

SUPPORT FOR DELEGATION OF NEW DOTBRANDS WITHIN THE DOMAIN NAME SYSTEM (DNS)

SPONSORING COMMITTEE: Internet Committee

RESOLUTION: Presented on September 15, 2025

WHEREAS, ICANN has announced the opening of New Rounds of gTLDs including dotBrands in April 2026¹;

WHEREAS, INTA members' experience with dotBrands has demonstrated that they can be managed safely and securely;

WHEREAS, INTA members have expressed interest in applying for dotBrands in the New Rounds;

WHEREAS, INTA's historic position has been to oppose the delegation of new gTLDs unless and until ICANN "resolves overarching issues of trademark protection, the potential for malicious conduct, internet security and stability, and top level domain demand and impact. That any expansion of the generic domain space must not be unlimited, but must be responsible, deliberate and justified"².

WHEREAS, for the purposes of this Resolution, the terms below are defined as:

dotBrand - applies to a category of Top Level Domain that is restricted to the delegation and launch by trademark owners.

gTLD – generic Top Level Domains include names that are known as "legacy" domains like .com, .org, .net, .gov and .edu which were delegated before 2009 by ICANN. They also include names delegated after 2012 by ICANN. Over 1000 have been delegated since 2012. gTLDs exclude country level domains which are designated as ccTLDs.

New gTLDs – these are gTLDs that were delegated by ICANN after 2012.

New Rounds – this is the Announced April 2026 round and any subsequent round to be determined.

TLD – Top Level Domain is anything to the right of the dot.

¹ <https://newgtldprogram.icann.org/en/application-rounds/round2>

² See INTA Board Resolution <https://www.inta.org/wp-content/uploads/public-files/advocacy/board-resolutions/Creation-of-New-gTLDs-and-Trademark-Protection-07.08.2009.pdf> and Annex B.

BE IT RESOLVED, INTA reaffirms the concerns articulated in the 2009 Board Resolution titled Creation of New gTLDs and Trademark Protection regarding unfettered delegation of New gTLDs without further concrete, measurable improvements in rights protections.³

BE IT FURTHER RESOLVED, INTA supports the delegation of dotBrands in New Rounds announced by ICANN;

BACKGROUND:

ICANN has announced a Next Round of the New gTLD program, which would allow for the application for and allocation of new gTLDs, including dotBrand TLDs. The application period is expected to open in April 2026.

INTA and its members have substantial experience regarding the use (and misuse) of domain names on the Internet. Throughout ICANN's existence, INTA has advocated the interests of the IP community and the public in connection with internet issues by, among other things, participating in working groups formed to recommend policies, submitting responses to ICANN's requests for comments and adopting resolutions that have been presented to ICANN. See Annex A for examples of INTA engagement. Accordingly, INTA is particularly well-suited to offer comments on the Second Round of the New gTLD program.

The widespread abuse of domain names similar to established trademarks for fraudulent or illegal activity led to the founding of ICANN on September 18, 1998. A sizable portion of these issues involved (and continue to involve) the use of domain names that are similar to established trademarks in a manner that damages the goodwill associated with those marks and allows fraud against the public.

After more than sixteen years of allowing only limited Generic Top Level Domain (gTLD) registries to operate, ICANN approved and opened a First Round of applications for New gTLDs in 2011. As of June 2020, there were over 190 activated dotBrand TLDs. In contrast to Generic Top-Level Domains, to our knowledge, there have been no fraud, cybersquatting or public safety issues problems raised by trademark owners or the public regarding the registration and use of dotBrand TLDs. Moreover, with a few exceptions for multiple coexisting trademarks seeking the same dotBrand TLD, there have been no issues regarding whether a particular applicant may register a dotBrand TLD.

Indeed, the goals of creating a dotBrand gTLD registry were to provide consumer trust, choice, and competition in the online global marketplace. INTA believes that these goals have largely been met. Accordingly, INTA does not believe that there is any just cause for delay in the approval of additional dotBrand TLDs.

