

ICANN
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094-2536
USA

22 October 2014

By email: didp@icann.org

Dear Madam,
Dear Sir,

**.GAY Community Priority Evaluation for Application ID 1-1713-23699
Request under ICANN's Documentary Information Disclosure Policy**

This request is submitted under ICANN's Documentary Information Disclosure Policy on behalf of dotgay LLC, one of the applicants for the .GAY gTLD (hereinafter referred to as "Requester") in relation to ICANN's Community Priority Evaluation panel's ("CPE Panel") determination that Requester's application for the .GAY gTLD (Application ID: 1-1713-23699; hereinafter referred to as the "Application") did not prevail in Community Priority Evaluation according to the Community Priority Evaluation report available at <https://www.icann.org/sites/default/files/tlds/gay/gay-cpe-1-1713-23699-en.pdf> (hereinafter: the "Determination").

Context

Reference is made to the Community Evaluation Report that has been released by ICANN and published on the ICANN website as referred to above, and ICANN's decision to change the Contention Resolution Status of the Application to "Active" and the Contention Resolution Result to "In Contention".

According to the Determination: *"[t]he Community Priority Evaluation panel has determined that the application did not meet the requirements specified in the Applicant Guidebook",* hereby confirming that the application for the .GAY gTLD that has been submitted by Requester *"did not prevail in Community Priority Evaluation"*.

Considering the fact that, according to the processes and procedures set out in ICANN's Applicant Guidebook, this Determination would result in ICANN (i) not recognizing the community status of the Applicant and its Application, and (ii) putting the Application into a contention set with multiple other applicants for the .GAY gTLD, which impacts the Applications and the justified claims made by the Applicant in relation to the .GAY gTLD.

According to ICANN, *"ICANN's Documentary Information Disclosure Policy (DIDP) is intended to ensure that information contained in documents concerning ICANN's operational activities,*

and within ICANN's possession, custody, or control, is made available to the public unless there is a compelling reason for confidentiality.”¹

Requester therefore invokes ICANN's accountability mechanisms in order to understand on which information the CPE Panel and ICANN have relied in developing the Determination.

Request

In view of transparency of ICANN's decision-making process, the Requester would like to obtain the following information from ICANN under the Documentary Information Disclosure Policy:

- 1) the agreement(s) between ICANN and the organizations and individuals involved in the Community Priority Evaluation, in particular the representations and warranties given and quality standards to be applied by such organizations and individuals;
- 2) the connection, experience level and qualification in regard to the targeted community of each of the members of the CPE Panel that were involved in reviewing the Requester's application and the preparation of the CPE Report;
- 3) policies, guidelines, directives, instructions or guidance given by ICANN relating to the Community Priority Evaluation process, including references to decisions by the ICANN Board that such guidelines, directives, instructions or guidance are to be considered “policy” under ICANN by-laws;
- 4) statements, documentation, third party input or similar information that is not in the public domain and which has been disclosed to the CPE Panel in connection with the Community Priority Evaluation of its Application;
- 5) internal reports, notes, meeting minutes drawn up by or on behalf of ICANN, the Community Priority Panels, and other individuals or organizations involved in the Community Priority Evaluation in relation to the Application;
- 6) detailed information in relation to (i) the information reviewed, (ii) criteria and standards used, (iii) arguments exchanged, (iv) information disregarded or considered irrelevant, and (v) scores given by the Community Priority Evaluation panel in view of the criteria set out in the Applicant Guidebook, and more in particular:

I. In relation to the criterion “Nexus”

According to the Determination:

“The Community Priority Evaluation panel determined that the application did not meet the criterion for Uniqueness as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook. The string does not identify or match the name of the community as defined in the application, nor is it a well-known short-form or abbreviation of the community. The application received a score of 0 out of 3 points under criterion 2-A: Nexus.”

¹ See <https://www.icann.org/resources/pages/didp-2012-02-25-en>.

