



The Internet Corporation for Assigned Names and Numbers

11 December 2012

Mr. Thomas Embrescia, Chairman and CEO
Employ Media LLC
3029 Prospect Avenue
Cleveland, Ohio 44115

Re: Withdrawal of Notice of Breach Letter Dated 27 February 2011

Dear Tom:

This letter will confirm that ICANN is hereby withdrawing the Notice of Breach letter dated 27 February 2011 issued to Employ Media LLC (“Employ Media”) with respect to Employ Media’s performance of its obligations under its Registry Agreement for the .JOBS sTLD.

This letter will also confirm that following our further consideration of the issues, our review of the materials that Employ Media has provided, the steps that Employ Media has implemented, the assurances received from the .JOBS’s Sponsor and Policy Delegate, the Society for Human Resource Management (“SHRM”), in its letter dated December 3, 2012, a copy of which is attached hereto, and all other information known to ICANN as of the date of this letter, all of the issues raised in the Notice of Breach have been resolved to our satisfaction

In sum, ICANN has concluded that Employ Media is not currently in breach, but is instead in good standing under the Registry Agreement, with respect to the issues raised in the 27 February 2011 Notice of Breach letter. As we have discussed, and as set forth in the .JOBS Registry Agreement, the policy-making authority for .JOBS has been delegated to SHRM, as the .JOBS Sponsor and Policy Delegate, responsible for creating policy implemented and enforced by Employ Media, in the interests of the .JOBS Community, and to Employ Media, and ICANN will not seek to impose restrictions on new or existing policy initiatives within .JOBS as long as such conduct is consistent with the .JOBS Charter and the terms of the Registry Agreement.



We appreciate Employ Media's cooperation as we worked together to resolve these issues pursuant to the procedures set forth in the .JOBS Registry Agreement, and consistent with ICANN's policies and procedures. If you have any questions regarding the above, please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to be "John O. Jeffrey". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John O. Jeffrey
General Counsel and Secretary

Cc: Mr. Brian Johnson, General Counsel
Mr. Ray Fassett, EVP, Operations & Policy

EXHIBIT A



December 3, 2012

John O. Jeffrey
General Counsel and Secretary
Internet Corporation for Assigned Names and Numbers
12025 Waterfront Drive, Suite 300
Los Angeles, CA 90094-2536

Dear John:

On behalf of the Society for Human Resource Management ("SHRM"), in its capacity as the Sponsor for the .JOBS TLD, I hereby confirm the following:

1. SHRM currently has in place a standing and, in its view, independent PDP Council tasked with addressing policy issues relating to .JOBS as set out in the Registry Agreement. SHRM appointed the current PDP Council in early 2012 and will continue to appoint such councils at the beginning of each calendar year for as long as it remains the Sponsor of the .JOBS TLD. The PDP Councils consist of individuals who, in SHRM's view, represent the varied interests and perspectives of the .JOBS Community. SHRM has appointed and will continue to appoint a Staff Manager who is independent of Employ Media and independent of any entity (other than SHRM) that has a direct interest in the issues under consideration by the PDP Council.¹ As you know, I am serving as the Staff Manager of the current PDP Council.
2. SHRM re-confirms that, based upon its knowledge and previous PDP work, SHRM believes that the .JOBS domain names currently being utilized by DirectEmployers are being used consistently with the terms of the .JOBS Charter, specifically, that such serve the needs of the .JOBS Community, and is consistent with the recommendation of the .JOBS PDP Council (and its underlying research findings) concerning expansion of the .JOBS sTLD to include use of non-company names in the operation of third-party job boards. SHRM further believes, based upon its knowledge, that Employ Media's implementation to date of the phased allocation program is also consistent with serving the needs of the .JOBS Community.

¹ For purposes of this sentence, "independent" shall mean that the Staff Manager is not a director, officer or employee of such entity.

3. SHRM's statements in Section 2 above are based upon the June 3, 2010 recommendation of the .JOBS PDP Council (and its underlying research findings) concerning expansion of the .JOBS sTLD to include use of non-company names in the operation of third-party job boards, and our understanding of the facts set forth below in this Section 3. The statements in Section 2 above are not based upon any additional input from the .JOBS PDP Council since its June 3, 2010 recommendation; and it is SHRM's understanding that ICANN has not asked for additional input from the .JOBS PDP Council in connection with these statements of SHRM. While the list below is not necessarily all-inclusive, it includes the understandings most material to SHRM's beliefs.
- a.) Mr. William Warren is the individual who has requested all .JOBS registrations for non-company names (for Direct Employers). Mr. Warren was a member of SHRM at the time of such registration requests and continues to be so.
 - b.) Each .JOBS domain registered at the request of Mr. Warren requires a registration agreement <http://www.goto.jobs/reg.agreement.asp>. That agreement includes, among other things: (i) a representation and warranty that the person requesting the registration is qualified to request registration of a second-level domain within the .JOBS sTLD under the .JOBS sTLD Charter, and (ii) agreement to Appendix C - Sponsored TLD Compliance, which Appendix C requires that all .JOBS domains must be used in compliance with the .JOBS Charter to serve the needs of the international human resource management community.
 - c.) Employ Media's representation to SHRM that Employ Media implemented the Phased Allocation Program by requesting proposals from multiple entities and then selecting Direct Employers (and initially certain others) based upon a fair review and evaluation of the proposal(s) received.

We are confirming these views in our limited role as Policy Delegate and Sponsor of the .JOBS sTLD, as explained in our previous correspondence to ICANN.

Sincerely,



Gary Rubin
Senior Vice President of Publishing and Media
Society of Human Resource Management