



<http://nameshop.in>

Nameshop Reconsideration Request

1. Requester Information

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2. Request for Reconsideration of :

√ Board inaction

√ Staff action/inaction

(on the Appeal against the Change request and on the decision on Applicant Support request of the Nameshop Application No 1- 1873- 71868)

This submission is drafted by the applicant in plain language, and presented with the request to the Board Governance Committee to view this essentially as a request for reconsideration of Nameshop's Change Request and Applicant Support request, without placing any emphasis on the procedural nuances such as precise compliance to the specified format, which is inadequate to appropriately narrate the situation.

There are two matters presented here for reconsideration together, as both affect the new gTLD application from Nameshop in such a way that the entire application is blocked from making timely progress. One pertains to Staff AND Board Inaction on the Applicant's appeal against the unexplained decision on the Nameshop Change Request; another pertains to the Staff Action/Inaction leading to the SARP panel decision on Applicant Support, also unexplained and non-specific on the rationale for the ruling, but both are cases where both Staff Action/Inaction could be only a partial cause, with Board Inaction broadly resulting in the adversity suffered.

The applicant has an in-depth understanding of and respect for the ICANN process, has faith in

the neutrality of the Chair and the members of the Board as much as the Applicant understands that ICANN has a competent CEO and Staff. While submitting this, the applicant does not wish this request for reconsideration perceived as a complaint against the new gTLD program or the overall ICANN process. ICANN is continuously striving for high standards within its framework of a exemplary model of a continuously evolving Multi-Stakeholder Governance. The situation of this request for reconsideration arises out of faith in the overall process and not out of discontent. Any comments on the process followed or not followed and any criticism in this document is expressed with the belief that these expressions would contribute to further elevate ICANN's governance standards to even greater heights.

In these instances affecting the Nameshop application (as possibly in another SARP decision and possibly in some other new gTLD decisions/in-decisions which are beyond the scope of the Nameshop request for reconsideration) there is an intricate interplay of Staff and Board Action / Inaction contributing to wrong decisions / delays. Such an interplay occurs due to a certain excessive caution on the part of both the CEO / Senior Staff and the Chair and Members of the Board which causes them to be detached from the new gTLD process to the point of being so disconnected that the new gTLD process is neither run by the Board nor by Staff, nor fully reflecting the general will of the multi-stakeholder community of ICANN. The Chair and some members of the ICANN Board have declared some form of conflict of interest, which in most cases is possibly indirect and/or narrow. While it indicates high standards on the part of those with a declared conflict of interest to recuse themselves, this also amounts to a 'generic' withdrawal from the entire process, grossly disproportionate to the narrow (small or insignificant) conflict of interest that might actually be.

While there is merit in staying away from deliberations and decisions with perceived legal implications, this also leads to a situation of insufficiently deliberated / unattended decisions, which causes greater harm to the process as in this instance of considerably significant substantial material harm to this applicant with a purposeful and meaningful business concept, a TLD 'position' (a term from the Marketing terminology) of appeal to all International Domain Name registrants, with a memorable, appealing string with the good fortune of being uncontended - .Internet – which is purposeful besides being commercially valuable.

The spirit of this request as a reconsideration request on inaction of Staff at the CEO level and on inaction of the Chair and Members of the Board arises from the belief that the CEO and the Board are accountable for any shortfall at any level in the process, whether or not the omission is caused by members internal to the organization or external, of the present time or in the distant past. The applicant believes that at the highest level of ICANN, such degrees of accountability is broadly assumed.

Absence of attention by the Chair and Members of the Board and CEO to the facts made available to them is therefore cited as the primary cause for this situation that affects the applicant. Neither the facts available were fully considered, nor was there any indication of any effort to ask for more information/clarifying information where necessary.

With this reasoning, this request for reconsideration is filed against Staff action/inaction and Board inaction on two decisions that together affect nameshop.