A simple search on Wikipedia shows that the word “gay” is primarily used for referring to a “homosexual man”, but has been commonly adopted for all members of the LGBT (Lesbian, Gay, Bisexual and Transsexual) community, as well as in the names of organizations such as Parents, Families, and Friends of Lesbians and Gays (PFLAG) and Children of Lesbians and Gays Everywhere (COLAGE), both of which are also endorsing the Requester’s Application for the .GAY gTLD. A similar description has been adopted by the Oxford Dictionary, notwithstanding the CPE Panel’s reference to the narrow definition contained in the same publication.²

- a) which information, apart from the information contained in the application, has been used by the CPE Panel in order to determine that the word “gay” “does not identify or match the name of the community as defined in the application, nor is it a well-known short-form or abbreviation of the community”, notwithstanding the fact that public references to this “catch-all” or “umbrella” term made by reputable organizations prove otherwise;³ other than the Oxford dictionaries.
- b) whether the CPE Panel has considered that the Application clearly states that not only members of Authenticating Partners, the roles and responsibilities whereof are clearly outlined in the Application, but also candidate domain name registrants who have been found eligible by such Authenticating Partners without imposing membership obligations upon them, would be entitled to register domain names in the .GAY gTLD. Indeed, the Application clearly states that “dotgay LLC is also requiring community members to have registered with one of our Authenticating Partners, which clearly implies that they can register domain names through these Authentication Partners, and not that they must register *as a member* with such Partners;
- c) therefore, Requester would like to verify with ICANN and the CPE Panel whether it has understood from the Application that only registered members of such Authenticating Partners would be eligible to register domain names in the .GAY gTLD (who, at the time of submission of the Application, accounted for about 7 million members), notwithstanding the fact that the Application clearly states that all of the estimated 1.2% of the world’s population that is considered to be a “member of the .GAY community” would be able to register domain names in this extension when being considered eligible by one of the .GAY Authenticating Partners, functioning as some kind of certification or registration authority;
- d) which were the criteria and standards adopted and used by the CPE Panel and ICANN in order to determine that a size of 7 million members of Authentication Partners compared to an estimated number of 70 million eligible registrants would be considered “over-reaching”;
- e) whether, in considering that individuals who qualify as transgender, intersex or “allies” are not deemed to be members of the community as defined by the Application, whereas various national, international and supranational organizations such as Parents, Families, and Friends of Lesbians and Gays (PFLAG)

² See for instance <http://en.wikipedia.org/wiki/Gay>.

³ <http://en.wikipedia.org/wiki/Gay>;
<http://www.economist.com/blogs/johnson/2013/01/gender-and-sexual-orientation>;
<http://www.nytimes.com/2013/01/10/fashion/generation-lgbtqia.html?pagewanted=all&module=Search&mabReward=relbias%3Aw%2C%7B%22%22%3A%22RI%3A18%22%7D&r=0>;

and Children of Lesbians and Gays Everywhere (COLAGE), both of which are also endorsing the Requester's Application for the .GAY gTLD,⁴ are clearly being recognized as supporting the same causes and endorsing the same values as expressed by the "inner circle" of members of this community, especially since they are closely linked to the thematic remit the community has;⁵

- f) why, considering the fact that the CPE Panel has clearly struggled with the community definition contained in the Application, the CPE Panel or ICANN has not reached out to the Requester in the form of one or more Clarifying Questions. Indeed, during the Initial Evaluation process, ICANN has reached out to most, if not all applicants in order to provide additional or more detailed information. Given the fact that Requester has paid a sum exceeding USD 210.000 for submitting the application and participating to the Community Priority Evaluation, one would expect that as a minimum some outreach would have been performed by ICANN or the CPE Panel, rather than outright dismissing or unilaterally interpreting information provided in the Application *more than two years after such application has been submitted to ICANN*.

Therefore, Requester would like to know, although the CPE Panel and ICANN had the possibility to submit Clarifying Questions to the Applicant according to the process published at <http://newgtlds.icann.org/en/applicants/clarification-questions>, which have been the reasons, arguments, standards and criteria used by ICANN and the CPE Panel for not doing so in this particular case.

II. In relation to the criterion "Uniqueness":

The CPE Panel determined that *"the application did not meet the criterion for Uniqueness as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook as the string does not score a 2 or a 3 on Nexus."* For this reason, the CPE Panel has awarded a score of 0 out of 1 point under criterion 2-B: Uniqueness.

