



STATE OF DELAWARE
DEPARTMENT OF STATE

JEFFREY W. BULLOCK
SECRETARY OF STATE

March 20, 2014

Dr. Stephen Crocker, Chairman of the Board
Internet Corporation for Assigned Names and Numbers
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094-2536

Re: Community Application for gTLDs – .CORP, .INC, .LLC, etc.

Dear Dr. Crocker:

I administer the State of Delaware's company registry and am responsible for protecting the integrity of Delaware's legal entity registration system. More than 1,050,000 legal entities, such as corporations and limited liability companies, are organized in the United States under the laws of the State of Delaware. Delaware is the legal domicile of 65% of the Fortune 500, 55% of publicly traded companies listed on the two major stock exchanges, including over 80% of new initial public offerings in the United States.

In 2012 and 2013, I sent ICANN a series of comment letters asking ICANN to recognize the serious policy implications associated with the granting of gTLD name extensions defined by state registries as "company endings" including but not limited to ".INC", ".CORP", ".LLP", ".LTD", ".LLC", ".COMPANY" and ".GMBH". Those comments stated Delaware's strong concerns about lack of adequate safeguards for consumers, legitimate businesses, the public at large, state governments, and the Internet itself from the risks that "company endings" will be used for fraudulent and misleading purposes. The comments urged ICANN to proceed cautiously and deliberately in its review of applications for these gTLDs and made the case for ICANN to not approve any applications at all.

I am writing to correct a recent comment letter submitted as part of the Community Priority Evaluation process by Donuts, Inc. dated March 3, 2014. Those comments erroneously implied that the State of Delaware is specifically opposed to the community application of Dot Registry, LLC. Such a statement is entirely out of context and does not reflect the views of the State of Delaware. It is true that I have considerable concerns about the wisdom of awarding these gTLD's and have submitted duplicate comments on every community and individual application for the above gTLDs. However, my comments have also stated that if ICANN does plan to award these gTLDs despite these objections, then any such award must be to an applicant that will maintain and enforce a system with real time and continuous verification of each company's legal status in accordance with the laws of each jurisdiction of incorporation and formation.

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As a practical matter, it will be impossible to maintain and enforce such a system without coordination between the applicant and the company registrars of jurisdictions that oversee the company formation and incorporation process. In that spirit, in July 2013, I joined my colleagues throughout the United States in approving a resolution through the National Association of Secretaries of State (NASS) detailing NASS's position on the issuance of the extensions "INC", "LLC", "LLP", and "CORP". This resolution reiterated the overall concerns of NASS and its members while simultaneously recognizing that "we believe these safeguards and restrictions are only enforceable in the community application process." The resolution reflected the collective views of NASS including myself and the member Secretaries of State and Lieutenant Governors of the 50 U.S. states and territories.

Sincerely,



Jeffrey W. Bullock
Secretary of State
State of Delaware

cc: Mr. Fadi Chehade (ICANN President)
Mr. Cherine Chalaby (ICANN Board Member)
Dr. Steve Crocker (ICANN Board Chair)
Ms. Christine Willett (VP, New gTLD operations)