



# MOVING FORWARD: A Practical Compromise

amazon

A presentation for the GAC at ICANN 60  
Abu Dhabi  
29 October 2017

# > Why Are Our .AMAZON Applications So Important to Us?

- We are committed to the new gTLD program
- Innovate for our customers
- Stable and secure foundation for communication and e-commerce
- Signal authenticity and security to customers



# **.AMAZON Met the Applicant Guidebook Requirements**

- Applications received perfect scores from ICANN
- ICANN's Geographic Names Panel determined 3 times that "amazon" is not a geographic name that requires governmental approval
- An Italian legal scholar and IP expert dismissed the Community Objection filed by the ICANN-selected Independent Objector
- A French legal expert commissioned by ICANN found governments had no legal right to the name "amazon"

# ➤ We Have Worked Within the Multistakeholder Model

Sought dialogue and compromise:

- Met with ICANN several times to discuss practical compromise solutions (2013-2017)
- Met in Brasilia with representatives of Brazil, Peru, and other OTCA member countries to propose compromise solutions (2013)
- Committed publicly to a proposed Public Interest Commitment (2013)
- Requested to meet with the GAC (2013-2017)

Worked within ICANN's community-developed rules:

- Filed Reconsideration Requests (2013)
- Consulted with the Ombudsman (2014)
- Participated in Cooperative Engagement Process (2014-2016)
- Initiated the Independent Review Process (2016)

## The IRP Final Declaration

- The IRP Panel unanimously declared that the Board violated ICANN's Articles, Bylaws, and Guidebook
- The Board has an obligation to make an objective and independent judgment – and it failed to do so

# The IRP Panel Found the Identified Public Policy Reasons Insufficient and Without Merit

- No material harm based solely on the .AMAZON TLDs being delegated to Amazon
- One-word match (in treaty organization name) is “not likely to be misleading.”
- “The legal claim of Brazil and Peru is without merit” and there are “no inherent governmental rights to geographic terms.”
- “Amazon” is not a listed geographic name

# Our Practical Compromise

- Public Interest Commitment
  - Incorporated into Registry Agreement
  - Concept based on 2012 GAC Advice
- Legally binding and enforceable by ICANN Compliance
  - Online complaint form
  - PIC Dispute Resolution Procedure

# 1

## Block Culturally Sensitive Names at Second Level

- This means that no one could ever register and use these names
- We would consult with relevant governments to identify these terms
  - For example: rainforest.amazon



# 2

## Ongoing Process

- Ongoing process to identify other culturally sensitive terms
- Regular consultations with relevant governments under defined procedures

# 3

## Support for Local Applications

- Applications for .AMAZONAS, .AMAZONIA, .AMAZONICA
- Filed or endorsed by OTCA and Member Governments
- Could include technical and application preparation support



# Thank you

We appreciate the opportunity to talk with you today about .AMAZON

We look forward to answering your questions

To learn more, visit [www.dotamazon.news](http://www.dotamazon.news) or send your questions to us at [dotamazon@amazon.com](mailto:dotamazon@amazon.com)