By comparison, many, if not most, of the concerns expressed by INTA about other gTLDs have come to pass. Notwithstanding the adoption of the Uniform Dispute Resolution Policy (UDRP) and other new gTLD Rights Protection Mechanisms (RPMs), trademark owners are still combating an ever-increasing number of bad faith registrations and misuse of their trademarks and terms similar to their

³ See INTA Board Resolution <https://www.inta.org/wp-content/uploads/public-files/advocacy/board-resolutions/Creation-of-New-gTLDs-and-Trademark-Protection-07.08.2009.pdf> and Annex B.

trademarks as domain names in connection with trademark-infringing and fraudulent online schemes. Until resolution of a UDRP complaint can be reached, or a voluntary takedown in response to a DNS abuse report, the harm to the public continues unabated. Moreover, even if a domain name is transferred or cancelled under the UDRP, the goodwill associated with a trademark may be tarnished and it is difficult to restore trust by the public. And, if the trademark owner employs the Uniform Rapid Suspension (URS) policy, any relief is lost after a year since successfully challenged domain names are merely suspended and are later released for re-registration. They are not transferred to the trademark owners as in the case of successful UDRPs.

At the same time, the implementation of global privacy and data protection laws has made access to domain name registration information more cumbersome and, at times, nearly impossible for brand owners without subpoenas. For example, ICANN's interpretation of the requirements of the EU's General Data Protection Regulation (GDPR) has resulted in an unusable directory system for registration data. ICANN has implemented the Registration Data Request Service (RDRS) as a solution. However, this program has not proved satisfactory for most trademark owners. This is because it is not mandatory for all registrars, some registrars do not respond to trademark investigative requests as a matter of policy, and registrars instead refer trademark owners to the UDRP or demand a subpoena for access. In many instances, data that has been released is neither verified nor accurate. Without having ready access to domain name registrant contact information, and therefore any reliable means to contact domain name registrants, trademark owners have lost the ability to try to resolve disputes amicably without initiating an adversary proceeding, which increases the costs to trademark owners and delays their ability to reach a quick resolution.

Moreover, under United States law, although trademark owners have the ability to bring an *in rem* proceeding directly against domain names in court, where the registrant need not be served with a summons, this process only applies to cases where the domain name registrar is located in the United States. Cybersquatters and other bad faith actors know this and frequently register domain names with a registrar located outside the U.S. In addition, the cost of even an *in rem* court proceeding can be substantial.

In general, the bad faith use of domain names is like a virus without a vaccine. It damages trademark owners and the general public, and it only benefits the domain name registrant. Significantly, for at least a decade, the number of UDRP complaints filed annually has increased every year.⁴ During that period, the number of UDRP complaints has more than doubled. Although the UDRP has frequently been a quick and relatively cost-effective mechanism for resolving domain name disputes, the steady rise in the number of UDRP complaints reflects the fact that bad faith actors have been unrelenting in their attempts to register or use domain names that negatively impact the public and trademark owners.

As New Rounds progress, INTA urges ICANN to continue to devote more resources to vigorously defend the public against these fraudsters and criminals. ICANN's dedication to such resources would promote greater security and trust in online activity.

⁴ <https://www.wipo.int/amc/en/domains/statistics/domains.jsp>

ANNEX A

As the use of the Internet became common, individuals and companies began registering and using domain names identical or similar the trademarks of others to mislead the public, to engage in fraud and for other bad faith purposes. Initially, an agreement to buy the disputed domain name or litigation, which is often slow and expensive, were essentially the only remedies available to trademark owners.

In an attempt to address some of these problems, in the Fall of 1999, ICANN proposed the adoption of the Uniform Domain Name Dispute Policy (UDRP) and requested public comments. INTA submitted comments that proposed some changes to the draft, including amending the policy so that it addressed bad faith or registration of domain names, rather than requiring complainants to establish both bad faith at the time of registration and bad faith use of domain names.^[5] Those who opposed any restrictions on the use or registration of domain names submitted their own comments or opposed INTA's proposal. In response to these competing sets of comments, ICANN did not make any changes to this provision of its draft version of the UDRP. On August 26, 1999, the ICANN Board of Directors, voted to adopt the policy, applicable to domain names registered in the .com, .net and .org Generic Top-Level Domains (gTLDs).^[6] The first UDRP complaint was filed on December 2, 1999, and a decision issued on January 14, 2000.^[7]

The .name and .pro restricted gTLDs were subsequently approved. On November 16, 2000, ICANN announced its approval of seven more new gTLDs: aero, biz, coop, info, museum, name, and pro, some of which restricted registration of domain names to members of certain communities. In 2011 and 2012, ICANN approved another ten gTLDs.

