Artist Name/Self: Tony O'Brien

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

Signature: caitclarkell@gmail.com, Jan 19 '16 ip: 73.140.141.29

Name: Julia Caitlin Clark

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."



6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
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13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Emma L Hryniewicz*

Signature: ehryniewi@gmail.com, Jan 19 '16 ip: 76.28.59.236

Name: Emma Hryniewicz

Organization/Artist Name/Self: self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details:download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>



**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: alabalava@hotmail.com, Jan 19 '16 ip: 189.217.128.83

Name: Alba Rosas Velázquez

Organization/Artist Name/Self: Alba Rosas

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details:download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Amanda Schweid*

Signature: morganstein17@gmail.com, Jan 19 '16 ip: 172.56.34.251

Name: Amanda Schweid

Organization/Artist Name/Self: Student

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

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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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.



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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) matches with the string;
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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

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

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

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<sup>18</sup> 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)


<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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Signature:   
ehmeyer@live.com, Jan 19 '16 ip: 71.174.128.52

Name: Elizabeth Meyer

Organization/Artist Name/Self: self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Kirsti Tichenor*

Signature: kirstipayne@roadrunner.com, Jan 19 '16 ip: 76.90.121.189

Name: Kirsti Tichenor

Organization/Artist Name/Self: The Swoon Society

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



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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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
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<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) matches with the string;
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Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

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Signature: damiensadiva@me.com, Jan 19 '16 ip: 97.79.8.95

Name: Jennifer Parker

Organization/Artist Name/Self: Self

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8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392,](https://gtldresult.icann.org/application-) 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.



Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Zamora Baldwin*

Signature: zbaldwin213@gmail.com, Jan 19 '16 ip: 131.252.57.55

Name: Zamora Baldwin

Organization/Artist Name/Self: Zamora Baldwin

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Betsy Hathaway*

Signature: hetsaronie@yahoo.com, Jan 19 '16 ip: 69.32.128.19

Name: Betsy Hathaway

Organization/Artist Name/Self: self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."



6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

Signature:   
jnowack@lycos.com, Jan 19 '16 ip: 24.44.123.147

Name: James Nowack

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."<sup>13</sup> 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"<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

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14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>



**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Haley Chilcote*

Signature: hchillcat@gmail.com, Jan 19 '16 ip: 70.210.195.142

Name: Haley Chilcote

Organization/Artist Name/Self: Self

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

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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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

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<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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

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

<sup>15</sup> <http://music.us/board/>

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

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: olga.nunes@gmail.com, Jan 19 '16 ip: 104.173.167.240

Name: Olga Nunes

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.



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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: frankova.alzbeta@seznam.cz, Jan 19 '16 ip: 89.24.194.30

Name: Alzbeta Frankova

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) matches with the string;
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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Austin S.*

Signature: austinsimms@gmail.com, Jan 20 '16 ip: 23.16.249.187

Name: Austin Simms

Organization/Artist Name/Self: self

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



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<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details:download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: annemuntuerto@yahoo.com, Jan 19 '16 ip: 134.192.250.54

Name: Anne Muntuerto

Organization/Artist Name/Self: 22 Tango Records

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392,](https://gtldresult.icann.org/application-) 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.



Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

Signature:   
jennclarke17@gmail.com, Jan 20 '16 ip: 67.249.222.27

Name: Jennifer Clarke.

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-status/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Anders Thunell*

Signature: anth@surfnet.mu, Jan 20 '16 ip: 90.141.226.46

Name: anders thunell

Organization/Artist Name/Self: Anders Thunell

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."



6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

Signature:   
jo-s@gmx.de, Jan 19 '16 ip: 88.134.47.4

Name: Jörg Schwarz

Organization/Artist Name/Self: Jörg Schwarz

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

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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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details:download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) matches with the string;
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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

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

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

<sup>15</sup> <http://music.us/board/>

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

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>



**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*M.S.A. Daniels*

Signature: m.daniels1961@btinternet.com, Jan 20 '16 ip: 86.173.144.114

Name: Mark Daniels

Organization/Artist Name/Self: Mark Daniels

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: andrea.reynolds89@yahoo.com, Jan 20 '16 ip: 104.32.160.126

Name: Andrea Reynolds

Organization/Artist Name/Self: Andrea Delmerico

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details:download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.



