



# Internet Corporation for Assigned Names and Numbers

26 October 2005

Mr Bruce Tonkin  
GNSO Council Chair  
Melbourne IT Ltd  
Level 2, 120 King St  
Melbourne VIC 3000

via email: [Bruce.Tonkin@melbourneit.com.au](mailto:Bruce.Tonkin@melbourneit.com.au)

Dear Bruce,

I am writing to inform you that ICANN has reached a proposed agreement to end all pending litigation of its long-standing dispute with VeriSign. The settlement agreement documents are being posted for public comment on ICANN's website ([www.icann.org](http://www.icann.org)) and are subject to final approval of the ICANN Board. The views of your Council members are requested on all of the settlement documents.

This pending settlement will end ICANN's six years of litigation with VeriSign and clear the way for a new and productive public/private partnership in coordinating technical management of the Internet's domain name system. Under the settlement agreement, VeriSign will:

- withdraw all pending litigation and arbitration relating to .COM;
- adopt ICANN's position on a wide range of issues concerning registry services (such as Sitefinder) and the way they are introduced;
- commit to binding international arbitration to prevent costly and disruptive litigation; and
- recognize and participate in the ICANN consensus policy process.

The settlement agreement also:

- extends the term of VeriSign's management of the world's oldest public registry, .COM;
- sets out better ways for ICANN and VeriSign to work together to promote stability and innovation of the Top Level Domain; and
- incorporates in a new .COM Registry Agreement a clearly defined process for the introduction of new registry services that includes safeguards for security, stability and competition.

Consistent with ICANN's procedures and commitment to transparency, the proposed agreement is being posted for public comment for 24 days. After this comment period, ICANN's Board will consider all input and determine whether the full agreement is in the best interests of the entire Internet community. The proposed settlement documents on which your Council members' comments are requested include:

- New Settlement Agreement;
- New .COM Registry Agreement -- this is made up of the main Registry Agreement and ten appendices; and
- Root Server Management Transition Agreement - an agreement to coordinate future planning for the tasks that ICANN and VeriSign in the updating of the root zone.

We look forward to receiving the ICANN community's input.

Thank you for your attention to this important matter.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Paul Twomey". The signature is written in a cursive, flowing style.

**Paul Twomey**  
President & CEO