Additionally, on March 6, 2009, the ICANN Board of Directors issued a resolution stating that it was planning to introduce an unlimited number of domain names. It created an Implementation Recommendation Team (IRT) to make proposals to address the issue of how this plan would affect, among other things, trademark protection, the costs associated with the implementation of new gTLDs, and other concerns of internet stakeholders.^[8] A final report issued by the IRT on May 24, 2009, which, among other things, recommended the adoption of an IP Clearinghouse, the creation of Globally Protected Marks lists, and a Uniform Rapid Suspension system. It also recommended the all new gTLDs be registered in the WHOIS database.^[9] ICANN requested public comments.

On July 24, 2009, INTA submitted comments to ICANN, noting that trademark owners were already suffering from widespread domain name infringement in the gTLD space. INTA expressed the concern that unlimited numbers of new gTLDs would require trademark owners to protect their marks in these numerous new gTLDs, which would also cause harm to consumers. Thus, it urged that any further expansion of the number of gTLDs be done responsibly, slowly, and at a deliberate and controlled pace. It further stated that the harm associated with unlimited expansion of the gTLD space, namely, cybersquatting, fraud, and significant expense to trademark owners, would be outweighed by justified improvements in the stability, integrity, and innovation of the Internet^[10]

In 2011, ICANN announced that it was proceeding with a New gTLD Program. It issued five versions of a new gTLD Applicant Guidebook and ICANN sought public comments on each. Most of the comments were directed at the new gTLDs and mechanisms for protecting trademark owners. Ultimately, there were 1,930 applications

and over 1,200 new gTLDs were approved including dotBrand TLDs, *i.e.*, top-level domains (TLDs) registered by brand owners where their brand name is used as the TLD, as well as several new Rights Protection Mechanisms (RPMs), including the Trademark Clearinghouse, a Sunrise registration period, and the Uniform Rapid Suspension (URS) procedure.^[11]

On March 3, 2022, ICANN issued a Policy Status Report on the Uniform Domain Name Dispute Resolution Policy and asked for comments on whether any changes should be made to the Policy.^[12] On April 18, 2022, INTA responded that the UDRP had been successful overall in its goal of providing an efficient, quick, cost-effective, and fair substitute to traditional litigation for clear cases of cybersquatting. It also noted that the scope of cybersquatting has been massive but, without the UDRP, trademark owners would have had to incur even greater expenses in addressing the against bad faith registration and misuse of terms confusingly similar to their trademarks as domain names. In addition, the damage to brand owners and to consumers caused by the registration and use of abusive domain names would undoubtedly be even greater without the deterrent effect of the UDRP. Thus, INTA stated that any problems with the UDRP were outweighed by its benefits and did not warrant any major changes to the UDRP at the time. Rather, INTA recommended that ICANN should prioritize more pressing issues.^[13] On May 10, 2022, ICANN issued a Summary Report on the public comments it received.^[14] In July 2022, it issued a revised UDRP Status Report which was submitted to the GNSO Council.^[15]

[1] ICANN Launches New gTLD Program Website < <https://www.icann.org/en/blogs/details/icann-launches-new-gtld-program-website-01-05-2024-en>>.

[2] New gTLD Program: Next Round <<https://newgtldprogram.icann.org/en/application-rounds/round2>>.

[3] CSC Dot Brand Insights Report (June 2020) <<https://www.cscdb.com/assets/pdfs/Dot-Brand-Insights-Report-June-2020.pdf>>.

[4] 2024 Trends, UDRP Complaints, Domain Scams Still on the Rise <<https://www.ipintelligencereport.com/blogs/2024-trends-udrp-complaints-domain-scams-still-on-the-rise/>>

[5] INTA Response to Request for Comments on UDRP (Oct. 7, 1999) <<https://archive.icann.org/en/comments-mail/comment-udrp/current/msg00050.html>>

[6] Minutes of Meeting of Internet Corporation for Assigned Names and Numbers (Aug. 26, 1999) <<https://www.icann.org/en/board-activities-and-meetings/materials/minutes-regular-meeting-of-the-board-santiago-26-08-1999-en#99.81>>

[7] World Wrestling Federation Entertainment, Inc. v. Michael Bosman, Case No. D99-0001 (Jan. 14, 2000) <<https://www.wipo.int/amc/en/domains/decisions/html/1999/d1999-0001.html>>

