



Ms. Heather Dryden
Chair
Governmental Advisory Committee

8 May 2014

By email

Reference: Preferential Treatment for gTLD Applications with Demonstrable Community Support

Dear Ms Dryden,

The Fédération Internationale de Basketball (FIBA), applicant for .BASKETBALL, welcomes the GAC's Advice and continuing concern for community-based applicants enumerated in Section IV(3) of the Singapore Communiqué (March 27, 2014). Most importantly, the GAC recognized the importance of prioritizing applications that have demonstrable community support. Unfortunately, fundamental inconsistencies in the recent community objection process for sporting TLDs, highlight an immediate need for the ICANN Board to act on this Advice. As .BASKETBALL is slated for ICANN auction this August, FIBA respectfully requests that you share this concern with the entire GAC membership and urge the ICANN Board to act in a manner consistent with this Advice.

By way of background, FIBA is the world governing body for the sport of basketball, formed by 213 national federations throughout the world. Its mission is to develop and promote the game of basketball as well as unite the global basketball community. FIBA's international prominence and vested interest in promoting the sport of basketball led us to apply for the .BASKETBALL gTLD. As the global representative for the sport of basketball, we are the only applicant vested with the representation of the entire basketball community. Moreover, the global basketball community agrees and has repeatedly voiced its support on multiple fronts throughout this new gTLD process (i.e. public comments to ICANN, letters to GAC members).

Last March, in accordance with the provisions of ICANN's Applicant Guidebook, FIBA filed a Community Objection against both of its "portfolio applicant" competitors. As part of that filing, FIBA included numerous letters of support from the global basketball community (including the NBA and several international member federations), demonstrating the global community's preference for FIBA to be the trusted steward of the .BASKETBALL string. Those supporters also expressed significant concern and objection to entrusting the competing applicants (with no affiliation to basketball) with the development and growth of this new domain space.

Tel: +41 22 545 00 00
Fax: +41 22 545 00 99

FIBA - International Basketball Federation
5, Route Suisse, PO Box 29
1295 Mies
Switzerland
fiba.com

At the same time, the International Rugby Board (IRB), the world governing body and applicant for .RUGBY also filed a community objection against its competitors, who were the same two portfolio applicants challenging FIBA for .BASKETBALL. In their respective filings, both FIBA and the IRB (1) advanced almost (if not) identical arguments against their competitors and (2) submitted similar letters of global community support from their federation members. Moreover, the Fédération Internationale de Ski (FIS), the world governing body for ski sport filed a community objection against its competitor (one of the same portfolio applicants challenging .RUGBY and .BASKETBALL) advancing similar arguments and also providing letters of support from its federation members. Unfortunately, the results of these respective objections were glaringly different. While FIS and the IRB were successful and now moving through ICANN's delegation process, FIBA was not. FIBA is now left to face those "portfolio" applicants in an auction proceeding, sure to cost millions of dollars, in an effort to secure stewardship of .BASKETBALL.

FIBA is extremely concerned about the blatant inconsistencies within the objection process, particularly as it relates to communities trying to protect the stewardship of their strings. FIBA, the IRB and FIS, as world governing sporting bodies, are the trusted representatives of their sporting communities. Allowing differing outcomes for these similarly situated applicants, threatens the integrity of the new gTLD process. More importantly, it diminishes the importance of the communities' opinions and dissuades current and future world governing bodies from seeking expansion in the new gTLD arena.

FIBA appreciates the GAC's support through the issuance of Early Warnings (via the UK and Greek GAC members) to the continued Advice for applicants with demonstrable community support. Given the developments of late, we respectfully request that the GAC encourage the ICANN Board to act on the GAC's Advice to ensure transparency and consistency throughout this new gTLD process.

We thank you for your continued support and consideration.

Respectfully submitted,



Patrick Baumann
Secretary General
Fédération Internationale de Basketball