3. Description of specific action you are seeking to have reconsidered.

3. 1. Request to reconsider the Change request decision:

The origin of the Change request was the communication initiated by the applicant on July 11, 2013 requesting the new gTLD staff to allow a change of string as a solution to a problem concerning .IDN, the applied for string, which largely occurred due (a) a certain ambiguity in the applicant guide book (b) complete absence of electronic safeguards within the form to refuse prohibited/reserved strings *during* the process of filling up the e-form or by what might be called 'window oversight systems' (manual) not-to-accept an application if the string is 'prohibited' or 'reserved' or 'will not be approved' as in the case of .IDN.

The applicant submitted the application for the original string .IDN which was accepted, the application was not 'returned-across-the-counter' in time for the applicant to become aware of the inadvertent omission as also to make the necessary correction, which the applicant would have made possibly swiftly almost across-the-counter without time delays, in which case the present issue would have been rendered non-existent then and there.

Soon after submission new gTLD actually noticed the string applied for, asked the applicant to reconfirm the string applied for (reconfirm the answer to question 13 a) by a communication through the CRM portal, in the process of taking the application on record. The applicant responded by repeating that the applied for string is “.IDN as an ascii string” and this reply was also received without further observations. Despite this specific attention to the applied for string during the process of submission, it was not pointed out that the applied for string 'will not be approved' and the application was retained without comments or further pointers.

There were no problems reported on the string applied for through the CRM or any other means and not even while the applicant was present for a week at the ICANN meeting that followed (Prague). The applicant informally heard from fellow members of the Community about a possible problem and chose to write proactively to draw the attention of new gTLD on this problem with a view to propose a solution.

Against this background the Change request was submitted on September 30, 2012.

New gTLD sent a letter explaining difficulties in allowing .IDN but acknowledged the Change Request on November 1 as a request to be processed.

The decision on the Change Request was communicated after about five months from the date

of request.

Immediately thereafter Nameshop filed its appeal to the Chair, CEO and COO by email on February 27, 2013, which was forwarded to the Chair and some Board Members of the new gTLD program as also to the Chair of the At Large Advisory Committee.

The change request is in order, and the requested new string .Internet meaningfully fits the overall mission of this application, it is not a geographical string, it is not a reserved or prohibited string, it is not a contended string, so fully qualifies to be approved as the new string, the same way a few other change requests might have been approved.

The decision communicated on the nameshop string change request is arbitrary, discriminatory and surprisingly prejudicial to ICANN's high standards of Governance and Nameshop requests this unexplained decision reconsidered without time delays, and to allow the application to progress in tune with the priority of 150 awarded.

(List of documents attached include copies of these email messages, copies of earlier communication in follow up of the Change Request, Change Request and related commitments)

3. 2. Request to reconsider the SARP panel decision:

Nameshop has sought applicant support as an applicant from a developing economy with a need for financial support as enshrined in the new gTLD program. The decision communicated seeks to deny the request despite the qualification and merits. Nameshop requests the SARP panel decision reconsidered without time delays, to allow the application to progress in tune with the priority of 150 awarded.

(List of documents attached include private and public portion of the application for financial support)

4. Date of action/inaction:

4. 1. Request to reconsider the Change request decision:

Board / Staff inaction on the Change Request pertains to inaction on the appeal to the Chair, CEO and COO by email on February 27,2013, which was forwarded to the Chair and Members of the new gTLD program as also to the Chair of the At-Large Advisory Committee.

4. 2. Request to reconsider the SARP panel decision:

Staff action / inaction and Board inaction on the decision of SARP panel pertains to the SARP panel decision notified by a message and file attachment at the CRM portal on March 13, 2013.

5. On what date did you become aware of the action or that action would not be taken?

5. 1. Request to reconsider the Change request decision:

The Chair and CEO of ICANN have not so far acknowledged the message of appeal against the decision on the Change Request, while the Chair of the new gTLD program has acknowledged the communication and conveyed that the matter would be “appropriately handled by ICANN staff”. On this issue it is not assumed that 'action would not be taken' but the indicative delay in the light of previous delays on this matter is sufficient to prompt this applicant to submit this request for reconsideration.

