March 31, 2015

Re: International Society for Music Education ("ISME") Support Letter for DotMusic's .MUSIC Community-Based Application (Application ID 1-1115-14110)

Dear ICANN and Economist Intelligence Unit ("EIU"),

Please accept the attached Letter of Support from the International Society of Music Education ("ISME") for DotMusic Limited and its .MUSIC community-based application with ID 1-1115-14110.[1]

We kindly request that the attached Letter of Support be considered by the EIU Panel as an <u>additional</u> attachment and Letter of Support to Question 20f of the DotMusic application during the .MUSIC Community Priority Evaluation ("CPE") process.

As per the ICANN CPE FAQ,[2] we electronically submit the attached Letter of Support and request that it is posted on the ICANN Correspondence page.

Respectfully Submitted,

Constantinos Roussos
Founder
DotMusic

Website: http://www.music.us
Email: costa@music.us

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[1] See https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails/1392
[2] See http://newgtlds.icann.org/en/applicants/cpe/faqs-10sep14-en.pdf, Pg. 5

ISME International Office, Suite 148, 45, Glenferrie Road, Malvern, VICTORIA 3144, Australia isme@isme.orgwww.isme.org

Dr. Steve Crocker, Chairman of the ICANN Board;
FadiChehadé, ICANN President & CEO;
AkramAttallah, ICANN President of Generic Domains Division;
Christine Willett, ICANN Vice-President of gTLD Operations;
CherineChalaby, ICANN Chair of the New gTLD Committee;
Thomas Schneider, ICANN Chair of Government Advisory Committee;
Cyrus Namazi, ICANN Vice-President of DNS Engagement; and
Constantinos Roussos, Founder of DotMusic

Support for DotMusic Limited's .MUSIC community-based Application ID 1-1115-14110[1]

Dear ICANN and Economist Intelligence Unit ("EIU"):

Our music organization, the International Society for Music Education[2] ("ISME"), supports the community-based DotMusic Application for .MUSIC to safeguard intellectual property and serve the legitimate interests of the entire global music community, regardless of size, locale or constituent type, which include commercial, non-commercial and amateur music stakeholders.

ISME was formed at a conference convened by the United Nations Educational, Scientific and Cultural Organization (UNESCO, a globally-recognised international organization with 195 country member states)[3] in 1953 "to stimulate music education as an integral part of general education." This has been ISME's main concern over the past decades and continues to be its most important source of motivation. In the years that followed its formation, ISME gradually evolved to what it is today, a worldwide organisation for music educators that seeks to celebrate the diverse ways that people engage with, and develop in and through, music. Since 1953, ISME represents an international, interdisciplinary, intercultural music community network striving to understand and promote music learning across the lifespan.[4]

ISME is a globally-recognized music organisation with a long history of activities serving the global music community. The ISME is affiliated to the International Music Council (with a music network covering 200 million music community members and over 1000 organisations in over 150 countries[5]) and UNESCO,[6] with presence in over 80 countries covering a network of millions of music community members.[7]The ISME, the "premiere international organisation for music education", "respects all musics and all culture" and believes that "every individual has a right to music education."[8] The list of ISME Affiliate Members and Group Members[9]includes

[1]https://gtldresult.icann.org/application-result/applicationstatus/applicationdetails:downloadapplication/1392?t:ac=1392
[2]http://www.isme.org
[3]http://en.unesco.org/countries/member-states
[4]http://www.isme.org/general-information/1-the-birth-of-isme
[5]http://www.imc-cim.org/about-imc-separator/who-we-are.html
[6]http://unesco.org/
[7]http://members.isme.org/
[8]http://www.isme.org/general-information/4-isme-facts
[9]http://www.isme.org/members/34-isme-inas-and-group-members/59-list-of-isme-national-affiliates-inas-and-group-members

music organisations such as the Society for Education, Music and Psychology Research[10] (SEMPRE), the International Society for Musical Studies,[11] NAMM[12] (the "international association of music products"), and Jeunesses Musicales International (JMI), the world's largest music youth organization covering over 5 million music community members aged 13-30.[13] The ISME is the worldwide network for:

- Early childhood music educators
- Elementary and primary school music educators
- High school and secondary music educators
- College and university music educators
- Music education researchers
- Music education students
- Music performance teachers
- Community musicians
- Music therapists and music medicine practitioners[14]

The International Society for Music Education (ISME) Mission believes that lived experiences of music, in all their many aspects, are a vital part of the life of all people. ISME's mission is to enhance those experiences by:

- building and maintaining a worldwide community of music educators characterized by mutual respect and support;
- fostering global intercultural understanding and cooperation among the world's music educators; and
- promoting music education for people of all ages in all relevant situations throughout the world.