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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) matches with the string;
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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: njankovi@pio.carrollu.edu, Jan 20 '16 ip: 70.92.141.211

Name: Natali Jankovic

Organization/Artist Name/Self: Self

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

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<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-status/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*S Morrison*

Signature: sophie.morrison101@gmail.com, Jan 20 '16 ip: 120.16.124.15

Name: Sophie Morrison

Organization/Artist Name/Self: Self

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



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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) matches with the string;
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13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Alexandros Mattei*

Signature: alexmattei220@gmail.com, Jan 20 '16 ip: 79.130.60.63

Name: Alexandros Mattei

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.



Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: a.go.artist@gmail.com, Jan 20 '16 ip: 73.53.123.216

Name: Alejandro Gomez

Organization/Artist Name/Self: The Loudest Introvert

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) matches with the string;
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11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: boheevus@hotmail.com, Jan 20 '16 ip: 166.170.220.233

Name: Alex Bissen

Organization/Artist Name/Self: IOSIS

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

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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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."



6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details:download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

Signature:   
dtam68130@yahoo.com, Jan 20 '16 ip: 24.161.104.84

Name: Debbie Tam

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

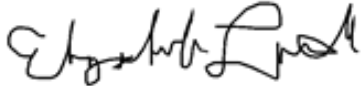
<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>



**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: elizanca@gmail.com, Jan 20 '16 ip: 71.57.68.172

Name: Elizabeth Fiedler

Organization/Artist Name/Self: self

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

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3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

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

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

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<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

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Signature: ecotracywilson@gmail.com, Jan 20 '16 ip: 174.52.237.18

Name: Tracy Wilson

Organization/Artist Name/Self: Self

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8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.



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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: russ@pmaconline.org, Jan 20 '16 ip: 66.31.225.123

Name: Russell B. Grazier Jr.

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
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13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Annie Pizana*

Signature: junipersedai@hotmail.com, Jan 20 '16 ip: 71.236.4.206

Name: Annie Pizana

Organization/Artist Name/Self: Annie Pizana

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



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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: stainedcyrano@gmail.com, Jan 20 '16 ip: 207.255.43.211

Name: Stephanie Kazamek

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

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14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*shingai thornton*

Signature: rsthornton@gmail.com, Jan 20 '16 ip: 104.200.154.43

Name: shingai thornton

Organization/Artist Name/Self: shingai

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

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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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

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<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
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[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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

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

<sup>15</sup> <http://music.us/board/>

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

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<sup>18</sup> 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)

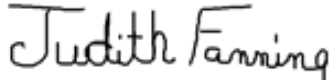
<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: judith.fanning@yahoo.com, Jan 20 '16 ip: 76.179.251.85

Name: Judith Fanning

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."



6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

Signature:   
unperfect101@gmail.com, Jan 20 '16 ip: 136.227.164.90

Name: Kethry Warren

Organization/Artist Name/Self: Self

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

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<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

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

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

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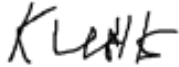
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Signature: keeganwalls@hotmail.com, Jan 20 '16 ip: 60.234.91.15

Name: Keegan Walls

Organization/Artist Name/Self: Grim Limited

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8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: alliemac1311@yahoo.com, Jan 20 '16 ip: 68.190.171.59

Name: Allie McDonald

Organization/Artist Name/Self: AlIM

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.