Requester would like to obtain further information from ICANN and the CPE Panel in relation to:

- whether the CPE Panel has reviewed, on the basis of the information contained in the application or through independent research, whether the word "gay" has another significant meaning to the public at large other than the concept put forward in the application;
- which have been the criteria and standards that have been adopted and used by the CPE Panel in order to assess the "significance" of the meaning of the term "gay" to the "public at large";
- whether, by referring to the definition contained in the Oxford Dictionary, the CPE Panel has also considered the description provided by the Oxford Dictionary, stating that *"Gay in its modern sense typically refers to men (lesbian being the standard term for homosexual women) but in some contexts it can be used of both men and women."*⁶

⁴ See for instance <http://en.wikipedia.org/wiki/Gay>.

⁵ Requester notes that the wording "thematic remit" is expressly being used in the CPE Guidelines, and more in particular on Page 7.

⁶ <http://www.oxforddictionaries.com/definition/english/gay>.

- which resources have been used in order to substantiate the Determination in this respect, and which information has been discarded by the CPE Panel.

III. In relation to the criterion “Community Endorsement”:

The Community Priority Evaluation panel determined that the Application “*partially met the criterion for Support specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as there was documented support from at least one group with relevance.*” – Determination, Page 7.

Requester would like to obtain further information concerning:

- which letters of endorsement and/or support have been considered by the CPE Panel in making its Determination;
- which criteria and/or standards have been used by the CPE Panel in order to determine which group is “of relevance” in relation to the organizations, companies and individuals that have provided letters of endorsement and/or support in relation to the Application;
- why, although the CPE Panel has recognized that Requester “possesses documented support from many groups with relevance”, only the support of “one group of relevance” has been taken into consideration by the CPE Panel;
- what were the criteria and standards that have been used by the Panel in making such distinction and coming to such determination, and in particular the reasons for not recognizing other internationally established groups and organizations;
- bearing in mind the previous question, why the CPE Panel has come to a different assessment in relation to the standing of ILGA expressed by the Expert Determination provided by the ICDR, which has been acknowledged and endorsed by ICANN in dismissing an official complaint lodged before the ICDR by Metroplex Republicans of Dallas, in which the Requester prevailed, and which have been the criteria and standards that have been used by the CPE Panel to come to a different conclusion apart from process-related considerations;⁷
- which scores or evaluations have been given to the organizations, companies and individuals that have provided letters of endorsement and/or support in relation to the Application against such criteria and/or standards for each of the organizations, companies and groups referred to in the Application, an overview whereof has been contained in **Annex 1** to this Request;
- if no particular additional criteria and/or standards have been utilized by the CPE Panel, apart from the ones published in the Applicant Guidebook and the Guidelines published by the CPE Panel, a detailed overview of the arguments that have been brought forward and have been adopted or acknowledged by the CPE Panel for not considering the letters of support and/or endorsement from other groups, organizations, companies and individuals;
- which independent research has been performed by the CPE Panel and how the results of such research have been taken into account by the CPE Panel in the

⁷ See ICDR Case No. EXP/390/ICANN/7, §13.

scoring they have applied. More in particular, Requester refers to the list of companies, groups and organizations contained in **Annex 1** to this Request, which accounted in total for more than 7 million members at the time of submitting Requester's application for the .GAY gTLD, and which number has increased significantly since then. Considering the wide endorsement obtained from various umbrella organizations, national and supranational groups, the Determination makes it clear that only one letter of endorsement from one group considered "relevant" by the CPE Panel has been taken into account.

IV. In relation to the criterion "Opposition":

According to the Determination, *"the Community Priority Evaluation Panel has determined that the application partially met the criterion for Opposition as specified in section 4.2.3 (Community Priority Evaluation Criteria) of the Applicant Guidebook, as the application did not receive any relevant opposition."* – Determination, page 8.

Notwithstanding the fact that the CPE Panel acknowledges that "the application did not receive any relevant opposition", only a partial score of 1 out of 2 points has been awarded. Requester therefore would like to obtain further information on why only a partial score has been given in this case.

Furthermore, notwithstanding the fact that the CPE Panel has acknowledged that "the application did not receive any relevant opposition", the CPE Panel refers to the fact that opposition to the application exists *"from a group of non-negligible size, coming from an organization within the communities explicitly addressed by the application, making it relevant"*.

