

April 2, 2014

VIA EMAIL to bruce.tonkin@icann.org & newgtld@icann.org

ICANN Board Governance Committee
c/o Dr. Bruce Tonkin, Chairman
12025 Waterfront Drive, Suite 300
Los Angeles, California 90094

Re: Kosher Marketing Assets LLC's Public Interest Commitment for .KOSHER

Dear Dr. Tonkin and ICANN Board Governance Committee:

I write on behalf of Kosher Marketing Assets LLC (KMA) to confirm that KMA has formally submitted the attached Public Interest Commitment (PIC) Specification in connection with its application for the .KOSHER new gTLD.

KMA remains committed to delivering a gTLD that represents and benefits the entire Orthodox Kosher certification industry. Accordingly, the PIC KMA has filed strives to ensure that restrictions within the .KOSHER gTLD do not provide any undue preference or subject parties to any undue disadvantage. Specifically, our consistent position has been that "responsibility for verification will lay with the prospective registrant's own kosher certification organization," See *OU vs. KMA*, EXP/424/ICANN/41 at ¶¶ 78-79 (Jan. 14, 2014).

As you are aware, KMA has been victimized by wrongful and knowingly false accusations to the contrary, repeatedly alleging *inter alia* that .KOSHER registrants might be forced to subscribe to our own Kosher certification methodology and also pay a fee to adhere to those Kosher certification standards. It is our hope, with your assistance, that the instant PIC will firmly resolve any ambiguity, assuage any concerns ICANN may have, and also expeditiously resolve this matter by permitting KMA's application to proceed.

While we continue to read Specification 11 and the gTLD Registry Agreement holistically—in that that transparency, openness and non-discrimination are all interconnected and obligatory elements—in the spirit of good faith, KMA formally commits to the fair and transparent

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operation of the .KOSHER gTLD by filing this PIC Specification. It incorporates the following explicit commitments, above and beyond the language included in Specification 11 of the gTLD Registry Agreement:

The Registry Operator commits to administer registry access in a transparent way that does not give an undue preference to any registrars or registrants, including itself, and shall not subject registrars or registrants to an undue disadvantage.

We look forward to working with the Board Governance Committee, New gTLD Program Committee and the United States National Telecommunications and Information Administration to ensure satisfaction that this PIC Specification suitably binds KMA to operate .KOSHER in an open manner with appropriate eligibility requirements, and administer the gTLD in a fair and transparent way.

On behalf of Kosher Marketing Assets LLC, we thank you for your attention to this matter. Should you wish to learn more about OK Kosher, Kosher Marketing Assets, or the community involvement and support for the .KOSHER gTLD application, please do not hesitate to contact me.

Respectfully,



Brian J. Winterfeldt
Representative for Kosher Marketing Assets, LLC

CC: Dr. Stephen Crocker, Chairman of the Board, ICANN (steve.crocker@icann.org)
Mr. Fadi Chehadé, President and CEO, ICANN (fadi.chehade@icann.org)

gTLD String: .KOSHER
Applicant Entity Name: Kosher Marketing Assets LLC
Application ID#: 1-1013-67544

SPECIFICATION 11
PUBLIC INTEREST COMMITMENTS

1. Registry Operator will use only ICANN accredited registrars that are party to the Registrar Accreditation Agreement approved by the ICANN Board of Directors on [date to be determined at time of contracting], 2013 (or any subsequent form of Registrar Accreditation Agreement approved by the ICANN Board of Directors) in registering domain names. A list of such registrars shall be maintained by ICANN on ICANN's website.

2. Registry Operator will operate the registry for the TLD in compliance with all commitments, statements of intent and business plans stated in the following sections of Registry Operator's application to ICANN for the TLD, which commitments, statements of intent and business plans are hereby incorporated by reference into this Agreement. Registry Operator's obligations pursuant to this paragraph shall be enforceable by ICANN and through the Public Interest Commitment Dispute Resolution Process established by ICANN ((posted at [url to be inserted when final procedure is adopted])), as it may be amended by ICANN from time to time, the "PICDRP"). Registry Operator shall comply with the PICDRP. Registry Operator agrees to implement and adhere to any remedies ICANN imposes (which may include any reasonable remedy, including for the avoidance of doubt, the termination of the Registry Agreement pursuant to Section 4.3(e) of the Registry Agreement) following a determination by any PICDRP panel and to be bound by any such determination.

[Registry Operator to insert specific application sections here, if applicable]

3. Registry Operator agrees to perform following specific public interest commitments, which commitments shall be enforceable by ICANN and through the PICDRP. Registry Operator shall comply with the PICDRP. Registry Operator agrees to implement and adhere to any remedies ICANN imposes (which may include any reasonable remedy, including for the avoidance of doubt, the termination of the Registry Agreement pursuant to Section 4.3(e) of the Registry Agreement) following a determination by any PICDRP panel and to be bound by any such determination.

[Registry Operator to insert specific commitments here, if applicable]

The Registry Operator commits to administer registry access in a transparent way that does not give an undue preference to any registrars or registrants, including itself, and shall not subject registrars or registrants to an undue disadvantage.