

Mr Jamie Hedlund

Email: comments-gac-safeguard-advice-23apr13@icann.org

14 May 2013

Dear Mr Hedlund

NEW GTLD BOARD COMMITTEE CONSIDERATION OF GAC SAFEGUARD ADVICE

The Insurance Council of Australia (Insurance Council) welcomes the opportunity to comment on how ICANN's New gTLD Board Committee should address the Government Advisory Committee (GAC) advice regarding safeguards applicable to broad categories of new gTLD strings, as outlined in the GAC Beijing Communiqué.

The Insurance Council of Australia is the representative body of the general insurance industry in Australia. Our members represent more than 90 percent of total premium income written by private sector general insurers. December 2012 Australian Prudential Regulation Authority statistics show that the private sector insurance industry generates gross written premium of \$38.7 billion per annum and has total assets of \$115.8 billion.

Insurance Council members provide insurance products ranging from those usually purchased by individuals (such as home and contents insurance, travel insurance, motor vehicle insurance) to those purchased by small businesses and larger organisations (such as product and public liability insurance, professional indemnity insurance, commercial property, and directors and officers insurance).

The Insurance Council recognises the importance of gTLD names and broadly supports the appropriate expansion of gTLDs to encourage competition and provide choice to consumers. However, as the peak industry body for general insurers in Australia, we have concerns that the inappropriate registering of some sensitive gTLDs could harm the public interest and lead to our members being put at an unfair competitive advantage.

The Insurance Council therefore strongly supports the safeguards recommended by the GAC to all new gTLDs, especially the process and verification requirements for new registries and registrants. We endorse the proposed safeguards in both Category 1 and Category 2. In particular, the Insurance Council of Australia considers it is essential for the avoidance of consumer confusion and anti-competitive behaviour that:

- the registration restrictions of certain gTLD domain name spaces be appropriate for the type of risks associated with the TLD; and
- for strings representing generic terms, exclusive registry access should support the goal of public interest.

In order for implementation of the safeguards recommended by the GAC to be effective, the Insurance Council submits that ICANN should bind new gTLD operators contractually to enforce compliance with the safeguards.

However, the Insurance Council considers that the risk of harm being done to the public interest means that some strings should not be permitted as new gTLDs no matter the level of safeguards applied. We have particular issues with the need for a registry body to

appropriately manage industry views, have the required stability and longevity, while also operating fairly and transparently when allocating second level domain names. We also consider that inequity exists where a registry may limit applications within particular jurisdictions.

Consequently, the Insurance Council considers that the following strings should be declined due the risk of potential inappropriate domain allocation:

- .insurance
- .autoinsurance
- .carinsurance
- .insure and
- .travelersinsurance

If you require further information in relation to this submission, please contact the Insurance Council's Regulation Directorate on info@insurancecouncil.com.au.

Yours sincerely



Robert Whelan
Executive Director & CEO