Apart from noting that the Determination contains a clear and obvious contradiction, Requester requests the following information from ICANN:

- the name, address, and standing of the anonymous organization considered by the CPE Panel;
- an overview of the staff members, including their names, roles and responsibilities of such organization;
- the events and activities organized by such organization; and
- which standards and criteria have been used by the CPE Panel in order to determine that such activities had a "substantial" following;
- the approach taken in relation to the assessment of this "group of relevance", in particular in terms of standards and criteria that formed the basis of this assessment, and whether this assessment, criteria and standards were different from the ones utilized by the CPE Panel in determining that many of the organizations that supported the Requester's application have not be considered "of relevance";
- whether any of the information provided by the Requester to ICANN in relation to potential spurious or unsubstantiated claims made by certain organizations have been taken into account, and more in particular Requester's emails to ICANN and the CPE Panel and – in such event – the reasons for not taking such information

into account (see **Annex 2** for the emails sent by the Requester to ICANN and the CPE Panel).

Standards for Disclosure

Requester is of the opinion that none of the information requested by them meet any of the defined conditions for non-disclosure as set out in ICANN's Documentary Information Disclosure Policy:

- Information provided by or to a government or international organization, or any form of recitation of such information, in the expectation that the information will be kept confidential and/or would or likely would materially prejudice ICANN's relationship with that party.

Considering the nature and contents of Requester's requests, this standard is not met.

- Internal information that, if disclosed, would or would be likely to compromise the integrity of ICANN's deliberative and decision-making process by inhibiting the candid exchange of ideas and communications, including internal documents, memoranda, and other similar communications to or from ICANN Directors, ICANN Directors' Advisors, ICANN staff, ICANN consultants, ICANN contractors, and ICANN agents.

Considering the nature and contents of Requester's requests, this standard is not met. Since these requests are made in view of assessing Requester's respective positions and (legal) actions in relation to ICANN potentially awarding the .GAY gTLD to the Requester, and considering the impact such award may have upon Requester, it believes that it is essential for ICANN to provide supplemental information and motivations for its determination to give the Application a passing score in the context of Community Priority Evaluation.

- Information exchanged, prepared for, or derived from the deliberative and decision-making process between ICANN, its constituents, and/or other entities with which ICANN cooperates that, if disclosed, would or would be likely to compromise the integrity of the deliberative and decision-making process between and among ICANN, its constituents, and/or other entities with which ICANN cooperates by inhibiting the candid exchange of ideas and communications.

Considering the nature and contents of Requester's requests, this standard is not met. Since these requests are made in view of assessing Requester's respective positions and (legal) actions in relation to ICANN potentially awarding the .GAY gTLD to the REQUESTER, and considering the impact such award may have upon Requesters, they believe that it is essential for ICANN to provide supplemental information and motivations for its determination to give the Application a passing score in the context of Community Priority Evaluation.

- Personnel, medical, contractual, remuneration, and similar records relating to an individual's personal information, when the disclosure of such information would or likely would constitute an invasion of personal privacy, as well as proceedings of internal appeal mechanisms and investigations.

Requester believes that this condition does not apply in relation to this request.

- Information provided to ICANN by a party that, if disclosed, would or would be likely to materially prejudice the commercial interests, financial interests, and/or competitive position of such party or was provided to ICANN pursuant to a nondisclosure agreement or nondisclosure provision within an agreement.

Requester believes that this condition does not apply in relation to this request.

- Confidential business information and/or internal policies and procedures.

Requester believes that this condition does not apply in relation to this request.

- Information that, if disclosed, would or would be likely to endanger the life, health, or safety of any individual or materially prejudice the administration of justice.

Requester believes that this condition does not apply in relation to this request.

- Information subject to the attorney– client, attorney work product privilege, or any other applicable privilege, or disclosure of which might prejudice any internal, governmental, or legal investigation.

Requester believes that this condition does not apply in relation to this request.

- Drafts of all correspondence, reports, documents, agreements, contracts, emails, or any other forms of communication.

Requester believes that this condition does not apply in relation to this request. The Requester's requests relate to the information, final criteria, standards, arguments and considerations used in view of drafting a determination that lacks clarity and is insufficiently motivated.

- Information that relates in any way to the security and stability of the Internet, including the operation of the L Root or any changes, modifications, or additions to the root zone.

Requester believes that this condition does not apply in relation to this request.