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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
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13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Pamela Joy Crawford*

Signature: pamelajoymusic@gmail.com, Jan 20 '16 ip: 120.149.100.29

Name: Pamela Joy Crawford

Organization/Artist Name/Self: Pamela Joy

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: sljohansen793@gmail.com, Jan 20 '16 ip: 168.150.104.124

Name: Sommer Johansen

Organization/Artist Name/Self: Self

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



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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-status/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

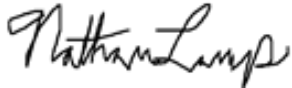
<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: lampshade93@gmail.com, Jan 21 '16 ip: 38.124.110.234

Name: Nathan Lamp

Organization/Artist Name/Self: Nathan Lamp

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

Signature:   
petra.john@gmail.com, Jan 21 '16 ip: 100.36.111.17

Name: petra cook

Organization/Artist Name/Self: Scars & Ashes

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details:download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: caroledinverno@gmail.com, Jan 21 '16 ip: 50.181.217.104

Name: Bill Frisell

Organization/Artist Name/Self: Bill Frisell Friz-Tone Musoc

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

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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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
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<sup>10</sup> <http://music.us/expert/letters>

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

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

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<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

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Signature: cookjennyup@gmail.com, Jan 20 '16 ip: 1.124.49.53

Name: Jenny Cook

Organization/Artist Name/Self: Self

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8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>



**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Cesar Brinatti*

Signature: entropes@gmail.com, Jan 21 '16 ip: 191.23.91.147

Name: Cesar Brinatti

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-status/application-status/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: jmebebe@gmail.com, Jan 21 '16 ip: 80.168.9.98

Name: Jamie Wise

Organization/Artist Name/Self: L'appel Du Vide

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-status/application-status/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.



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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

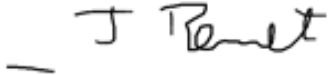
<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

A handwritten signature in black ink that reads "Justin Bonnet". The signature is written in a cursive style with a horizontal line underneath the first name.

Signature: justin@justinbonnet.co.uk, Jan 21 '16 ip: 86.164.39.180

Name: Justin bonnet

Organization/Artist Name/Self: Justin bonnet

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."<sup>13</sup> 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"<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Rachael Kelly*

Signature: rae.maria@hotmail.com, Jan 21 '16 ip: 93.191.36.195

Name: Rachael Kelly

Organization/Artist Name/Self: Rae Kelly

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



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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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

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

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

<sup>15</sup> <http://music.us/board/>

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

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14. has partnered with Afilias,<sup>19</sup> 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; and
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<sup>18</sup> 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)

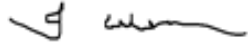
<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: jenzen23@gmail.com, Jan 21 '16 ip: 78.149.7.186

Name: Jen Wilson

Organization/Artist Name/Self: JENJEN

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.



Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: thebutlerpick@gmail.com, Jan 20 '16 ip: 73.16.143.154

Name: Michael Caldwell

Organization/Artist Name/Self: The Butler Pick

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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/applicationdetails:downloadapplication/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

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

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

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<sup>19</sup> <http://www.afilias.info/about-us>

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Signature: donaleekatz@earthlink.net, Jan 20 '16 ip: 24.215.174.68

Name: Donalee Katz

Organization/Artist Name/Self: Self

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8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

Signature:   
kmfilipiak@yahoo.com, Jan 21 '16 ip: 98.115.136.51

Name: Krystina Schuler

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details:download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>



**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: ignaciabarrios@gmail.com, Jan 21 '16 ip: 75.74.234.193

Name: Ignacia Barrios

Organization/Artist Name/Self: Ignacia Barrios

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

Signature:   
nicolerific@gmail.com, Jan 21 '16 ip: 98.243.69.62

Name: Nicole Vesota-Johnson

Organization/Artist Name/Self: Strange Honey Valley

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.



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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

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14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: julietheap@hotmail.com, Jan 21 '16 ip: 86.6.137.38

Name: Juliet heap

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

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

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Nick Barrett*

Signature: nbarrett@noos.fr, Jan 21 '16 ip: 89.158.96.240

Name: Nicholas Barrett

Organization/Artist Name/Self: Music writer

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



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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details:download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Denise Conner*

Signature: phosphor.chemist@gmail.com, Jan 21 '16 ip: 166.170.30.120

Name: Denise Conner

Organization/Artist Name/Self: self

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Application ID 1-1115-14110

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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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) matches with the string;
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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: fredkeepers@gmail.com, Jan 20 '16 ip: 70.123.203.155

Name: Fred Keepers

Organization/Artist Name/Self: Self

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8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details:download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Marquerite Stanbrough*

Signature: cile2000@hotmail.com, Jan 19 '16 ip: 71.231.37.127

Name: Marguetie Stanbrough

Organization/Artist Name/Self: Cile

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."