5. 2. Request to reconsider the SARP panel decision:

The SARP panel decision was conveyed on March 13, this appeal is filed because this request for reconsideration is required for further action.

6. Describe how you believe you are materially affected by the action or inaction

6. 1. Request to reconsider the Change request decision:

The applicant applied to change the string to .internet, which is not a geographical name, not a prohibited or reserved string and not a contended string. The string is relevant and descriptive of the mission as explained. The request is in order, but the decision is to arbitrarily decline the request without assigning reasons. So Nameshop appealed to the Chair and CEO of ICANN with copies of the communications to the Chair of the new gTLD program and some Board members of the new gTLD program.

Inaction on the appeal against the string change decision harmfully blocks and delays the processing of this application in tune with the application's priority queued 150 and causes risks of delays in introducing the applied for string together with the delegation of the first batch of new gTLD internationalized domain names.

Any time delay would materially affect the prospects and cause considerably significant substantial material harm to this applicant. As expressed, the application is based a meaningful business concept, a TLD 'position' (a term from the Marketing terminology) of appeal to all

International Domain Name registrants, the requested string is a memorable, appealing string with the good fortune of being uncontested - .Internet – which is purposeful besides being commercially valuable.

6. 2. Request to reconsider the SARP panel decision:

The applicant as a needy applicant from a Developing economy qualifies for applicant support for this application with all merits. The SARP panel decision denies the opportunity for this needy applicant to have the necessary initial help as envisioned for the benefit of needy applicants from Developing economies.

As stated in 6.1 above, the time delays caused by the SARP panel decision causes material harm of the same intensity as in the Change request issue.

7. Describe how others may be adversely affected by the action or inaction, if you believe that this is a concern.

7. 1. Request to reconsider the Change request decision:

--- An error in judgment in evaluation of the Change request and any unfair discrimination, if allowed to happen, would establish a precedent of arbitrariness within the ICANN Board which would result in a precedent of deviation from the ICANN governance standards, which would be widely harmful to other applicants, community, participants and users.

7. 2. Request to reconsider the SARP panel decision:

--- An arbitrary decision on the financial support would deny opportunities to smaller applicants from Developing Countries and would restrict business opportunities in DNS to the usual or very large corporations.

8. If you are complaining of an action, are you seeking a temporary stay of the action?

Yes

No The applicant is seeking corrective and positive action on the Change Request and the request for applicant support.

8a. If Yes, you are seeking a temporary stay, do you believe any harm(s) will occur if the action is not stayed?

Not Applicable as the applicant is seeking immediate corrective action rather than a stay.

8b. If you answered Yes to 8.a., please describe the harm(s) that you believe will occur if the action is not stayed:

--- Not Applicable as explained in 8a.

9. Detail of Board or Staff Action – Required Information

9. 1. Request to reconsider the Change request decision:

1. The following facts were presented to Staff (and in communication to some members of the Board)

The Change request was prompted by the ruling that the applied for string .IDN can not be allowed on the representation by the applicant to allow the string applied for. This early representation included the following facts, known to Staff and the Board members of the new gTLD program since July 11 / 18, 2012:

While Internationalized Domain Names enable users to connect within their language communities locally, the proposed gTLD would connect users from different communities to connect globally. This gTLD would be of help in furthering the Internet Community's efforts to preserve the Internet as a unified, Global space, as one Internet.

The string originally applied for was .IDN.

The Applicant Guidebook, under section 'Policy Requirements for Generic Top Level Domains' III 3.1 states that "Applied-for gTLD strings in ASCII must be composed of three or more visually distinct characters. Two- character ASCII strings are not permitted, to avoid conflicting with current and future country codes based on the ISO 3166-1 standard." In this section, III.3.1. on what is not permitted, there is no mention of alpha 3 country codes, while this section unambiguously reserves two character ISO standard country codes.

