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April 3<sup>rd</sup>, 2015

## Re: Seeking Music Expertise in relation to Music Community Establishment and .MUSIC

Dear Music Expert,

DotMusic is looking for music experts (the “Expert”) that would verify music-related facts:

- 1) How the “music” community is defined and established (“*Community Establishment*”)<sup>1</sup>
- 2) How the “music” community matches the “music” top-level domain string (“*Nexus*”)<sup>2</sup>
- 3) How the documented support received by DotMusic constitutes a majority of the music community as defined by DotMusic (“*Support*”)

### **Background**

DotMusic has applied for the rights of .MUSIC under a community multi-stakeholder model with ICANN, the governing body of the Internet. For the music community to win the rights for .MUSIC, DotMusic must prove to an Economist Intelligence Unit (“EIU”) panel that it meets the “community” criteria set forth by ICANN.

If the EIU determines that DotMusic meets the criteria for *Community Establishment*, *Nexus* and *Support* then DotMusic will win the rights for .MUSIC. This would ensure .MUSIC would be run and controlled by the music community and be launched in a responsible manner under appropriate music-tailored policies that serve the interests of the music community.

If DotMusic fails to prevail then the .MUSIC domain will be auctioned to the highest bidder. Unfortunately, such a result would not serve the interests of the music community since it would be impossible to outbid deep-pocketed corporations such as Google, Amazon that have applied for .MUSIC without any safeguards, music-tailored policies or community governance.

DotMusic is the only remaining applicant for .MUSIC that has music-tailored policies to protect the music community from abuse (e.g. cybersquatting, impersonation and copyright infringement). Other competitors, such as Google, have “open” policies (similar to .COM) that focus on profit-optimization (by maximizing domain registrations) rather than serving the music community and protecting intellectual property.

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<sup>1</sup> See <http://music.us/establishment>

<sup>2</sup> See <http://music.us/nexus>



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### **How DotMusic's community model for .MUSIC is different from Google, Amazon and other .MUSIC competitors<sup>3</sup>**

DotMusic is the only remaining .MUSIC community-based applicant with music-tailored policies that ensure that music artists, bands, industry professionals and organizations register a trusted, secure and verified .MUSIC domain — just like a .EDU or .GOV domain extension — and own their exclusive www.name.music web address.

A community-based .MUSIC differentiates itself from .COM, .NET, .ORG and other domains extensions and all of its competitors because under DotMusic's application:

1. .MUSIC is exclusive only to legitimate members of the entire global music community.
2. .MUSIC is governed and controlled by the global music community. Each music constituent community type<sup>4</sup> has a governance seat on the multi-stakeholder .MUSIC policy advisory board.
3. .MUSIC's community application is supported by a majority of the global music community in terms of headcount, and growing. (See <http://music.us/supporters>).
4. .MUSIC has enhanced safeguards to protect intellectual property, prevent cybersquatting and eliminate copyright infringement.
5. .MUSIC has incorporated all RIAA intellectual property protection provisions that include policies to stop domain hopping, takedown policies in the case of piracy, authorization provisions, permanent blocks, privacy/proxy provision, true name/address mandates and trusted sender complaint policies amongst others.
6. .MUSIC requires registrant validation through a mandatory two-step phone and email authentication process.
7. .MUSIC protects names of famous music artists and brands by giving registration priority to those entities during a priority-based launch phase. .MUSIC also gives registration priority to community members belonging to legitimate Music Community Member Organizations to spur adoption, trust and safety.
8. .MUSIC has domain naming conditions that eliminate cybersquatting and famous music brand trademark infringement. Registrants are only allowed to register their own name, acronym or "Doing Business As."
9. .MUSIC only allows legal music content and legal music usage.
10. .MUSIC will take down any domain infringing on any of its enhanced safeguard policies.

<sup>3</sup> See DotMusic's .MUSIC application with ID 1-1115-14110 (See <https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392> and [http://music.us/what\\_is\\_dotmusic](http://music.us/what_is_dotmusic))

<sup>4</sup> Constituent types include artists/bands, major labels, independent labels, publishers, songwriters, performance rights organizations, music collection societies, music unions, music managers, music engineers, music agents, music promoters, government ministries of culture, music/arts councils, music radio, music associations and others.