- Trade secrets and commercial and financial information not publicly disclosed by ICANN.

Requester believes that this condition does not apply in relation to this request.

- Information requests: (i) which are not reasonable; (ii) which are excessive or overly burdensome; (iii) complying with which is not feasible; or (iv) are made with an abusive or vexatious purpose or by a vexatious or querulous individual.

As stated above, considering the impact of ICANN awarding the .GAY gTLD may have upon Requesters, they believe that it is essential for ICANN to provide supplemental information and motivations for its determination to give the Application a passing score in the context of Community Priority Evaluation.

ICANN's transparency obligations, created by ICANN's Bylaws and Articles of Incorporation require the publication of information related to the process, facts and analysis used by individual members of the Community Priority Evaluation panel in preparation of the Determination.

Bylaw Article III, Section 1 provides as follows:

"ICANN and its constituent bodies shall operate to the maximum extent feasible in an open and transparent manner and consistent with procedures designed to use fairness."

Furthermore, Requesters refer to ICANN's core mission and values, set out in their by-laws, and in particular, they intend to review the information provided and to be provided by ICANN following this request on the basis of the following values of ICANN:

7. Employing open and transparent policy development mechanisms that (i) promote well-informed decisions based on expert advice, and (ii) ensure that those entities most affected can assist in the policy development process.

8. Making decisions by applying documented policies neutrally and objectively, with integrity and fairness.

And

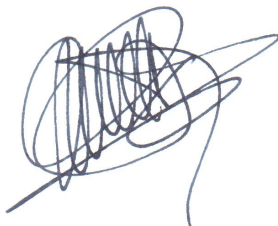
10. Remaining accountable to the Internet community through mechanisms that enhance ICANN's effectiveness.

Furthermore, Article 4 of ICANN's Articles of Incorporation provides:

"The Corporation shall operate for the benefit of the Internet community as a whole, carrying out its activities in conformity with relevant principles of international law and applicable international conventions and local law and, to the extent appropriate and consistent with these Articles and its Bylaws, through open and transparent processes that enable open competition and open entry in Internet-related markets. To this effect, the Corporation shall cooperate as appropriate with relevant international organizations."

Considering the potentially irreparable harm that will be done if ICANN would not take into account the position taken by the Requesters as legitimate competitors for the .GAY gTLD, we respectfully request ICANN to disclose the additional information, criteria, and standards set out above, which have formed the basis of the Determination.

Respectfully submitted,



Bart Lieben
Attorney-at-Law

ECOSOC MEMBERS	
ABGLT	BRAZIL
Coalition Gaie et Lesbienne du Quebec (CGLQ)	CANADA
COC Netherlands	NETHERLANDS
Homosexuelle Initiative Wien	AUSTRIA
ILGA-Europe	BELGIUM
International Gay and Lesbian Human Rights Commission	USA
International Lesbian, Gay, Bisexual, Trans and Intersex Assoc.	BELGIUM
LSVD	GERMANY
Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights	SWEDEN
The Federaci3n Estatal de Lesbianas, Gays, Transexuales y Bisexuales	SPAIN
ORGANIZATIONS	
Aibai	CHINA
Argentine LGBT Federation	ARGENTINA
Arus Pelangi	INDONESIA
Association of LGBT and their friends MOZAIKA	LATVIA
Associazione Radicale Certi Diritti	ITALY
Beijing Gender Health Education Institute	CHINA
BeLonG To	IRELAND
Blue Diamond Society	NEPAL
Broadway Cares/Equity Fights AIDS	USA
Cameroonian Foundation for AIDS	CAMEROON
Cavaria	BELGIUM
CenterLink	USA
Coalition Against Homophobia in Ghana	GHANA
COC-Haaglanden	NETHERLANDS
COLAGE	USA
Community Alliance and Action Network	USA
Comunidad Homosexual Argentina	ARGENTINA
Comunidad Homosexual de Nicaragua	NICARAGUA
Český PFLAG / RAPLG	CZECH REPUBLIC
Diamond Foundation	USA
DIVERLEX	VENEZUELA
East End Gay Organization (EEGO)	USA
Egale	CANADA
Equal India Alliance	INDIA
Equality Long Island (EQLI)	USA
FIATPAX	NICARAGUA
Gay Alliance Belarus	BELARUS
Gay & Lesbian Network	SOUTH AFRICA
Gay & Lesbian Victory Fund	USA
Gay Asian Pacific Alliance	USA
Gay Men of African Descent	USA
Gayten-LGBT	SERBIA
Gender Justice Nevada	USA
GLADT	GERMANY
Global Alliance for LGBT Education (GALE)	NETHERLANDS
Good Hope Metropolitan Community Church	SOUTH AFRICA
Grupo E-Jovem de Adolescentes Gays Lesbicas e Aliados (Brazilian LGBT Youth Network)	BRAZIL