Under the section on 'Geographic Names Review', 2.2.1.4 the guide book states that strings that are country or territory names will not be approved. Here, what is stated as "will not be approved" includes 2.2.1.4.1.i alpha-3 code listed in the ISO 3166-1 standard.

As an applicant applying for a generic ASCII string, that is not a Geographic String or Country Code for country level operations, the title "Geographic Names Review" appeared to be that of a section offering guidelines pertinent only to the applications for geographic names (strings), so the caution on alpha3 ISO codes was completely missed [by this applicant]

As shown above there was a definite ambiguity in the Applicant Guidebook.

[In addition there was a complete absence of electronic safeguards within the form to refuse prohibited/reserved strings *during* the process of filling up the e-form or by what might be called 'window oversight systems' (manual) not-to-accept an application if the string is 'prohibited' or 'reserved' or 'will not be approved' as in the case of .IDN.

The applicant submitted the application for the original string .IDN which was accepted, the application was not 'returned-across-the-counter' in time for the applicant to become aware of the inadvertent omission as also to make the necessary correction, which the applicant would have made possibly swiftly almost across-the-counter without time delays, in which case the present issue would have been rendered non-existent then and there.]

Soon after submission new gTLD actually noticed the string applied for, asked the applicant to reconfirm the string applied for (reconfirm the answer to question 13 a) by a communication through the CRM portal, in the process of taking the application on record. The applicant responded by repeating that the applied for string is ".IDN as an ascii string" and this reply was also received without further observations.

Despite this specific attention to the applied for string during the process of submission, it was not pointed out that the applied for string 'will not be approved' and the application was retained without comments or further pointers.

There were no problems reported on the string applied for through the CRM or any other means and not even while the applicant was present for a week at the ICANN meeting that followed (Prague).

The applicant informally heard from fellow members of the Community about a possible problem and chose to write proactively to draw the attention of new gTLD on this problem with a view to propose a solution.

In his letter by email, the applicant assured that Nameshop as the applicant for .IDN has no intention of positioning this TLD in any manner as a country level TLD to cause any confusion whatsoever.

ICANN was also requested to take into account the fact that the string + idea + business model makes the application. Viewed together, .IDN is global, with a larger purpose and the idea as

conceived to be implemented by a fair business model would indeed add enormous value to ICANN's new gTLD program in the area of IDN implementation.

Against this background the Change request was submitted on September 30, 2012.

New gTLD explained sent a letter explaining difficulties in allowing .IDN but acknowledged the Change Request on November 1 as a request to be processed.

The above and following facts presented in the Change request and by email communication were known to Staff and the Board Members of the new gTLD program:

The proposed gTLD would connect users from different communities to connect globally. This gTLD would be of help in furthering the Internet Community's efforts to preserve the Internet as a unified, Global space.

The proposed TLD has a larger purpose and the idea as conceived to be implemented by a fair business model would indeed add enormous value to ICANN's new gTLD program in the area of IDN implementation.

The earlier request to the new gTLD team with a copy to the Acting CEO on July 18, was a request to ICANN: 1) To consider .IDN for delegation, if the above details would satisfy the ccNSO and the GAC. 2). If there are difficulties, to allow the applicant to change the string to another string of three or more ASCII characters that is not reserved, not a country or territory name, uncontentious but represents the purpose of this TLD.

The applicant has also noticed objections in the comment process to ICANN allowing the applied for string on the grounds that it is an alpha 3 country code for Indonesia. In deference of these objections, despite the belief that the request (1) stated above is in order on the grounds stated earlier, the applicant [conveyed his] wishes to opt for request (2) stated above, that of changing the string applied for to " another string of three or more ASCII characters that is not reserved, not a country or territory name, uncontentious but represents the purpose of this TLD"

Nameshop [conveyed the intention] to change the answer to question 13 a as "INTERNET" which suits the mission of connecting Internationalized Domain Name users to the Global Internet space.

The proposed change does not affect countries or geographic regions. The changed string confirms to the purpose of the application by nameshop, that of enabling IDN registrants to connect to the global Internet users from all other language communities.