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The DotMusic Mission for .MUSIC is focused on furthering the common interest shared by its global music community it serves: the legal promotion and distribution of music. Its purpose is:

1. Creating a trusted, safe online haven for music consumption and licensing.
2. Establishing a safe home on the Internet for Music Community members.
3. Protecting intellectual property and fighting piracy.
4. Supporting musicians' welfare, rights and fair compensation.
5. Promoting music and the arts, cultural diversity and music education.
6. Following a multi-stakeholder approach of fair representation of all types of global music constituents without discrimination.



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**Expert Instructions (Choose one of the two options below):**

**OPTION 1**

The Expert can download the “sample expert letter (“Expert Letter”) document at [http://music.us/expert/Music\\_Expert\\_Letter\\_Sample.docx](http://music.us/expert/Music_Expert_Letter_Sample.docx) that can be edited as Expert sees fit.

Based on their expertise of the “music community” and “music,” the Expert should agree that:

- 1) DotMusic’s definition of the “Music Community” -- a “strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music” -- is consistently aligned with Wikipedia’s definition of the “Music Community” and representative of the “Music Community” that would naturally associate itself with the .MUSIC domain name.
- 2) The general public would naturally associate the “music” community with the .MUSIC top-level domain string (i.e. the general public would naturally assume that the “music” string would be registered by members of the “music” community and no other unrelated community i.e. The “.MUSIC” string entirely matches the “music” community as defined by DotMusic.
- 3) The support received by DotMusic represents an overwhelming majority of the global Music Community as defined by DotMusic, including a majority of music consumed globally.<sup>5</sup>

The Expert can provide a brief list of their biography, qualifications, accomplishments, references and any publications they have written that are relevant to music (including any appropriate links) at the bottom of the Expert Letter.

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<sup>5</sup> See DotMusic documented support for a community-based .MUSIC string: <http://music.us/supporters>. See global Music Community Coalition led by the RIAA “on behalf of over 15 national and international trade associations” also expressed its support for .MUSIC to be under a “community” application model, including encouraging statements in support of DotMusic’s policies that stated that the coalition “was encouraged to see” that DotMusic “included several measures to deter and address copyright infringement within that TLD.” The “coalition members represent the people that write, sing, record, manufacture, distribute and/or license over 80% of the world’s music” – a majority of global music (See <https://www.icann.org/en/system/files/correspondence/riaa-to-icann-05mar15-en.pdf>). See global independent Music Community letter supporting DotMusic to ICANN (See <https://www.icann.org/en/system/files/correspondence/bengloff-to-chehade-et-al-20aug14-en.pdf> and <https://www.icann.org/en/system/files/correspondence/bengloff-to-crocker-et-al-07mar15-en.pdf>)



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### **How to Email the EIU and ICANN**

- 1) The Expert must attach their Expert Letter in PDF format to the email.
- 2) Email Subject: “Music Expert Letter for the EIU on .MUSIC Community-Based String”
- 3) Content of Email:

Dear ICANN and EIU,

Please accept this letter pertaining to the upcoming Community Priority Evaluation of DotMusic’s .MUSIC community-based application with ID 1-1115-14110.

Respectfully Submitted

- 4) Email ICANN: [newgtld@icann.org](mailto:newgtld@icann.org)

### *Or **OPTION 2***

Digitally sign the Expert Letter for ICANN online at <http://www.music.us/experts>

Note: Please make sure you click on the confirmation email to confirm the Expert Letter.



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### **Music Expert Indemnification**

DotMusic agrees to the accuracy of the statements and facts made in this cover letter (“Expert Cover Letter”), its sample expert letter (“Expert Letter”) document and its community-based application. DotMusic will fully indemnify and hold the Expert harmless from any claims, action or expenses that may arise from any activity relating to DotMusic or the ICANN New generic Top-Level Domain (gTLD) Program. Dotmusic assumes all responsibility and liability arising from activities relating to any Evaluation (such as the Community Priority Evaluation by the EIU), or any other process arising from the new gTLD Program.

Please do not hesitate to contact us if you have any questions.

Thank you for providing your expertise in this important digital initiative to serve the global music community and public interest.

Sincerely,

Constantinos Roussos  
Founder  
DotMusic

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