Grupo Gay da Bahia	BRAZIL
Healing Our Spirit	CANADA
HOD Chile	CHILE
Human Rights Campaign	USA
i-Freedom Uganda	UGANDA
IDAHO	FRANCE
ILGA-Portugal	PORTUGAL
Iniciativa Inakost'	SLOVAKIA
International Gay & Lesbian Informationcentre and Archives (IHLIA)	NETHERLANDS
International Lesbian, Gay, Bisexual, Transgender and Queer Youth & Student Organization (IGLYO)	BELGIUM
KANHNHA	CAMBODIA
L'Autre Cercle	FRANCE
LEGIT-Toronto	CANADA
Lesbian & Gay Foundation	UNITED KINGDOM
LGBT Centre	MONGOLIA
LGBT Consortium	UNITED KINGDOM
LGBT Forum PROGRESS	MONTENEGRO
LGBT Technology Partners	USA
Lithuanian Gay League	LITHUANIA
Log Cabin Republicans	USA
Long Island Gay and Lesbian Youth (LIGALY)	USA
Long Island GLBT Community Center	USA
Matthew Shepard Foundation	USA
Micro Rainbow International	UNITED KINGDOM
Minority Women in Action	KENYA
MOVILH (Movimiento de integración y Liberación Homosexual)	CHILE
Mr Bear CZ	CZECH REPUBLIC
National Association of GLBT in Isreal	ISREAL
National Gay & Lesbian Task Force	USA
Nəfəs (Breath) LGBT Azerbaijan Alliance	AZERBAIJAN
OMBRES	GUATEMALA
Opus Gay Association	PORTUGAL
PFLAG Canada	CANADA
PFLAG South Africa	SOUTH AFRICA
Pink Cross	SWITZERLAND
PINK Embassy / LGBT Pro Albania	ALBANIA
Pride Foundation	USA
PROUD	CZECH REPUBLIC
Public Organization Informational-Educational Center "For Equal Rights"	UKRAINE
Queer Alliance Nigeria	NIGERIA
Rainbow Community Kampuchea (RoCK)	CAMBODIA
Rainbow Wellington	NEW ZEALAND
Samtökin '78	ICELAND
SASOD (Society Against Sexual Orientation Discrimination)	GUYANA
Services and Advocacy for GLBT Elders - Long Island (SAGE-LI)	USA
SOMOSGAY	PARAGUAY
Subversive Front	MACEDONIA
SunServe	USA
The Fund in the Sun Foundation	USA

The Grace	KYRGYZ
The National Center for Lesbian Rights	USA
The Osito Foundation	USA
The Trevor Project	USA
Trans-Fuzja Foundation	POLAND
Trans-Fuzia Slovakia	SLOVAKIA
Transgender Netwerk Nederland	NETHERLANDS
Turk Gay Club	TURKEY
United Belize Advocacy Movement, UniBAM	BELIZE
Venezuela Diversa Civil Association	VENEZUELA
WEZESHA	TANZANIA
BUSINESS	
Argentina Gay and Lesbian Chamber of Commerce	ARGENTINA
Beijing LGBT Center	CHINA
Boutique Marketing	UK
Brisbane Gay & Lesbian Business Network	AUSTRALIA
Canadian Gay & Lesbian Chamber of Commerce	CANADA
Capital Area Gay & Lesbian Chamber of Commerce	USA
Chambre de commerce gaie du Québec	CANADA
Columbian LGBT Chamber of Commerce	COLUMBIA
Community Marketing, Inc.	USA
Connecticut Alliance for Business Opportunities	USA
DiversMad	SPAIN
Diversity Consulting	SPAIN
DiverSpain	SPAIN
Durban Lesbian & Gay Community & Health Centre	SOUTH AFRICA
egma	SWITZERLAND
Fire Brigades Union	UNITED KINGDOM
Gay Business Assocation	UNITED KINGDOM
GayHills	USA
Gay History Centre Cologne	GERMANY
Gay LGBT Center	ITALY
Greater Fort Lauderdale Gay & Lesbian Chamber of Commerce	USA
Greater Seattle Business Association	USA
Immigration Link	CANADA
Indy Rainbow Chamber	USA
L.A. Gay & Lesbian Center	USA
National Association of Gay & Lesbian Real Estate Professionals	USA
National Gay & Lesbian Chamber of Commerce	USA
National Gay & Lesbian Chamber of Commerce NY	USA
Neil Cerbone Associates	USA
Network	SWITZERLAND
New Era Consulting	SPAIN
North Dakota State University	USA
Ontario Gay & Lesbian Chamber of Commerce	CANADA
Out & Equal Workplace Advocates	USA
OutServe	USA
Parks - Liberi e Uguali	ITALY
Pride Center of the Capital Region	USA