- [8] *Trademark Issues to be Addressed Ahead of Internet Address Expansion* (Mar. 6, 2009) <<https://www.icann.org/en/announcements/details/trademark-issues-to-be-addressed-ahead-of-internet-address-expansion--discussions-show-progress-6-3-2009-en>>
- [9] *ICANN Implementation Recommendation Team Final Report* (May 29, 2009) <<https://archive.icann.org/en/topics/new-gtlds/irt-final-report-trademark-protection-29may09-en.pdf>>.
- [10] *INTA Letter to ICANN* (July 24, 2009) <<https://www.icann.org/en/system/files/files/drewsen-to-beckstrom-24jul09-en.pdf>>.
- [11] *New Generic Top-Level Domains – 2012 Round Program Statistics* < <https://newgtlds.icann.org/en/program-status/statistics>>.
- [12] *ICANN UDRP Status Report* (March 3, 2022) < <https://itp.cdn.icann.org/en/files/consensus-policy/udrp-policy-status-report-03-03-2022-03-03-2022-en.pdf> >
- [13] *INTA Comments on the UDRP Policy Status Report* (Apr. 18, 2022) <[https://itp.cdn.icann.org/public-comment/proceeding/Policy%20Status%20Report:%20Uniform%20Domain%20Name%20Dispute%20Resolution%20Policy%20\(UDRP\)-03-03-2022/submissions/International%20Trademark%20Association%20\(INTA\)/UDRP%20Comment%20INTA%20Submission%20Final-18-04-2022.pdf](https://itp.cdn.icann.org/public-comment/proceeding/Policy%20Status%20Report:%20Uniform%20Domain%20Name%20Dispute%20Resolution%20Policy%20(UDRP)-03-03-2022/submissions/International%20Trademark%20Association%20(INTA)/UDRP%20Comment%20INTA%20Submission%20Final-18-04-2022.pdf)>.
- [14] *Public Comment Summary Report* (May 10, 2022) <<https://itp.cdn.icann.org/en/files/consensus-policy/public-comment-summary-report-udrp-policy-status-10-05-2022-en.pdf>>.
- [15] *Revised UDRP Status Report* (July 13, 2022) <<https://gnso.icann.org/sites/default/files/file/field-file-attach/udrp-status-report-redlined-13jul22-en.pdf>>.



ANNEX B

Creation of New gTLDs and Trademark Protection

July 8, 2009

Sponsoring Committee: Executive Committee of the INTA Board of Directors

Resolution

WHEREAS, since the inception of the Internet Corporation for Assigned Names and Numbers (ICANN) in 1998, INTA, through its participation in the Intellectual Property Constituency, part of the governance structure of ICANN, and through written submissions to the U.S. Department of Commerce, to the U.S. Congress and to ICANN has consistently expressed concerns about the impact on rights holders and consumers of the expansion of the number of generic top-level domain names (gTLDs);

WHEREAS, despite strong industry concerns about the increase in rights violations (e.g., cybersquatting) and malicious behavior to defraud consumers (e.g., phishing, malware), ICANN increased the number of the original “legacy” gTLDs (.com, .edu, .arpa, .gov, .mil, .net, .org, .int) by seven gTLDs (.aero, .biz, .coop, .info, .museum, .name, .pro) in 2001 and by another six gTLDs (.asia, .cat, .jobs, .mobi, .tel, .travel) in 2005, which are administered by ICANN separately from the 248 two-letter country-code TLDs (ccTLDs);

WHEREAS, even with the implementation of such measures as the Uniform Dispute Resolution Policy (UDRP) and anti-cybersquatting laws, domain name abuse has proliferated, and trademark owners continue to incur significant costs in enforcing their rights on the Internet;

WHEREAS, ICANN has yet to commission the independent, comprehensive economic study of the domain name registration market called for by its Board of Directors in 2006, which was to provide essential information and analysis relating to the exercise of market power by gTLD registry operators and to assess the likely impact of new gTLDs on rights holders, consumers and other Internet users and, accordingly, ICANN has demonstrated no adequate economic or public policy justification for the introduction of new gTLDs;

WHEREAS, despite this lack of justification, ICANN announced its intention in 2008 to drastically expand the generic domain name space by allowing for the unlimited introduction of new gTLDs;



WHEREAS, in its analysis of the public comments received on its new gTLD proposal, ICANN identified four overarching issues that needed to be addressed before it would introduce new gTLDs (Trademark Protection, Potential for Malicious Conduct, Security and Stability issues, and Top-Level Domain Demand and Economic Analysis), none of which has been satisfactorily resolved;

