



Ref. : CIE/L/20/332.12

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Ms. Heather Dryden  
Chair: Government Advisory Committee (GAC)  
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Subject : Request to Initiate a GAC Early Warning Notice: .dotAfrica gTLD Application

Dear Ms. Dryden,

We refer to the application lodged by dotConnectAfrica Trust ('DCA') for the .dotAfrica gTLD (Ref# 1-1165-42560) and wish to place on record our objection and disapproval of this application on the basis that it:

- Fails to meet the minimum requirements prescribed by ICANN in the gTLD Applicant Guidebook concerning geographic names;
- Is confusingly similar to the dotAfrica (.Africa) application officially endorsed by the African Union Commission (AUC) (Ref # 1-1234-89583);

**1. DCA's Application lacks the requisite Government Support**

- a. Paragraph 2.2.1.4.2 (section 2-16) of the Applicants' Guidebook prescribes that certain applied-for-strings may qualify as "Geographic Names" and must therefore be accompanied by documentation of support or non-objection from the relevant governments or public authorities. In particular, the guidebook requires at least 60% of the relevant national governments in a region to provide documentation in support of new applications for geographic strings and there must be no more than one written statement of objection.

- b. Africa is a clearly designated geographic region as defined in the UNESCO "Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings" list. In this regard the designation of the official AUC endorsed dotAfrica (.Africa) TLD string application as a geographic name is therefore technically and procedurally correct. The AUC is confident that the "geographic evaluation process" that this application is subject to provide sufficient checks and balances for the protection of interests and rights of African governments and the pan-African community.
- c. The issue as to whether DCA's application for the .dotAfrica string (1-1165-42560) will constitute a geographic name as outlined in the Applicant's Guidebook is uncertain, notwithstanding the fact that the applicant itself has designated the application as a "geographic name".
- d. According to the Applicant's Guidebook (section 2-17) "*Strings that include but do not match a Geographic Name will not be considered geographic names as defined in section 2.2.1.4.2 and therefore will not require documentation of government support in the evaluation process.*"
- e. It is our contention that DCA's .dotAfrica string application, although not a direct match to the AFRICA geographic name, is so confusingly similar that it must be regarded as a geographic name for purposes of evaluation. It must consequently be subjected to the criteria and rules applicable to the evaluation of geographic names, including government support.
- f. In particular we contend that the addition of the "dot" in DCA's .dotAfrica application does not sufficiently differentiate it from the AUC's endorsed dotAfrica (.Africa) geographic string application and will therefore confuse the public.
- g. Being a Union of 54 (fifty four) African states and specifically being mandated by these states to "*Set up the structure and modalities for the Implementation of the dotAfrica (.Africa) project*" the AUC is in an authorized position to declare African government support or opposition to any "Africa" geographic string application. We can categorically declare that DCA's .dotAfrica application does NOT have the requisite support of African governments and as a result the application will almost certainly be opposed by more than one African government should it pass through Initial Evaluation. The DCA application for

the .dotAfrica string therefore does not meet the minimum requirements prescribed by ICANN for a geographic string and as such is substantively deficient and fatally flawed.

- h. In contrast to the DCA application, the AUC's officially endorsed dotAfrica (.Africa) geographic application (**1-1234-89583**) has the support of over 39 (thirty nine) individual national governments in Africa, which exceeds the minimum governmental support prescribed by ICANN for new geographic strings.

## 2. Confusing Similarity

- a. DCA's applied for string (.dotAfrica) is confusingly similar to the dotAfrica (.Africa) geographic application as officially endorsed by the AUC. Should DCA's application be allowed to proceed, it is likely to deceive and/or confuse the public into believing that the AUC is associated with, or endorses their application, which we clearly do not.
- b. In particular, we contend that the addition of the "dot" in DCA's .dotAfrica application does not sufficiently differentiate it from the AUC's endorsed dotAfrica (.Africa) geographic application and will therefore confuse and deceive the public.

## 3. Request by the AUC

The African Union Commission hereby requests that the Government Advisory Committee (GAC) issue the following:

- a. A GAC Advisory to the ICANN Evaluation Panel (in particular the Geographic Names Panel) and the ICANN Board that DCA's .dotAfrica string application (**1-1165-42560**) is confusingly similar to the geographic name application for .Africa and must therefore be treated as a geographic name for purposes of evaluation;
- b. A GAC Early Warning Notice be directed to dotConnectAfrica Trust indicating that its application for the .dotAfrica string (**1-1165-42560**) will be opposed by African governments on the basis that:

- i. it is a geographic string application and that it does not have the requisite minimum support from African governments;
- ii. its application constitutes an unwarranted intrusion and interference on the African Union Commission's (AUC) mandate from African governments to establish the structures and modalities for the Implementation of the dotAfrica (.Africa) project; and
- iii. its application does not adequately and substantively differentiate itself from the AUC's officially endorsed application for the dotAfrica (.Africa) geographic string and as such will likely result in public confusion and ensuing adverse effects on the goodwill and effectiveness of the African TLD space.



**Dr. Elham M. A. IBRAHIM (Mrs.)**  
Commissioner  
Infrastructure and Energy