



Blacknight Internet Solutions Ltd.

Professional hosting solutions

Unit 12A Barrowside Business Park Sleaty Road Graiguecullen Carlow, Ireland
Tel: 1850 927 280 **Intl:** +353 (0)59 9183072 **Fax:** +353 (0)59 9164239
Email: sales@blacknight.ie **Web:** www.blacknight.ie

Carlow, February 28, 2011

Mr Rod Beckstrom Mr Peter Dengate Thrush
ICANN
4676 Admiralty Way, Suite 330
Marina del Rey, CA 90292-6601
USA

Subject: IE ccTLD

Dear Rod and Peter,

As you may know I am the founder and Managing Director of Blacknight Internet Solutions Ltd, Ireland's only ICANN accredited registrar (IANA ID 1448).

We are also the largest registrar of .ie domain names and about 20% of all registered .IE names are with us.

The country code top level domain for Ireland is .ie and is currently delegated to University College Dublin (UCD).

It recently came to my attention that IE Domains Ltd, a private company which is subcontracted to run the registry on behalf of UCD, may be aggressively seeking re-delegation of the IE namespace. They are describing this substantial and significant change of control as merely an "administrative matter", which I think you would agree is not the case.

The management and development of the IE namespace should be with an entity that has made a strong commitment to holding the .ie domain in trust for the public good, and a strong commitment to a policy process that is driven by the Internet community and by the explicit consideration of the public good. This is not the case with IEDR, a private company that has practically no transparency and has zero representation of the internet community in its board or ongoing development

We have contacted IANA to confirm whether or not any application to make this change has been received, but IANA refuses to confirm whether it has received an application to change the delegation in the IANA database for .IE.

The IANA is a function, carried out by ICANN under a contract with the US government.



Blacknight Internet Solutions Ltd.

Professional hosting solutions

Unit 12A Barrowside Business Park Sleaty Road Graiguecullen Carlow, Ireland
Tel: 1 850 927 280 **Intl:** +353 (0)59 9183072 **Fax:** +353 (0)59 9164239
Email: sales@blacknight.ie **Web:** www.blacknight.ie

IANA policy includes, as I understand it from ICANN's own website, the ICANN board-adopted policy "ICP-1" as well as the Internet standard RFC-1591.

In RFC-1591 it says

"It is also very helpful for the IANA to receive communications from other parties that may be concerned or affected by the transfer"

It appears to be impossible for the IANA to receive such communications if you carry out your duties under the USG contract in a back-room, and secretive manner such that parties that may be concerned or affected (such as ourselves and the Irish Government department - ComReg - with statutory responsibility do not know an application is in progress.)

Your own policies also say that

"Significantly interested parties in the domain should agree that the designated manager is the appropriate party.

The IANA tries to have any contending parties reach agreement among themselves, and generally takes no action to change things unless all the contending parties agree; only in cases where the designated manager has substantially mis-behaved would the IANA step in.

However, it is also appropriate for interested parties to have some voice in selecting the designated manager."

As the largest registrar in the .IE namespace, it is without doubt that we are a 'significantly interested party'.

It is also clear that the current designated manager for .IE is the University of Ireland (Computing Services at University College, Dublin).

Although 'IEDR Ltd' (a private company) is subcontracted to run the registry on behalf of UCD, it is not the manager, and therefore any change to the Designated Manager must require the positive support of both the local Internet Community, and of the ICANN Board.



Blacknight Internet Solutions Ltd.

Professional hosting solutions

Unit 12A Barrowside Business Park Sleaty Road Graiguecullen Carlow, Ireland
Tel: 1850 927 280 **Intl:** +353 (0)59 9183072 **Fax:** +353 (0)59 9164239
Email: sales@blacknight.ie **Web:** www.blacknight.ie

If ICANN continues its refusal to provide information about any application that may be in progress, it would appear to be in violation of its own By-Laws and its own policies as quoted above.

May I please, therefore, BY RETURN have ICANN's assurance that no action will be taken to re-delegate the .IE domain before there is full consultation with all affected stakeholders, including registrars, registrants and the Irish government department with statutory responsibility.

Sincerely yours,

Michele

Mr Michele Neylon
Managing Director
Blacknight Internet Solutions Ltd

