

New gTLD Hearing, Round 2: A Critical House, But to What End?

December 14, 2011 by [Joshua S. Jarvis](#)

After the [Senate Committee on Commerce, Science and Transportation hearing](#) on ICANN's new gTLD Program on December 8, the [House Energy and Commerce Committee's](#) Subcommittee on Communications and Technology [held a similar hearing this morning](#). Returning witnesses were Dan Jaffe, Executive Vice President of the Association of National Advertisers (ANA), Fiona Alexander, Associate Administrator of the U.S. National Telecommunications and Information Administration (NTIA), and Kurt Pritz, SVP at ICANN. Joining them were Joshua Bourne, President of The Coalition Against Domain Name Abuse (CADNA), Thomas Embrescia, CEO of Employ Media (operator of the .jobs TLD), and Anjali Hansen, IP attorney at the Council of Better Business Bureaus. The testimony and responses from the returning witnesses unsurprisingly echoed [that at the Senate hearing](#). Mr. Bourne and Ms. Hansen each expressed concerns about the gTLD rollout, while Mr. Embrescia testified in favor of the rollout. Prepared testimony is available [here](#), and presumably a transcript of the proceedings will be posted shortly (I will update this post accordingly).

While the Senate Committee members had seemed somewhat resigned to the gTLD rollout, gTLD opponents appeared to find a more sympathetic audience in the House Committee, whose members peppered Kurt Pritz with criticism and pointed questions. For instance, [Congresswoman Doris Matsui](#) (D-CA) criticized that, "at the beginning," "ICANN had a certain mission" which has "gotten off track," and that at present accountability and transparency simply are not apparent. She urged Mr. Pritz to implement some manner of "pilot program" for new gTLDs in the first instance. [Congressman Cliff Stearns](#) (R-FL) asked Mr. Pritz to explain, in detail, ICANN's use of the expected gTLD surplus funds (projected to be enormous) and ICANN executive salaries (for the curious, Mr. Pritz expects to make about \$395,000 this year including bonuses), insisting that gTLD registries should be made more affordable. Congressman [Edward Markey](#) (D-MA) explained his belief that ICANN has not sufficiently justified the expansion -- that it is a solution to a problem that doesn't exist -- and that both business and consumers stand to lose out from its improper implementation. For his part, Mr. Pritz smoothly answered and evaded as necessary, claiming that ICANN is one of the most transparent and accountable organizations there is, and that the gTLD program is the end result of a "deliberate" seven-year process.

Of course, it seems unlikely that anything will come of this hearing so late in the game, especially with the NTIA (per Ms. Alexander) [firmly committed to the multistakeholder model](#). My guess is that, barring a [deus ex machina](#) lawsuit resulting in a preliminary injunction, the gTLD rollout will move forward unhindered. Get your trademarks ready!

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