6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
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13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Stefano Perfili*

Signature: stefanoperfili@gmail.com, Jan 20 '16 ip: 203.206.182.136

Name: Stefano Perfili

Organization/Artist Name/Self: Stefano Perfili (/Yarra Mouth)

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

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[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>



**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Willie Davis, Jr.*

Signature: willcrossovah@gmail.com, Jan 21 '16 ip: 99.95.113.50

Name: Willie Davis, Jr.

Organization/Artist Name/Self: Williedoit

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

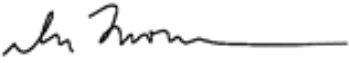
<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

Signature:   
ivor.pdx@gmail.com, Jan 21 '16 ip: 107.150.94.6

Name: Ivor Thomas

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

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<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
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<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details:download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.



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<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: seanwafenner@gmail.com, Jan 22 '16 ip: 99.100.17.193

Name: Sean Fenner

Organization/Artist Name/Self: Self

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."<sup>13</sup> 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"<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Charni Gray*

Signature: charni.g\_2296@hotmail.com, Jan 22 '16 ip: 122.111.246.154

Name: Charni Gray

Organization/Artist Name/Self: Charni Gray

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3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
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<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

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[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

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

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

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<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

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Signature:  peterbaylis@live.co.uk, Jan 22 '16 ip: 82.33.24.114

Name: Peter Baylis

Organization/Artist Name/Self: Chilli Palmer

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."<sup>13</sup> 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"<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.



Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

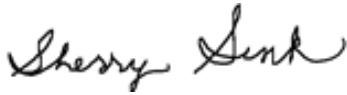
<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: sinkwriter101@gmail.com, Jan 21 '16 ip: 104.56.161.18

Name: Sherry Sink

Organization/Artist Name/Self: Sherry Sink Web Design

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: mira@mirablack.com, Jan 22 '16 ip: 70.75.12.18

Name: Mira Black

Organization/Artist Name/Self: Mira Black

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."



6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> <https://gtldresult.icann.org/application->

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Christina Carrick*

Signature: christinadcarrick@hotmail.com, Jan 21 '16 ip: 70.78.2.18

Name: Christina Carrick

Organization/Artist Name/Self: Ultra Love Tribe

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>



**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.



Signature: fourtehlolz@gmail.com, Jan 22 '16 ip: 91.125.241.129

Name: Mona

Organization/Artist Name/Self: Mona

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-status/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.

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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded "Yes."<sup>13</sup> 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"<sup>14</sup>) matches with the string;
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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

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15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*David McKinney*

Signature: truthenema@yahoo.com, Jan 23 '16 ip: 50.132.101.82

Name: David McKinney

Organization/Artist Name/Self: David McKinney

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

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;<sup>2</sup>
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 spanning hundreds of events and community meetings;<sup>3</sup>
3. is supported by an "(industry) community" of non-negligible, relevant organizations with members representing over 95% of music consumed globally (i.e. a majority of the Community defined), including many entities *mainly* dedicated to the Community, such as the IFPI,<sup>4</sup> IAO, FIM, ICMP, IFACCA, IAMIC, ISME, A2IM, WIN, NAMM, RIAA, NMPA and others.<sup>5</sup>
4. is the only .MUSIC applicant without a formal Community Objection filed against it;<sup>6</sup>
5. commits to align its music-tailored Registration Policies with its articulated community-based purpose to serve the legitimate interests of the Community;

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<sup>2</sup> <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392>, 18a and 20c

<sup>3</sup> <http://music.us/events>

<sup>4</sup> For example, the IFPI is considered an organization *mainly* dedicated to the Community defined because the IFPI administers the International Standard Recording Code (ISRC), the international identification system and global industry standard for sound recordings and music video recordings (See <http://isrc.ifpi.org/en>). The IFPI's activities serve the legitimate interests of the entire Community e.g. promoting the value of music, lobbying to serve the music sector's interests in government and legislative issues, and taking down mass copyright infringing websites illegally distributing music affiliated with the entire Community (See <http://ifpi.org/what-we-do.php>).