The applicant had, in the Change Request on September 30, 2012, included Public Interest Commitments later formalized through the Public Interest Commitment process.

Among other commitments, Nameshop committed to

1. approach and invite three or more Internet Leaders of known commitment to Internet to be active and participative members of the Management Board to set directions for the management of the proposed TLD. This is to ensure that this string is managed responsibly, as benevolently as possible. They would seated [free of legal liabilities] together with other Management Board members with a focused Business perspective.
2. Nameshop would voluntarily set aside, year after year, one quarter of the Post Tax profits (or pre-tax profits if the Tax Laws allow a full tax exemption of contribution to such a cause) arising from registration of every .INTERNET domain name ... to be utilized for the good of the Internet, where possible ... with the flexibility to allocate and utilize funds for inadequately funded humanitarian causes- without any geographic discrimination - if sufficient funds for Internet causes are otherwise available.

The present constitution of the company as a Proprietary firm based in India allows room for formalizing these intentions with a new company structure, possibly by including a foundation created for this purpose as a shareholder or partner admitted to the benefits of business, free of liabilities.

The appeal addressed to Fadi Chehade, CEO of ICANN and to Dr Steve Crocker by email on February 27 included these facts and the following:

Nameshop (<http://nameshop.in> NOT nameshop.com which is misleading) , with the 'company' structure of a Proprietary firm in India, has applied for the string .IDN.

Though not filed as a Community TLD, it is a TLD with a larger Community purpose, as the idea and purpose of the proposed TLD is to offer a bridge for the Internationalized Domain Name Registrants to open up their Web spaces for users beyond their own language communities.

The string was applied for with the idea of a business plan to offer this domain extension to the registrants of various IDN domain names as an additional ASCII domain name that would point to their IDN space, which is otherwise a space with a domain name in a local script, not intelligible, hence out of reach for those outside their language space.

The original string applied for, .IDN was so applied for, with the larger purpose of building global Trust over IDN domains and making web spaces with Internationalized Domain Names accessible across their local scripts thereby contributing to the Internet Community's efforts to keep the Internet as One Internet as a global space.

The Change Request was filed to change the answer to question 13 (a) as "INTERNET" which suits the mission of connecting Internationalized Domain Name users to the Global Internet space and of contribution to the community's efforts to keep the Internet as One Internet.

The changed string is not reserved, not a country or territory name, uncontentious, represents the purpose of this TLD. The Change Request was in conformity with the criteria specified for allowing changes, as reproduced from the Change Request submitted on September 30, 2012:

1. Explanation – Is a reasonable explanation provided?

The Change Request explained the grounds, and has explained that the requested change is fair.

2. Evidence that original submission was in error – Are there indications to support an assertion that the change merely corrects an error?

. IDN is an alpha3 country code, but the Applicant Guide Book mentioned that alpha3 codes will not be approved only under a section titled 'Geographic Names Review' which appeared to be a section that was not pertinent to this string which is not a geographical name. So this error occurred. The applied for change is in order as it corrects the error in the choice of the string.

3. Other third parties affected – Does the change affect other third parties materially?

No other parties are affected, because .INTERNET is NOT a string applied for by any other applicant, the string is uncontested and it is not a Geographic name, so the requested change does not affect any other third party materially.

4. Precedents – Is the change similar to others that have already been approved? Could the change lead others to request similar changes that could affect third parties or result in undesirable effects on the program?

Nameshop is possibly the only applicant who in need of such an alpha3 code to be changed. Any other applicant who originally applied for alpha3 codes did not choose to apply for a change. As Nameshop is the only applicant making a request to change the alpha3 code to an alternate generic string that is not reserved. So there no other applicant in a similar situation under compulsion to change the string, so there would not be any undesirable effects on the program by allowing this alpha 3 code to be changed to .INTERNET. [Though the Applicant was not aware of other requests for Change of the applied for strings, it is likely that there were other requests for Change of String, which were processed and approved.]

