



Dr. Stephen D. Crocker
Chairman of the Board of Directors
Internet Corporation for Assigned Names and Numbers
1101 New York Avenue Northwest
Suite 930
Washington, D.C. 20005
United States

Rod Beckstrom
President and CEO
Internet Corporation for Assigned Names and Numbers
325 Lytton Avenue, Suite 300
Palo Alto, California 94301
United States

Re: Consumer Protection Concerns Related to New gTLDs and RAA Amendments

Dear Messrs. Crocker and Beckstrom:

We are writing in our capacity as the Presidency of the International Consumer Protection Enforcement Network (ICPEN), a global network of consumer protection agencies, to express concerns of several of our ICPEN members in relation to changes proposed by the Internet Corporation for Assigned Names and Numbers (ICANN). ICPEN member agencies work together to protect consumers' economic interests around the world and pursue global law enforcement cooperation on consumer protection issues.

We are aware that ICANN launched the application period for new generic top-level domains (new gTLDs) on 12 January 2012. We write to raise important consumer protection concerns raised by several ICPEN members that are related to the expansion of the domain name space, Whois requirements in registrar agreements, and contractual compliance.

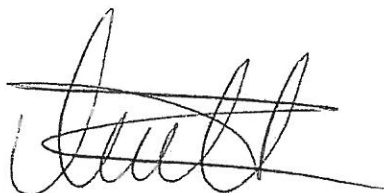
As consumer protection agencies, we frequently encounter consumers who have been defrauded, deceived, or treated unfairly online. We are concerned that the introduction of new gTLDs could increase the risk of online consumer fraud, deception, and unfairness and believe that ICANN should implement safeguards to address these issues. To that end, we believe that ICANN should evaluate each proposed gTLD's potential risk to consumers to ensure that the harm to consumers does not outweigh the benefits.

We are also concerned that the existing challenges we encounter in conducting Internet investigations will be exacerbated by the significant expansion of domain names. As a result, we urge ICANN to address the widely documented problems related to Whois services that have persisted for years. Specifically, we urge ICANN to take immediate steps to improve the accuracy of Whois data—an important source of information in our consumer protection investigations.¹ We also urge ICANN to establish clear, consistent, and enforceable requirements for the use of privacy and proxy services. We understand that ICANN is currently negotiating amendments to its registrar agreements, and we encourage ICANN to strengthen the current contractual provisions related to these issues.

Finally, we are concerned about the lack of sufficient personnel and resources in ICANN's compliance office. If ICANN expects to add hundreds of new gTLDs to the domain name system, then it should also invest enough resources in the compliance office to manage and enforce these contracts. We believe that effective enforcement of ICANN policies is critical to ensuring that consumers are protected in the online marketplace.

We appreciate ICANN's prompt attention to the issues mentioned above and urge ICANN to address these issues before approving any new gTLDs.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Cynthia Zapata', with a horizontal line drawn across the middle of the signature.

Cynthia Zapata
International Consumer Protection and Enforcement Network
Presidency

¹ See generally OECD, *Consumer Policy Considerations on the Importance of Accurate and Available Whois Data* (June 2, 2003), available at [http://www.oecd.org/officialdocuments/displaydocumentpdf/?cote=dsti/cp\(2003\)1/final&doclanguage=en](http://www.oecd.org/officialdocuments/displaydocumentpdf/?cote=dsti/cp(2003)1/final&doclanguage=en).