<sup>5</sup> <http://music.us/supporters> and <https://gtdresult.icann.org/application-result/applicationstatus/applicationdetails:downloadattachment/142588?t:ac=1392>

<sup>6</sup> A few spurious opposition letters were recently filed for the purpose of obstruction just before the Community Priority Evaluation began despite the community application being public for comments for over 3 years. Such letters are considered irrelevant because they were orchestrated by competitors (See <https://www.icann.org/en/system/files/correspondence/schaeffer-to-crocker-et-al-03nov15-en.pdf>). The senders are negligible in terms of size or relevance with respect to music as determined by a web search on those entities i.e. none of these entities are globally-recognized music organizations of substantial size. The opposition is not of reasoned nature because it opposes ICANN-mandated Guidelines that community applicants must follow (e.g. Community eligibility policies must restrict membership to Community members). Such opposition is time-barred and has been developed with years of consultation with the ICANN Community. Pursuant to the Guidelines the DotMusic community application "has multiple organizations supporting the application, with documented support from organizations representing a majority of the overall community addressed" i.e. "has support from the majority of the recognized community member organizations."

6. commits to “use clear, organized, consistent and interrelated criteria to demonstrate Community Establishment<sup>7</sup>...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;”<sup>8</sup>
7. has independent testimonies and disclosures from 43 experts, including 33 Ph.Ds, that provide evidence and “conclusions that are compelling and defensible”<sup>9</sup> that prove beyond reasonable doubt, that DotMusic’s community-based application for .MUSIC exceeds the CPE criteria for Community Establishment, Nexus and Support, agreeing that the defined community is accurate and matches the applied-for string;<sup>10</sup>
8. has defined the Community consistently to match the string allowing all legitimate music constituents with the requisite awareness of the Community to be able to register a .MUSIC domain without a conflict of interest, over-reaching<sup>11</sup> or discrimination.

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<sup>7</sup> Membership may be invoked based on participation in the defined community (See prevailing .RADIO CPE. The EIU concluded that the .RADIO community is “clearly defined” and that they have an awareness and recognition of their inclusion in the industry community” solely on the basis of being “participants in this clearly defined industry Pg.2). A non-exhaustive list of membership criteria is allowed by the AGB, including: (i) “a logical alliance members based on categories that are solely community-related” i.e. in the case of music, they are music-related (See prevailing .HOTEL CPE. The EIU awarded full points for Community Establishment for a community definition that is comprised of “categories [that] are a logical alliance of members,” Pg. 2); (ii) “self-identification” in a community e.g. identifying that they have a tie with the community (See prevailing .OSAKA CPE. The EIU awarded full points for Community Establishment and Nexus for a community definition that stated that: “[m]embers of the community are defined as those who are within the Osaka geographical area as well as those who self identify as having a tie to Osaka, or the culture of Osaka. Major participants of the community include, but are not limited to the following: [...] Entities, including natural persons who have a legitimate purpose in addressing the community,” Pg. 2); (iii) allowing different types of membership just as long as there is demonstrable involvement in community-related activities that may vary among member constituent types (See prevailing .ECO CPE. The EIU awarded full points for Community Establishment stating that “the application dictates four types of members, whose cohesion and awareness is founded in their demonstrable involvement in environmental activities and who “demonstrate active commitment, practice and reporting.” This involvement may vary among member categories,” Pg.2); (iv) those who have a legitimate purpose in addressing the community e.g. by certifying to abide to a set of community-tailored registration requirements that are aligned with the goals of the community i.e. are aligned with the community’s mission and purpose.