5. Fairness to applicants – Would allowing the change be construed as fair to the general community? Would disallowing the change be construed as unfair?

The requested change is fair to the general community because Nameshop seeks to replace a string that would otherwise affect a country's privileges with a generic string that represents the purpose of the TLD application. The requested change is fair as it enables the implementation of

an ASCII TLD that would bridge IDN communities with other communities and contribute to the community's efforts to preserve the Internet as One Internet.

On the contrary, disallowing the change would indeed be construed as unfair, as it amounts to a breach of process of the change request process as also amounts to subjective judgement by the evaluation team, prejudicial to the overall ICANN process.

6. Materiality – Would the change affect the evaluation score or require re-evaluation of some or all of the application? Would the change affect string contention or community priority consideration?

The requested change does not materially affect the evaluation score or require a reevaluation of any other application. The changed string is uncontested and does not in any way affect community priority consideration.

7. Timing – Does the timing interfere with the evaluation process in some way?

This request for change was filed during September 2012, and it is still not late to allow this change and proceed in accordance with the priority drawn for this application - priority no 150.

The Change Request is conformity with the criteria specified as shown above. New gTLD has rejected the Request without due consideration of:

- a) the merits of the overall purpose of this application
- b) the gaps in the Applicant Guidebook that are to be attributed to the error of choice of an alpha 3 string
- c) the merits of the Change Request as a fair solution, and
- d) the conformity of the Change Request to the criteria specified for change.

[These are the reasons why Nameshop] appealed against this decision, for which reasons are not assigned.

Nameshop pointed out that this is an application under an applicant support request, an application from a Developing country and an application of value to the IDN program. The Chair and CEO were requested to reconsider this decision and allow this application to proceed in accordance with the priority of this application (No 150), also considering the fact that this string would serve its purpose better if delegated together with the early IDN strings.

Nameshop also reaffirmed it's commitments to implement this string responsibly, with community advice where possible, as also commit to utilize a significant portion of profits on larger causes as specified in the change request, to which effect Nameshop would be executing Public Interest Commitments separately [and so executed and published]

9. 2. Request to reconsider the SARP panel decision:

It is not explained as to why the SARP panel made this decision. The communication stated that the panel weighed the request against the stipulated criteria and appeared to convey that SARP determined that the applicant did not meet the minimum criteria which was listed under 1) Public Interest Benefit, 2) Financial Need and 3) Financial Capabilities that is seemingly contradictory with that of Criteria 2.

ICANN did not design a suitable application for Financial Support, which would probably have provided the required information about the need and capabilities of the applicant in the right perspective, but in the absence of a suitably designed application, SARP appears to have decided based on an inadequate understanding or misunderstanding of the applicant's need for financial support at this specific point of time.

ICANN did not require the applicant to make a strong and forceful argument for financial support, nor did it call for elaborate documentation to 'prove the merits and needs of the applicant. Possibly in view of the public exposure to the applicant in ICANN's multi-stakeholder process, ICANN, perhaps, chose to be gentle on the applicants in its requirement for information to support the request.

With this understanding it was expected that the merits and the need of the applicant would be thoroughly understood, not only based on the financial support section, but based on the entire application, by additional opinions, research on more information on the applicant as may be accessible and necessarily by additional questions to the applicant where the information available does not provide sufficient understanding. All this appears not to have happened.

The information contained in the private and public components of the application for financial assistance as attached was sufficient to demonstrate the need, qualification and the merits of the application. (The panel did not call for more information, did not call for any explanation on any information that it was not understood and did not raise any clarifying questions. If called for, the applicant would be in a position to pin point clarifications on perceived problem areas)

The following information could be gathered from various sections of the nameshop application:

1. Public Interest Benefit:

A) criteria: Community based project.

Though not designated as a Community based TLD, the proposed TLD results in significant benefits to the broader community of Internationalized Domain Name registrants of every script, and to all Global users who would like to access IDN spaces and to the IDN communities, as listed in the answer to Question 18b and more clearly narrated in the string change application

and in related email communication.