To build and maintain a worldwide community of music educators the ISME affirms its Core Values that:

- there is a need for music education in all cultures;
- effective music education depends on suitably qualified teachers who are respected and compensated properly for their work;
- all teacher education curricula should provide skills in and understandings of a selection of both local and international musics;
- formal and informal music education programs should serve the individual needs of all learners, including those with special needs and exceptional competencies; and
- music education programs should take as a point of departure the existence of a wide variety of musics, all of which are worthy of understanding and study.

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[10] http://www.sempre.org.uk/
[11] http://www.ismstudies.eu/
[12] https://www.namm.org/about
[13] http://www.jmi.net/page.php?n=2&s=1
[14] http://www.isme.org/general-information/2-isme-networks-focus

With respect to international and intercultural understandings and cooperation, the ISME believes that:

- the richness and diversity of the world's music provides opportunities for intercultural learning and international understanding, co-operation and peace; and
- in music education everywhere, respect for all kinds of music should be emphasized.

In its promotion of music education worldwide, the ISME maintains that:

- access for all people to music learning opportunities and to participate actively in various aspects of music is essential for the wellbeing of the individual and Society;
- in teaching the musics of the world, the integrity of each music and its value criteria should be fully respected; and
- access to music, information about music, and opportunities to develop musical and related skills can occur in a range of ways, that are essential in satisfying peoples' diverse musical needs, interests, and capacities.[15]

The purpose of this letter is to confirm our support for DotMusic Limited[16] (commonly-known as ".MUSIC" with Community Application ID 1-1115-14110) to operate the .MUSIC community-based top-level domain under a global music community multi-stakeholder governance model with enhanced safeguards tailored to serving the interests of the global music community, including both commercial and non-commercial stakeholders.

DotMusic's community definition – a "strictly delineated and organized community of individuals, organizations and business, a logical alliance of communities of similar nature that relate to music"(See Application, 20a) – matches the applied-for string since it represents the entire global music community and allows all constituents, including both commercial and non-commercial stakeholders, to register a .MUSIC domain without any conflicts of interests, over-reaching or discrimination. The definition is similar to the Wikipedia's "Music Community" definition:

> *Music community is defined as a logical alliance of interdependent communities that are related to music, which include commercial participants…and non-commercial participants...UNESCO identifies the music community as a "community of identity", implying common identifiable characteristics and cohesive attributes such as sharing a music culture, norms and subscribing to common ideals related to music…The music community is not defined as much by demographic indicators such as race, gender, and income level, as it is by common values, cohesive norms and interconnected structures to build a community identity. It refers to music-related individuals and organizations in a shared environment with shared understandings and practices, modes of production and distribution. The shared organisation of collective musical activities, identity and community value is created as result of infrastructure and a shared set of common values…Many studies outline the historical, cultural, and spatial significance of the music*

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[15]http://www.isme.org/general-information/29-isme-vision-and-mission
[16]http://www.music.us

community, including how its identity is formed through musical practices. The music community shares a cohesive and interconnected structure of artistic expression, with diverse subcultures and socio-economic interactions between music creators, their value chain, distribution channel and fans subscribing to common ideals. Under such structured context music consumption becomes possible regardless whether the transaction is commercial and non-commercial.[17]

DotMusic is the only .MUSIC application which incorporates music-tailored Enhanced Safeguards and Registration Policies aligned with its community-based purpose, such as:

- Its multi-stakeholder governance structure of fair representation under the .MUSIC Advisory Committee that includes all music constituents represented by the string;
- Restricting "Eligibility" to verified members of the global Music Community, including members of recognized DotMusic .MUSIC-Accredited Music Community Member Organizations (MCMOs);
- Validating members by mandating two-step email and phone authentication of all Community members;
- Cross-checking all domain registrations with the .MUSIC Globally Protected Marks List ("GPML") that supersedes any registration phase and protects the names of famous music artists, brands and companies. The GPML also blocks the registration of known music pirate names e.g. "PirateBay";
- Launching in phases that provide a fair, responsible and non-discriminatory allocation of domains to eliminate cybersquatting of famous music brands and to ensure all music-related rights holders can claim their domains. Phases include (i) Sunrise, reserved for rights holders with music-related trademarks; (ii) the MCMO domain allocation phase, reserved for members of DotMusic-accredited .MUSIC Community Member Organizations (MCMOs); and (iii) Landrush. To ensure fairness, no conflicts of interest and non-discrimination, all multiple applications for the same domain will be decided upon via a mini-auction after each phase. After all phases are completed, domains will be available for all global music Community members (including non-MCMO members) on a first-come first-serve basis under General Availability. All members must identify the music community they belong to and also verify themselves via a two-step phone and email authentication;
- Mandating "Name Selection" naming conditions to prevent cybersquatting and abusing music-related names by restricting registrants to registration of domains under their name, acronym, "doing business as (D.B.A)," description or mission;
- Restricting "Content and Use" of .MUSIC domains to only music-related legal content and limiting usage on .MUSIC domains to only music-related legitimate activities. Such activities include only allowing music content that is owned, licensed, or otherwise have rights to. Other "Content and Use" restrictions include prohibiting parking pages and the registration of a domain containing an established music brand's name in bad faith that might be deemed confusing to Internet users and the Music Community;

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[17] Music Community. In *Wikipedia*. Retrieved February 2, 2015, from https://en.wikipedia.org/wiki/Music_community

- Incorporating both proactive and reactive "Enforcement" measures. Proactive measures are taken at the time of registration. Reactive measures are addressed via compliance and enforcement mechanisms and through dispute processes. These include a comprehensive list of investigation procedures, random checks and circumstances in which DotMusic can suspend domain names if its Registration Policies and Enhanced Safeguards are violated, such as music copyright and trademark infringement;

- "Enforcement" includes appeals mechanisms which enhance accountability to the Community by providing registrants the opportunity to appeal any .MUSIC domain compliance matter. After notification of a compliance violation, registrants are given the opportunity to appeal and fix the compliance violation. DotMusic will provide registrants reasonable time to address the Registration Policy compliance matter. DotMusic has also incorporated all RIAA-recommended music-tailored intellectual property protection safeguards. These include provisions to stop domain hopping, takedown policies, authorizations, permanent blocks, privacy/proxy provisions, true name/address provisions and trusted sender complaint policies;

- Addressing allegations if domain is not used for legitimate music purposes or otherwise infringes on DotMusic's Registration Policies. "Enforcement" measures and appeals are provided under the provisions of the music-tailored .MUSIC Policy & Copyright Infringement Dispute Resolution Process ("MPCIDRP"), which includes specific appeals/reconsideration requests heard by the Registry and the "National Arbitration Forum," the DotMusic-approved independent, alternative Dispute Resolution Provider ("DRP").[18]

We agree that the .MUSIC string must serve the global music community and the global public interest by incorporating music-focused Enhanced Safeguards to serve the community under a .MUSIC community-based string governed by the global Music Community following a multi-stakeholder approach of fair representation of all types of global music constituents, including a rotating regional advisory board working in the best interests of the Music Community encompassing global-reaching commercial and non-commercial or amateur stakeholders.

Respectfully submitted,

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March 11, 2015

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[18] National Arbitration Forum ("NAF"), The .MUSIC Policy & Copyright Infringement Dispute Resolution Process ("MPCIDRP"), http://domains.adrforum.com/main.aspx?itemID=2195. Refer to the DotMusic MPCIDRP document at http://domains.adrforum.com/resource.aspx?id=2190 for more detail on appeals mechanisms