



Nameshop - .Internet

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To: John Jeffrey <john.jeffrey@icann.org>

Cc: Akram Atallah <akram.atallah@icann.org>, Amy Stathos <amy.stathos@icann.org>, Christine Willett <christine.willett@icann.org>

Dear John Jeffrey,

Thank you for meeting with me on Oct 20, during the ICANN Dublin meeting. As emphasized during our meeting, my primary objective is for ICANN to reverse its unjustified decision regarding the change request and move forward with delegating the .Internet string to Nameshop.

Over the last two years, in numerous communications to ICANN's President of its Global Domains Division, its CEO, and its Chair, I have clearly highlighted numerous facts. The highlighted facts pertained what I consider to be fundamental process and legal violations in processing the change request, the SARP panel decision, and- I had particularized the acute gaps in the reconsideration processes which I experienced.

With respect to the overall evaluation of Nameshop's application, including its request for Applicant Support and its Change Request for the string applied for to be changed to .Internet, the Board has, largely by its Inaction, contravened the following provisions of the Bylaws as elaborated on the Written Notice sent to you invoking the Cooperative Engagement Process.

The Board and the Executive, did not act in the spirit of the Bylaws. This fact is best evidenced in the several contraventions against clauses 5, 6, 8 and 9 in Article I, Section 2 (Core Values), Section 3 (Non-Discriminatory Treatment) of Article II (Powers), Article IV Section 2 (Reconsideration) 1, 3(d) and (e).

For a summary overview, I note the following facts:

1. The string change requested by Nameshop confirmed to the original Change Request Criteria published by ICANN.
2. The change from .IDN to .Internet is the most logical change connected to the TLD concept of connecting Internatioanlized Domain Names across all language spaces, thereby preserving the Internet as a unified space. The requested string (.Internet) is not prohibited, nor reserved, nor was it applied for prior to the Change Request.
3. The Applicant support request, like the Change Request, was denied and remained mute as to the reason[s] for the denial.
4. Not only did the processes were violated, but severe limitations were experienced in the the review processes to the detriment of fair redressal.
5. The various contradictory statements by ICANN at public meetings, as well as during private meetings, points to an inclination to make ex-post facto rules beyond the rules concerning change requests.
6. ICANN's actions and inactions remain unexplained and pointed questions remain unanswered till date.

While the ICANN Board's actions on any of these items are not transparent, the Board's continued inaction on Nameshop's several and continued communications related to the unfair and arbitrary decisions contravene various provisions of the, Bylaws including the sections as mentioned above.

We hope the Cooperative Engagement Process will bring attention to our application for .Internet to a speedy, just evaluation and delegation without any further delay.

(Kindly note that the informal presence of David Taylor of Hogan Lovells during our meeting in Dublin does not imply an ongoing association, so please address all further communication only to Nameshop. A separate communication has also been sent to Mr. Taylor regarding this matter.)

-- Sivasubramanian M