Criterion: Public Interest Benefit:

The proposed idea of offering an ASCII layer by way of a corresponding ASCII domain name to make an Internationalized Domain Name readable by users from other language communities, with the idea of bridging language communities which are otherwise confined within their web spaces, was with the larger purpose of contributing to the Internet Community's effort to preserve the Internet as One Internet while also contributing to smoothen IDN adoption. This is a visibly significant Public Interest benefit around which the very concept of the proposed TLD revolves.

Also, Months ahead of ICANN's call for Public Interest Commitments and the formalization of the Public Interest Commitments, Nameshop made public Interest Commitments on Sep 30, voluntarily offered to make these commitments legally binding and formally resubmitted the PICs with greater clarity.

criterion: Service in under-served language:

The TLD .internet would of service to the IDN TLDs that serve the under-served as well as widely spoken languages.

Criterion: Operation by local entrepreneur

The applicant is an entrepreneur based in India, the applicant 'company' is a Proprietary firm.

2. criteria: Financial Need

Criteria: Operational environment, Project Budget and Funding Sources and Outreach for support

Criterion: Operating environment:

The banking environment in India is not progressive enough to fund a new gTLD application in its application phase. The rare bank, if any willing, would require infeasible guarantees (no smaller than a revolving letter of credit good as cash with an ever green provision) and other options such as Private Equity did not fructify for start up.

criterion: project Budget and Funding Sources

Against the background of the banking environment as described above, and due to an overwhelmingly unfair banking challenge that the applicant had escalated to the highest banking authority as also to the Ministry of Finance in India in the past (

<http://duediligenceindia.blogspot.in/>) , even after the issue was fully settled five years ago, the sources of funding for this application were limited to funds from the applicant, some more funds from family, which were supplemented by a Business Associate in good faith. [\$15000 was initially brought in by the promoter, \$23,000 by way of a comfortable loan from a family member supplemented by a \$14,000 loan from the Business Associate which has been repaid already]

The investment strategy [due to these limitations] is conservative. The capital costs are kept at a minimal level with a strategy to purposefully avoid unnecessary pre-application infrastructure or publicity. The applicant company has its own office infrastructure for Nameshop as a domain reseller business which is operated together with InternetStudio, a web hosting business. This infrastructure is more than adequate at the applications stage.

Criterion: Outreach

Apart from the reasons of being conservative, this decision to be so was also from out of caution that the string applied for needed to be kept confidential to minimize the chances of contention. (Efforts to raise \$125,000 to fully fund the application without support required wider outreach with a need to disclose the string to be applied for to several investors and contacts, which created the risk of contention, which is not an unreal risk, which would have inevitably multiplied the need for funds several fold instead of fulfilling the original need) With this caution, Namehsop has so far refrained from reaching out to potential investors and would take up that exercise later, for scaling up operations. (post application the situation with the string change request has caused delays in additional funding efforts)

3. Criteria: Financial Capabilities:

Criterion: Basic Financial Capabilities:

As shown above, Nameshop has the basic financial capabilities to come this far. AT THIS START UP PHASE, there are some limitations. The financial projections are shown to be based on conservative estimate of limited operations during the first 3 years, with an indication that the revenues are expected to grow more than proportionately after the first 3 years. Even with conservatively restricted estimates, the applicant has calculated that US \$ 18000 is required for continuity of operations and this amount is yet to be deposited this amount in an escrow account as specified, at the risk of 2 points in evaluation.

The applicant has clearly hinted, in the write up and workings in the financial section that "***The conservative projections presented are not to taken as a sign of short sightedness or lack of understanding of the potential for the TLD string applied for***" The applicant has considered such postive scenarios and with a view to be prepared for volumes of seveal million registrations, opted to work with Afilias even as a Start Up. The overall Registry Service functions are fully entrusted to Afilias, who as a Registry Service Provider has a scalable infrstructure to

handle technical requirements for us even in a scenario where the volumes exceed that of the existing TLDs with top registrations volumes.