<sup>8</sup> [https://gtldresult.icann.org/application-](https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392)

[result/applicationstatus/applicationdetails/downloadapplication/1392?t:ac=1392](https://gtldresult.icann.org/application-status/application-details/download-application/1392?t:ac=1392), 20a

<sup>9</sup> CPE Guidelines, Pg.22, and CPE Panel Process Document, <http://newgtlds.icann.org/en/applicants/cpe/panel-process-07aug14-en.pdf>, Pg.3

<sup>10</sup> <http://music.us/expert/letters>

<sup>11</sup> According to Merriam-Webster dictionary, “substantial” is defined as “considerable in quantity: significantly great” (See, <http://merriam-webster.com/dictionary/substantial>, Definition 3b) or “being largely but not wholly that which is specified”). Section 1855(d)(2)(A) of the Balanced Budget Act of 1997 defined “substantial proportion” is “significantly more than the majority” (See <http://gpo.gov/fdsys/pkg/FR-1998-04-14/html/98-9810.htm>). DotMusic delineated the Community based on MCMO membership and/or NAICS “music” subset codes (Every NAICS code is preceded by “music” to ensure the string matches the community defined and exclude entities without an association or essential relationship with “music” i.e. casual entities without the requisite awareness or recognition of the community are excluded). The substantial majority of the Community is represented by “Musical groups and artists” category (NAICS code 711130) which alone considerably exceeds all the other delineated “music” NAICS subset codes (limited to only “music” entities) combined.



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 people<sup>12</sup>) and associated with the identification of the community defined. Most people, 1562 out of 2084 (i.e. 75% of the respondents) responded “Yes.”<sup>13</sup> 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”<sup>14</sup>) 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;<sup>15</sup>
11. has enhanced safeguards to increase trust, protect copyright and prevent cybersquatting taking into consideration that Music is recognized by recent ICANN Resolutions and GAC Advice as a regulated, sensitive sector.<sup>16</sup> These enhanced safeguards 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 verification process; a priority-based launch phase<sup>17</sup> 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;
12. mandates that all Community members must certify their agreement to the music-tailored DotMusic Registration Policies, including restricting Content and Use to legal, music-related content and activities and not allowing parking pages;
13. 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

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<sup>12</sup> <http://www.wordreference.com/es/translation.asp?tranword=commonly%20known>

<sup>13</sup> Nielsen / Harris Poll, Quick Query Q3505, <http://music.us/nielsen-harris-poll.pdf>  
Fielding Period: August 7-11, 2015, Pg. 1,2,3

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

<sup>15</sup> <http://music.us/board/>

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

<sup>17</sup> Registrants must comply with naming conditions only allowing them to legitimately register their own name while preventing illegitimate, bad faith registrations and user confusion. This phase provides better protection against abuse or impersonation, offers Community members a cost-effective alternative to the Sunrise phase (or an Early Access Program used by other registries) and helps spur adoption.

Policy & Copyright Infringement Dispute Resolution Process (MPCIDRP), including independent dispute resolution via the National Arbitration Forum (NAF),<sup>18</sup> a Sunrise Challenge process and appropriate procedures to allow governments, public authorities or IGO's to challenge abuses of names with national or geographic significance;

14. has partnered with Afilias,<sup>19</sup> 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; and
15. is accountable to the global Music Community through its Public Interest Commitments<sup>20</sup> that clarify its commitment to serve the global Music Community and public interest, while also addressing any concerns the Community may have.

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<sup>18</sup> 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)

<sup>19</sup> <http://www.afilias.info/about-us>

<sup>20</sup> <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/downloadpicposting/1392?t:ac=1392>

**Re: Support for .MUSIC Community Application<sup>1</sup>**

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

Please accept this Letter of Support for the .MUSIC community application. The application meets the criteria to pass Community Priority Evaluation. This Letter also rejects the notion that there is no music community.

*Malik Morgan*

Signature: malikmorgan01@hotmail.com, Jan 23 '16 ip: 72.68.217.24

Name: Malik morgan

Organization/Artist Name/Self: Malik

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

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