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January 15, 2013

Ms. Christine Willett
General Manager, New gTLD Program
ICANN
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094

Dear Ms. Willett,

I am writing in response to the information you shared during ICANN's new gTLD webinar on January 11, 2013, regarding the anticipated March 1, 2013, date for publishing the results of the string similarity review. In light of the fourth delay for this deliverable and the critical role it may play regarding an applicant's decision to file an objection, ICANN should quickly consider a reasonable (e.g., 45-60 days) extension to the objection filing deadline of March 31, 2013.

As was evidenced by the feedback provided by participants during the webinar, what made this new information so frustrating is that it's the fourth delay for this deliverable in the last seven months. I believe it was during ICANN's meeting in Prague in June 2012, that applicants were told the string similarity contention sets would be released in November 2012, and then subsequent to that the dates have shifted to December, then January 2013, and now March 1, 2013.

Michael Salazar, ICANN's former Director of the New gTLD Program, [blogged](#) on November 21, 2011, that InterConnect Communications (partnering with the University College London) had been selected to conduct string similarity reviews and that this news was shared during ICANN's meeting in Dakar in October 2011. Given the selection of this vendor in late 2011, and that ICANN has known the full list of applications since May 2012, it feels unreasonable that it will have taken ICANN ten months to announce these results assuming it meets its latest March 1, 2013 target date.

Section 2.2.1 of ICANN's Applicant Guidebook defines the string similarity review and includes that, "The String Similarity Panel's task is to identify visual string similarities that would create a probability of user confusion." Furthermore, ICANN's standard for string confusion is, "Where a string so nearly resembles another visually that it is likely to deceive or cause confusion. For the likelihood of confusion to exist, it must be probable, not merely possible that confusion will arise in the mind of the average, reasonable Internet user. Mere association, in the sense that the string brings another string to mind, is insufficient to find a likelihood of confusion." With these relatively simple guidelines, it is hard to understand the reasons it has and is taking ICANN and InterConnect Communications/University College London so long to determine and publish the results of the review.

Although most applicants would probably argue that another delay in the new gTLD program is highly undesirable, ICANN's failure to deliver on this critical-path item should result in an extension to the objection filing close date. In the absence of an extension to the objection period, which in our view would be unacceptable, we and other applicants will be forced to spend time and resources preparing objections that may ultimately be unnecessary after the string similarity results are announced.

Please ICANN, do the right thing and announce an extension to the objection filing deadline as soon as possible.

Sincerely,

Craig Schwartz
Director

cc: Fadi Chehadé, President & CEO, ICANN
    Cherine Chalaby, ICANN Board, Chair, New gTLD Program