

30 April 2020

Peter Micek, General Counsel Carolyn Tackett, Global Campaign Strategist Access Now

## **RE: Proposed Change of Control of Public Interest Registry (PIR)**

Dear Peter and Carolyn,

Thank you for your letters dated <u>13 March 2020</u> and <u>15 April 2020</u>. We appreciate your further comments about the proposed change of control of Public Interest Registry (PIR) from the Internet Society (ISOC) to Ethos Capital.

Throughout this process, we have been listening to the community. Our community has continued to provide ICANN with feedback on this topic through correspondence, the ICANN67 Public Forum 1, and more recently during the public notice period of PIR's proposed Public Interest Commitments (PICs) to the .ORG Registry Agreement. The public notice period showed changes PIR made following PIR's Public Engagement process. ICANN asked PIR to strengthen the PICs to ensure meaningful enforceability and a draft of those revised PICs was provided to the ICANN Board.

As you mention, on 3 April 2020, ICANN provided PIR with <u>additional questions</u> to further understand the proposed transaction, its potential effect on PIR and the .ORG top-level domain, as well as questions that relate specifically to the proposed PICs. In addition, on 15 April 2020, ICANN received feedback from the California Attorney General and is carefully reviewing and considering it as part of our evaluation of the change of control and PIR's entity conversion.

As conveyed during ICANN67, the ICANN Board considers the public interest in all its decision-making using the totality of the information received. We continue to thoughtfully and thoroughly evaluate the proposed transaction to ensure that .ORG registry remains secure, reliable, and stable. As previously mentioned, in accordance with the Registry Agreement, ICANN will apply a standard of reasonableness in making its determination on whether to provide or withhold its consent to the request. As of 16 April 2020, PIR has agreed to extend the deadline for ICANN to respond to 4 May 2020.

We appreciate your input on this topic and will continue to provide relevant updates to the community.

Thank you for your feedback on this matter.

Sincerely,

Göran Marby

President and Chief Executive Officer

Internet Corporation for Assigned Names and Numbers (ICANN)