

THE COALITION FOR ONLINE TRADEMARK PROTECTION

The Honorable Hank Johnson
Chairman
House Judiciary Subcommittee on
Courts and Competition Policy
2138 Rayburn House Office Building
Washington, DC 20515

The Honorable Howard Coble
Ranking Member
House Judiciary Subcommittee on
Courts and Competition Policy
2138 Rayburn House Office Building
Washington, DC 20515

September 23, 2009

Dear Chairman Johnson and Ranking Member Coble:

On behalf of The Coalition for Online Trademark Protection (COTP),¹ the undersigned thank you for holding a hearing to address critical competition issues surrounding the Internet Corporation for Assigned Names and Numbers' (ICANN) new top-level domain name roll-out. We applaud the Committee's leadership and support in ensuring the stability and security of the Internet domain naming system and also the protection of consumers and businesses from online fraud and anti-competitive practices that may be an unintended result of a rushed roll-out.

The Coalition understands, appreciates and supports ICANN's desire to roll-out new "internationalized" top-level domains for the world's population that do not read and write in Latinized scripts. We remain concerned however, that ICANN has moved ahead with a more ambitious project to introduce top-level domains in all scripts, without fully considering issues surrounding Internet security and stability, intellectual property protection and consumer fraud prevention.

In recent months ICANN has made great strides in reaching out to its many Internet constituencies. At the same time, we are concerned that ICANN has not established that the new roll-out is justified from a market-competition perspective. In addition, it is unclear what restrictions ICANN intends to place on the proposed top-level domains to prevent anti-competitive behavior such as market-gouging and what measures it would take against those who engage in these behaviors. Finally, we are not sure of ICANN's accountability to domain name owners and Internet users. We are hopeful that these issues will come up in the hearing, and will be fully addressed by the panel participants.

Thank you again for your leadership on an issue of critical concern to the vast number of U.S. companies that do business online.

Sincerely,

American Advertising Federation
Intellectual Property Owners Association
ITT Corporation
MarkMonitor
National Association of Manufacturers
National Marine Manufacturers
Association

National Retail Federation
New Balance Athletic Shoe, Inc.
NetChoice
Retail Industry Leaders Association
Shop.org
Uniweld Products, Inc.
US Chamber of Commerce

¹ The Coalition for Online Trademark Protection is an ad hoc group of corporations, trade associations and business groups representing thousands of multinational companies and millions of employees and Internet users. The Coalition was formed in 2008 to protect consumers and businesses from online threats such as online fraud and the sale of unsafe counterfeit products. For more information, please contact Marc-Anthony Signorino at (202) 637-3072 or via email at MSignorino@nam.org.