Q-Factor	DENMARK
Queer Business Women	AUSTRIA
Rainbow Link	CANADA
Rainbow Serenity	USA
StartOut	USA
Staten Island LGBT Community Center	USA
Stockholm Gay & Lesbian Network	SWEDEN
Sydney Gay & Lesbian Business Association	AUSTRALIA
The Center	USA
The Center	USA
The DC Center	USA
WyberNet	SWITZERLAND
MEDIA	
Queer Public Radio	USA
CM by Carlos Melia	USA
Compete Sports Media	USA
Connexions Magazine	USA
Curve Magazine	USA
Damron	USA
DNA Magazine	AUSTRALIA
DoubleC	BRAZIL
Echelon Magazine	USA
EDGE Publications	USA
ELEMENT Magazine	SINGAPORE
Fun Maps	USA
The Gay & Lesbian Alliance Against Defamation	USA
GayAshevilleNc	USA
Gay List Daily	USA
Gay Japan News	JAPAN
Gay Star News	UNITED KINGDOM
Gloss Magazine	USA
IAmGay Networks	SOUTH AFRICA
In The Life Media	USA
Instinct Magazine	USA
National Gay Media Association	USA
OUT in Thailand	THAILAND
Out There Magazine	UNITED KINGDOM
out! northeast	UNITED KINGDOM
OUTlooks Magazine	CANADA
Passport Magazine	USA
Pink Banana Media	USA
Q Magazine	AUSTRALIA
QX Publishing	SWEDEN
SentidoG	ARGENTINA
The Rainbow Times	USA
Winq Magazine	NETHERLANDS
TRAVEL & ENTERTAINMENT	
14 Stories	USA
ABRAT GLS	BRAZIL

Alpenglow Productions (Gay Whistler's WinterPRIDE)	CANADA
Atlanta Pride Committee	USA
Arosa Gay Skiweek	SWITZERLAND
Axel Hotels	SPAIN
Blue Ridge Pride	USA
Boston Pride	USA
BUEGay Argentina	ARGENTINA
Brussels Gay Sports	BELGIUM
Cabbagetown Group Softball League	CANADA
Come Out With Pride	USA
Durban Gay & Lesbian Film Festival	SOUTH AFRICA
European Gay Lesbian Sport Federation	NETHERLANDS
Excellent-Journey Bhutan	BHUTAN
Exclusively Pride	UNITED KINGDOM
Federation of Gay Games	FRANCE
GALA Choruses	USA
Gay and Lesbian International Sport Association	CANADA
Gay Days, Inc.	USA
Gay European Tourism Association	FRANCE
Gay Tours Mexico by MMT	MEXICO
Gay Travel Exchange	USA
Heritage of Pride	USA
Imperial Court	USA
IndigNation: Singapore Pride Season	SINGAPORE
International Gay & Lesbian Travel Association	USA
InterPride	USA
KwaZulu-Natal Gay & Lesbian Tourism Association	SOUTH AFRICA
Llamala H	URUGUAY
Mark Nelson Enterprises	USA
mygaytrip.com	FRANCE
mygayxperience.com	GREECE
Netherlands Board of Tourism & Conventions	NETHERLANDS
OUT Adventures	CANADA
Out On The Water Sailing	USA
OutFest	USA
Philly Pride	USA
Pixado-Base	SPAIN
Prague4Gay	CZECH REPUBLIC
Prague Pride	CZECH REPUBLIC
PRANA Tourism	ARGENTINA
QueerANarchive	CROATIA
QueerTrip.com	USA
Queer Sport Split	CROATIA
Rainbow High Vacations	CANADA
Reel Affirmations	USA
Sao Paulo Turismo	BRAZIL
SGRainbow	SINGAPORE
Story Center Productions	USA
Tagum City Gay Association	PHILLIPINES