WHEREAS, in response to continued industry concerns about the rollout of unlimited new gTLDs, ICANN in 2009 formed the Implementation Recommendation Team (IRT) which, under an extremely tight deadline, developed five proposals, which would in combination improve protection for trademark owners but whose ultimate success is untested and whose adoption by ICANN uncertain;

BE IT RESOLVED that additional generic top-level domains (gTLDs) should not be introduced unless and until ICANN resolves the overarching issues of trademark protection, the potential for malicious conduct, Internet security and stability, and top-level domain demand and economic impact; and

BE IT FURTHER RESOLVED, that any expansion of the generic domain name space must not be unlimited, but must be responsible, deliberate and justified.

Background

The domain name space on the Internet is constructed as a hierarchy. The space is divided into top level domains (TLDs), with each TLD subdivided into second-level domains, and so on.

Most TLDs with three or more characters are referred to as "generic" TLDs, or "gTLDs". There are currently twenty-one gTLDs. More than 240 national, or country-code, TLDs (ccTLDs) are administered by their corresponding national governments or through governmental arrangements with private parties. (A Proposal To Improve Technical Management of Internet Names and Addresses" US Department of Commerce. 1998).

Policy discussions concerning how best to structure the top-level space of the Internet's addressing system have been ongoing since the Internet became open for commercial use in the mid-1990s.

In 1998, an independent Internet policy committee called the "gTLD-MoU" consisting of certain Internet stakeholders, proposed adding seven new gTLDs to the Internet. (Establishment of a Memorandum of Understanding on the Generic Top Level Domain Name Space of the Internet Domain Name System (gTLD-MoU). February 1997). Following the "gTLD-MoU" proposal, the United States government issued a "Green Paper" on Internet policy that proposed the addition of five new Top Level domain names, with each new domain controlled by a separate registry.

INTA expressed concern with the “Green Paper” because the proposal for gTLD expansion was not formed through a consensus process of Internet stakeholders, and because the “Green Paper” appeared to pre-empt a responsibility that would fall under the purview of the yet-to-be formed private-sector-led coordinating body of the Internet’s domain name system, which became the Internet Corporation for Assigned Names and Numbers (ICANN).

Following the reaction to the “Green Paper,” the US government issued a revised policy document that became known as the “White Paper.” INTA expressed satisfaction with certain provisions in the “White Paper” that suggested that there should be a prudent regard for the stability of the Internet, and that the expansion of gTLDs should proceed at a deliberate and

controlled pace, which would allow for the evaluation of the impact of newly introduced gTLDs.

It was within this context that ICANN was formed in 1998 through the initiative of the United States Department of Commerce, National Telecommunication and Information Administration. ICANN immediately took on the task of considering the introduction of new gTLDs.

Beginning with its comments on the “Green Paper,” INTA has consistently urged that any expansion of the gTLD space be done slowly with careful analysis of the impact of such expansion. In congressional testimony in 1998, INTA stated that new gTLDs should only be added, if at all, after the completion of a study by WIPO and that if additional gTLDs were to be added, such expansion should be at a one-at-a-time pace. (Testimony of Anne Chasser.

HEARING ON TRADEMARKS, ELECTRONIC COMMERCE, AND THE FUTURE OF THE

DOMAIN NAME ASSIGNMENT SYSTEM. Committee on Commerce Subcommittee on Telecommunications, Trade, and Consumer Protection. June 1998). In congressional testimony in 1999, INTA reiterated its “go-slow” approach on new gTLDs. (Testimony of Anne Chasser.

Internet Domain Names and Intellectual Property Rights. United States House of Representatives Committee on the Judiciary Subcommittee on Courts and Intellectual Property, July 1999).

Subsequently, ICANN formed a Working Group on new gTLDs, which concluded that ICANN should introduce new gTLDs, and that ICANN should begin the introduction of gTLDs with an initial rollout of six to ten new gTLDs, followed by an evaluation period. (Report of Working Group C. March 2000).

In 2001 based on the conclusions of the Working Group, ICANN introduced seven new gTLDs and in 2005 ICANN further expanded the generic domain name space by introducing six more new gTLDs.

In 2005, WIPO issued a report entitled New Generic Top-Level Domains: Intellectual Property Considerations, where it expressed the view that thematic differentiation in the DNS, or within a gTLD, could, at least in theory, provide trademark owners and Internet users with benefits.

