



07 March 2013

Dr Steve Crocker, Chair, ICANN Board  
Mr Cherine Chalaby, Chair, ICANN Board New gTLD Program Committee

Dear Steve, Dear Cherine,

**Re: "Closed Generic" TLDs**

At its 2 February 2013 meeting, the ICANN Board's New gTLD Program Committee adopted a resolution requesting the GNSO to provide guidance on the issue of "closed generic" TLDs if the GNSO wishes to provide such guidance. The Committee also requested that any such guidance be provided by 7 March 2013, coincident with the close of the public comment forum on this issue.

On behalf of the GNSO Council I would like to thank the New gTLD Program Committee for providing the opportunity to the GNSO Council to offer such policy guidance and, with this letter, take the opportunity to respond to the Committee's request.

The Council discussed the issue of "closed generic" TLDs at its 14 February 2013 meeting and how to respond to the New gTLD Program Committee's request. It is the view of the GNSO Council that, given the relatively short timeframe, it is not possible for the GNSO Council to provide policy guidance on this issue with the appropriate levels of consideration and consultation. Nevertheless, although the Council is not in a position to provide formal policy guidance on this issue at this time, the Council has encouraged the GNSO Stakeholder Groups and Constituencies Groups to share their views on this topic through the relevant public comment forum.

In addition, the Council would like to point out that, although the GNSO did not explicitly consider the issue of "closed generic" TLDs as part of the new gTLD PDP, we recall that the issue of restricting new gTLDs was, in general, considered and discussed. At that time, it was the view within the GNSO that it should not be the responsibility of ICANN to restrict the use of gTLDs in any manner, but instead to let new gTLD applicants propose various models; open or closed, generic or not.

The Council is also aware that, as per the Committee's resolution, ICANN staff is currently reviewing the materials supporting the PDP which resulted in the GNSO policy recommendations on the introduction of new gTLDs and moreover, that staff will provide analysis of any discussions relating to the limitations on potential new gTLDs. The Council anticipates that this review will provide further

insight into how this issue was discussed and addressed within the framework of the new gTLD PDP.

The Council appreciates the New gTLD Programme Committee's on-going efforts to engage the GNSO through the GNSO Council as the Committee continues to deliberate on issues related to the new gTLD program. We look forward to continuing to work closely with the Committee as necessary.

I trust that this is a satisfactory response to your request but should you require further clarification or input, please revert to me in my capacity as Chair of the GNSO Council.

Yours sincerely,

Jonathan Robinson  
Chair, ICANN GNSO Council