TLVFest	ISREAL
TOURGUIDEPERU	PERU
Travel Gay Canada	CANADA
Twin Cities Pride	USA
VisitSweden	SWEDEN
World Outgames 2013 - Antwerp	BELGIUM

Scott Seitz

Subject: FW: ICANN - Concerns letter [ref:_00Dd0huNE._500d0H5JQq:ref]

From: noreply@salesforce.com [mailto:noreply@salesforce.com] **On Behalf Of** New gTLD Customer Support

Sent: Tuesday, May 13, 2014 7:14 PM

To: Scott Seitz

Subject: RE: ICANN - Concerns letter [ref:_00Dd0huNE._500d0H5JQq:ref]

Dear Mr. Scott Seitz:

Thank you for contacting New gTLD Customer Service. We confirm receipt of the five attachments listed in your email, and we take note of your request that we publish these documents to the New gTLD and ICANN correspondence pages.

However, we cannot publish your documents as submitted. Prior to posting any item on the ICANN correspondence page, ICANN reviews the item for compliance with ICANN's policies and practices. Upon review of your submitted materials, ICANN is unable to post portions of your submission. For example, the submission of materials relating to third parties, particularly in driver's license information and banking information, among other things, are items that ICANN would not make public under its Documentary Information Disclosure Policy (specifying non disclosure of "[p]ersonnel, medical, contractual remuneration, and similar records relating to an individual's personal information, when the disclosure of such information would or likely would constitute an invasion of personal privacy . . ."). In fact, ICANN would likely not post this information even if it were received directly from the affected person. For more information on ICANN's Documentary Information Disclosure Policy, see (<http://www.icann.org/en/about/transparency/didp>).

Your documents also include matters of opinion that could be construed as "unsubstantiated claims, libelous accusations, or accusations of conspiracy." These are grounds that ICANN reserves for removal of comments (<http://blog.icann.org/comment-policy/>), therefore publication of the same on the ICANN correspondence page is inappropriate. Additionally, these are not in conformity with ICANN's Expected Standards of Behavior (<http://www.icann.org/en/news/in-focus/accountability/expected-standards>).

For more information on ICANN's Documentary Information Disclosure Policy, see (<http://www.icann.org/en/about/transparency/didp>). If you wish for this information to be published to the correspondence page, please resubmit it while taking the limitations described above into account.

Thank you for your cooperation.

Regards,

New gTLD Customer Service

----- Original Message -----

From: Scott Seitz [sseitz@spimarketing.com]

Sent: 5/7/2014 10:35 PM

To: newgtld@icann.org

Cc: jamie@dotgay.com; sseitz@spimarketing.com

Subject: RE: ICANN - Concerns letter

Subject: CPE actions by standard applicants letter (App ID# 1-1713-23699)

Dear ICANN,

I would like to submit the following letter to be included in the community evaluation of dotgay LLC's application for .GAY (App ID# 1-1713-23699). I request that you post this paper on the correspondence page so that it is delivered to the CPE evaluator. Please confirm receipt of the attachments.

1. copy of the email that Merriam sent out [joe my god]
2. copy of the wire transfer [metroplex payment bank form]
3. copy of the d and b info on the business ownership [pasted in the body of letter dotgay llc]
4. proof that peter and the girl own the house together. [property valuation]
5. outline of connections to top level design and the objection payment [metorplex money trail]

Thanks

Scott

Scott R. Seitz

SPI Marketing / dotgay LLC
307 Seventh Avenue, Suite 1807
New York, NY 10001

sseitz@spimarketing

212-760-1400 x 1 business

www.spimarketing.com

www.dotgay.com