Our contract with Afilius is such that any change in the level of registrations only affects the variable costs per domain paid to Afilius; there is no escalator clause that would result in this fee being greater than the agreed upon schedule. This fee structure has a minimum cost per financial transaction and this represents the entire fee paid to Afilius for handling all of the technical operations of the Registry including 4 of the 5 critical registry functions.

The applicant's business plan is to build up this TLD space as a global TLD, with alternate business models that require some discussions with the Registry Service Provider and potential associates. These discussions are to be taken up post-application and the applicant wishes to present the details at a later date.

The applicant is in a position to consult with experts from the Domain Industry and from the ICANN Community to ensure that the business of this TLD is not only technically serviced well with significant increases in activity volumes, but also ensure that the activities are commercially ethical and conform to Internet Community values as the space expands. There would be significant change in the scale of operations post funding.

Previous Projects Executed: The applicant has a background in business, comes from a trading family, has graduated from a Business School in India. The applicant owned and managed Whitefield Cottons Private Limited, which as a Textile manufacturing company during 1997 - 2001 exported Textiles to the tune of \$ 1.5 million poised for greater results but a gap in progress occurred at this point of time due to the banking situation described earlier.

During the last three years, the applicant as an individual has given shape to a venture to design and manufacture mobile internet devices and posed to progress.

All this information has been provided and easily accessible by SARP.

It takes the peculiar rationale and pre-determination of a disinclined banker to misinterpret the information provided on financial need to question financial capabilities and to misinterpret the information provided on financial capabilities to question financial need. This raises questions as to whether the inclinations of ICANN were to look for reasons to offer support or to make all efforts to invent reasons not to.

10. What are you asking ICANN to do now?

10.1. Request to reconsider the Change request decision:

The applicant requests attention of the Chair, CEO and the members of the Board to the

circumstances and merits of the Change request, which is order. Swift corrective action is requested to allow the change, in time for this application to progress in tune with the awarded priority of number 150, and along with the first batch of IDN TLDs to be delegated to be of benefit to the Internationalized Domain Name registrants.

10.2 Request to reconsider the SARP panel decision:

The applicant requests attention of the Chair, CEO and the members of the Board to SARP panel decision, which is arbitrary, discriminatory and surprisingly prejudicial to ICANN's high standards of Governance. Swift corrective action is requested to allow the request for Applicant Support, in time for this application to progress in tune with the awarded priority of number 150, and along with the first batch of IDN TLDs to be delegated to be of benefit to the Internationalized Domain Name registrants.

11. What grounds or justification support your request?

11.1. Request to reconsider the Change request decision:

The change request arose from the circumstances of (a) a certain ambiguity in the applicant guide book concerning alpha 3 country names, and (b) a complete absence of electronic safeguards within the form to refuse prohibited/reserved strings *during* the process of filling up the e-form or by what might be called 'window oversight systems' (manual) not-to-accept an application if the string is 'prohibited' or 'reserved' or 'will not be approved' as in the case of .IDN. For months after submission there were no directives on the string originally applied for, so the applicant filed the Change request as a fair solution.

The change request is in order, and the requested new string .Internet meaningfully fits the overall mission of this application, it is not a geographical string, it is not a reserved or prohibited string, it is not a contended string, so fully qualifies to be approved as the new string, the same way a few other change requests might have been approved.

11.2 Request to reconsider the SARP panel decision:

The applicant as a needy applicant from a Developing economy qualifies for applicant support for this application with all merits. The SARP panel decision denies the opportunity for this needy applicant to have the necessary initial help as envisioned for the benefit of needy applicants from Developing economies.

The nameshop request for Applicant Support qualifies under all the three criteria specified, namely, 1) Public Interest Benefit, 2) Financial Need and 3) Financial Capabilities as elaborately

explained in Section 9.2.

12. Do you have any documents you want to provide to ICANN?

Relevant documents are attached.

Thank You.

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29 March 2013