However, WIPO stated that, "such differentiation works only when gTLDs are restricted to limited and clearly circumscribed specific purposes. The less this is the case, the less will further gTLDs enhance the possibilities for differentiation." (New Generic Top Level Domains:

Intellectual Property Considerations. WIPO Arbitration and Mediation Center. 2005).

In the report, WIPO stated that the introduction of new gTLDs could lead to user confusion on the Internet when one trademark owner registers its trademark in one gTLD and another owner registers an identical or similar mark in another gTLD. WIPO also stated that, "to the extent Internet users are unable (or become unaccustomed) to associate one mark with a specific business origin, the distinctive character of a trademark will be diluted."

To avoid these negative effects the WIPO report observed that trademark owners would be likely to try to register their marks in all gTLDs, and referred to a report commissioned by ICANN that suggested that those new gTLDs that had either no or only minimal registration restrictions, had the lowest number of new domain name registrants and the largest share of registrants that already held over 100 domain names. (Summit Strategies International, Evaluation of New gTLDs: Policy and Legal Issues, July 10, 2004). The WIPO report further observed that the data suggested that a large number of domain names were registered for defensive purposes, and "from an IP perspective, adding more open, i.e., unrestricted and unsponsored gTLDs, is more likely to increase the likelihood of confusion (and the cost for defensive or preemptive measures) than the scope for brand differentiation." (New Generic Top-Level Domains: Intellectual Property Considerations. WIPO Arbitration and Mediation Center. 2005).

While new gTLDs were added to the domain name system in 2001 and 2005, the original gTLDs, primarily .com, still constitute over ninety percent of all gTLD domain name registrations. However, this expansion, particularly with respect to unrestricted gTLDs, led to an increase in cybersquatting and frauds directed at consumers. These threats to the stability and integrity of the Internet and to the trademarks of companies around the world have required brand owners to expend significant funds to protect and enforce their trademarks in the new gTLD space so as to prevent consumer confusion and preserve the investment in their brands.

As a result of these concerns, in January 2006 the Intellectual Property Constituency (IPC), part of the ICANN governance structure, advocated that "any new gTLD should create a new and differentiated space and satisfy needs that cannot reasonably be met through the existing gTLDs." (IPC Comments on Terms of Reference for New gTLDs. January 31, 2006).

In October 2006, the IPC urged that ICANN "adopt selection criteria that will bring about TLDs for which there is legitimate demand from communities that have not been well served by the current TLDs and prevent a proliferation of TLDs that are likely to simply lie fallow, or to depend for their viability upon unproductive defensive registrations." (IPC Initial Comments on the GNSO Recommendation Summary Regarding the Introduction of New Generic Top Level Domains. October 20, 2006). In June 2007, IPC reiterated the need to "limit any new gTLDs to those that offer a clearly differentiated domain name space with mechanisms in place to ensure compliance with purposes of a chartered or sponsored TLD." (IPC Impact Statement Regarding the Introduction of New gTLDs. June 7, 2007).

While in 2006, the Board of Directors of ICANN announced the intention to commission a comprehensive, independent economic study of the domain name registration market that might have provided information and verifiable conclusions about the impact of the introduction of the additional gTLDs, the study was never undertaken.

In 2008, ICANN's Board adopted a new gTLD policy based on an unrestricted or unlimited expansion of the new gTLD space. In light of the numerous comments ICANN received on this expansion proposal focusing on consumer and IP protection concerns, the ICANN Board requested that the IPC form an Implementation Recommendation Team (IRT) to address the trademark protection issues that will arise as a result of the proposed expansion.

The final report of the IRT, a thoughtful and innovative document prepared within the unrealistically short time frame established by ICANN, highlights the significant need for trademark protection in the Internet DNS and for the establishment of additional rights protection mechanisms in the introduction of new gTLDs. However, there is no indication that ICANN will adopt these mechanisms or that they will ultimately turn out to be cost-effective and successful in protecting brand owners and consumers.

As a result, given that the harm associated with the unlimited expansion of the gTLD space proposed by ICANN – cybersquatting, fraud and significant expense to brand owners – is not offset by any currently justified improvements in the stability, integrity or innovation of the Internet, the Executive Committee of the Board recommends that it should be INTA's position that any expansion of gTLDs should only take place when the issues identified by ICANN, including trademark protection, have been resolved, and that any expansion of the generic domain name space must not be unlimited, but must be responsible, deliberate and justified.