



September 30, 2009

The Honorable John Conyers, Jr.
Chairman
Committee on the Judiciary
U.S. House of Representatives
2138 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

On behalf of the International Trademark Association (INTA), I wish to thank you for holding the House Judiciary Committee hearing on the “Expansion of Top Level Domains and its Effect on Competition.” INTA greatly appreciated the opportunity afforded its 2009 President Richard Heath to express the concerns of trademark owners regarding the effects of the expansion of generic top level domain names (gTLDs).

As stated in our testimony, we believe that ICANN has made decisions that are detrimental to the public’s interest and that will lead to increased domain name abuse, trademark infringement and consumer confusion on the Internet.

Contrary to ICANN’s testimony, there is no mandate by the U.S. government that ICANN introduce new gTLDs to the Internet’s domain name system. In fact, the private sector business community opposes ICANN’s program to introduce an unlimited number of new gTLDs and does not believe that ICANN has adequately considered the effects the unlimited expansion will have on competition, intellectual property and consumers.

INTA does not believe an introduction of unlimited new gTLDs, as currently proposed by ICANN, would be beneficial to the public for the following reasons:

- ICANN’s management of the domain name system has failed to ensure the integrity of domain names and related functions of the domain name system. As a result, the high level of domain name system abuse in the current twenty-one gTLDs has led to consumer confusion and decreased confidence in the Internet as a means of legitimate commerce.
- ICANN has not sufficiently enforced the contractual obligations of its gTLD registries and registrars to protect consumer and trademark rights in the domain name system.

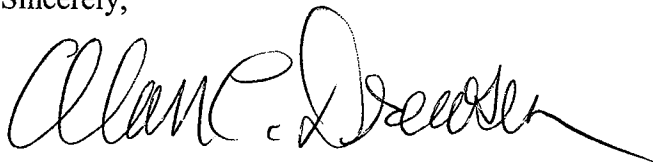
International Trademark Association

- ICANN has not conducted a comprehensive independent economic study, as called for by the Department of Commerce and other stakeholders, to provide an empirical basis for justifying its decision to introduce an unlimited number of new gTLDs.

Given the considerations set forth above, INTA believes that continued oversight of ICANN's practices and procedures by the House Judiciary Committee is critical. The Committee's dialogue with the relevant government agencies also is vitally important to ensure that ICANN's decisions are in the best interest of the public and will result in a stable and secure domain name system.

Thank you again for holding this hearing and for the fine work of your professional staff. We look forward to further discussions on this extremely important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Alan C. Decker". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

cc: Richard Heath