

**IN THE MATTER OF AN INDEPENDENT REVIEW PROCESS BEFORE THE  
INTERNATIONAL CENTRE FOR DISPUTE RESOLUTION**

Namecheap, Inc. (Namecheap)	)	
	)	
4600 East Washington Street, Suite 305	)	
Phoenix, AZ 85034	)	
	)	
<b>Claimant</b>	)	
	)	
v.	)	<b>ICDR Case No. 01-20-0000-6787</b>
	)	
Internet Corporation For	)	
Assigned Names and Numbers	)	
(ICANN)	)	
	)	
12025 Waterfront Drive, Suite 300	)	
Los Angeles, CA 90094-2536	)	
	)	
<b>Respondent</b>	)	
_____	)	

**AFFIDAVIT OF HILLAN KLEIN IN SUPPORT OF NAMECHEAD'S REQUEST  
FOR INDEPENDENT REVIEW PROCESS**

I, Hillan Klein, of Contact Information Redacted, affirm that:

1. I am Chief Operating Officer (COO) of Namecheap, Inc., the Claimant (Namecheap).
2. I have been COO of Namecheap since 2013.
3. As part of my role as COO, I report to Namecheap's chief executive officer (CEO) and am responsible for overseeing all operational functions of Namecheap. This includes all financial matters, including budgeting and forecasting. I work closely with Namecheap's Head of Business Intelligence, who I coordinate with on a regular basis.
4. Namecheap derives revenue from the registration of domain names, as well as the additional services that we provide to our customers. These services include email services, web hosting, and Secure Sockets Layer (SSL) certificates.

5. After ICANN had decided to remove the price control provisions from the .org, .info and .biz registry agreements, I anticipated legal action and I requested that Namecheap's business intelligence (BI) team prepare forecast models that includes the elasticity of .org, .info and .biz customers based on historical data for these TLDs within Namecheap's business. The BI team projected a decline in domain name registration, renewal and other revenue for Namecheap as a result of the removal of the price control provisions. When Namecheap was asked by the Panel to make an evidentiary submission 'articulating the harm that supports its claim of standing under the ICANN Bylaws', I instructed the BI team to present their preliminary findings and the underlying data to Prof. Dr. Frank Verboven and Dr. Gregor Langus of E.CA Economics ('the Experts') who were asked by Counsel to Namecheap to provide their independent opinion as to the injury or harm to Namecheap that is directly and causally connected to the alleged violations of the Respondent.

6. I also asked an explanation from Namecheap's marketing team as to the existence of switching costs related to the moving a domain name from one TLD to another and received the explanation that is included in the Affidavit by Maryna Zhuravlovla in return, which I shared with the Experts.

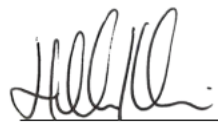
7. I understand from the Expert report that the BI team was correct in projecting a decline in domain name registration, renewal and other revenue for Namecheap as a result of the removal of the price control provisions. I also understand that the alleged violations result in significant uncertainty and confusion, and that it is likely that Namecheap will need to incur additional costs to inform existing and potential registrants for .org, .info and .biz of these changes, promote other services to them, and/or offer other incentives to attract and retain the customers. Namecheap will also incur additional cost in merchant processing fees associated with the increase cost of the domain.

8. Additionally, I understand that there will be potential damage to Namecheaps brand equity and reputation, as it is unlikely that a customer will be aware of the difference between a Registry Operator and a Registrar, and as such will attribute the increase in pricing to a decision by Namecheap rather than to the underlying Registry.

I certify (or declare) under penalty of perjury under the laws of the State of Texas that the foregoing is true and correct.

12/21/2020

(Date)

A handwritten signature in black ink, appearing to be "H. H. H.", written over a horizontal line.

(Signature)