

Richard Conlon Senior Vice President Corporate Strategy, Communications & New Media

March 30, 2012

Re: Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music Focused gTLD under the string "music"

To Whom It May Concern:

BMI would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

Broadcast Music, Inc.® (BMI®), a global leader in music rights management, is an American performing rights organization that represents more than 500,000 songwriters, composers and music publishers in all genres of music and more than 7.5 million musical works. BMI has represented the most popular and beloved music from around the world for more than 70 years. The company provides licenses for businesses that perform music, and distributes the fees it generates as <u>royalties</u> to the musical creators and copyright owners it represents.

Our members' businesses and livelihoods have been deeply affected by the growth of the Internet and the World Wide Web. It has transformed how music is created and how recorded music is consumed. It presents both growth opportunities in the form of varied digital distribution channels for music as well as significant threats in the form of rampant online copyright infringement of copyrighted music. This widespread infringement has been to the detriment of our members specifically and to the music economy generally. Therefore, we have a vested interest in ensuring that any music themed or focused gTLD operates in a manner that encourages the broad distribution and enjoyment of music in a manner that respects intellectual property rights and discourages infringement.

In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with several other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its whois commitments, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.



7 World Trade Center, 250 Greenwich Street, New York, NY 10007-0030 (212) 220-3010 Fax: (212) 220-4452 E-Mail: rconlon@bmi.com

Based on the above, BMI supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community under the string ".music" for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC), led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects artists' and owner's rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions about this letter, please contact Richard Conlon, Senior Vice President, Corporate Strategy Communications and New Media, 212-220-3010, rconlon@bmi.

Sincerely,

field Coulon

CC:

John Styll, Far Further Dr. Stephen Crocker, ICANN



Secrétaire Général

27 March 2012

Re: Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music Focused gTLD under the string ".music"

To Whom It May Concern:

BIEM, the International Bureau of Mechanical Right Societies, would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

BIEM, created in 1929, is an international organisation gathering 52 Mechanical Rights Societies (Members) operating in 56 territories (a list of our Members is available at <u>www.biem.org</u>). Our Members are administering recording and mechanical rights of protected musical works, with a view to the efficient administration of those rights. They license the reproduction of songs (including musical, literary and dramatic works). Their members are composers, authors and publishers and their clients are record companies and other users of recorded music. They also license mechanical aspects of the downloading of music via the Internet.

BIEM negotiates a standard agreement with representatives of the International Federation of the Phonographic Industry (IFPI) fixing the conditions for the use of the repertoire of its Members. BIEM's role is also to assist in technical collaboration between its member societies and to help in solving problems that arise between individual members.

Our members' businesses and livelihoods have been deeply affected by the growth of the Internet and the World Wide Web. It has transformed how music is created and how recorded music is consumed. It presents both growth opportunities in the form of varied digital distribution channels for music as well as significant threats in the form of rampant online copyright infringement of copyrighted music. This widespread infringement has been to the detriment of our members specifically and to the music economy generally. Therefore, we have a vested interest in ensuring that any music themed or focused gTLD operates in a manner that encourages the broad distribution and enjoyment of music in a manner that respects intellectual property rights and discourages infringement.

In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with several other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to

..../...



apply for and operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its whois commitments, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.

Based on the above, BIEM supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community under the string ".music" for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC), led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects artists' and owner's rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions about this letter, please contact Mr Ronald MOOIJ, BIEM Secretary General, 20/26 boulevard du Parc, 92200 Neuilly-sur-Seine, France- +33 1 55 62 08 40, Ronald.mooij@biem.org.

Sincerely,

Ronald MOOD

cc: John Styll, Far Further Dr. Stephen Crocker, ICANN

**BIEM No. 1228** 



CHURCH MUSIC PUBLISHERS ASSOCIATION P. O. BOX 158992 NASHVILLE, TN 37215 (615) 791-0273 FAX (615) 790-8847 EMAIL cmpa@comcast.net DIANE S. COBB, EXECUTIVE SECRETARY J. RUSH HICKS, JR., LEGAL COUNSEL

April 6, 2012

ICANN

Attn. Stephen Crocker 4676 Admiralty Way, Suite 330 Marina del Rey, CA 90292-6601 USA

> Re: <u>Community Support for Far Further's (or its subsidiary .music LLC) Application</u> For a Music Focused gTLD under the string ".music"

To Whom It May Concern:

The Church Music Publishers' Association would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

The Church Music Publishers' Association (CMPA) is an organization of religious music publishers founded in 1926 that works to support and promote worldwide copyright protection and education. Among CMPA's 55 member companies are nondenominational independent publishers, as well as the major denominational publishing companies for various churches. The wide range of sacred, gospel and contemporary Christian music products created and licensed by CMPA companies include hymnal and praise songs, and choral, instrumental, handbell, keyboard and children's music.

Our members' businesses and livelihoods have been deeply affected by the growth of the Internet and the World Wide Web. It has transformed how musical compositions and recorded music is created and consumed. It presents both growth opportunities in the form of varied digital distribution channels for music as well as significant threats in the form of rampant online copyright infringement of copyrighted music. This widespread infringement has been to the detriment of our members specifically and to the music community and economy generally. Therefore, we have a vested interest in ensuring that any music themed or focused gTLD operates in a manner that encourages the broad distribution and enjoyment of music in a manner that respects intellectual property rights and discourages infringement.

ABINGDON PRESS & ALBERT E. BRUMLEY & SONS, INC. \* ALFRED PUBLISHING COMPANY, INC. \* AUGSBURG FORTRESS • BECKENHORST PRESS, INC. • FRED BOCK MUSIC COMPANY • BRENTWOOD-BENSON MUSIC PUBLISHING, INC. • BRIER PATCH MUSIC • CARL FISCHER LLC • CHORISTERS GUILD • CONCORDIA PUBLISHING HOUSE • DAYWIND MUSIC PUBLISHING • EMI CHRISTIAN MUSIC GROUP • GAITHER MUSIC COMPANY • GENERIC MUSIC • GENEVOX MUSIC GROUP • G.I.A. PUBLICATIONS, INC. • GLORY MUSIC, INC. • HILLSONG PUBLISHING • HINSHAW MUSIC, INC. • HOPE PUBLISHING COMPANY • INTEGRITY MEDIA, INC. • JEFFERS HANDBELL SUPPLY, INC. • KOREA CHURCH MUSIC PUBLISHING COMPANY • KINGSWAY COMMUNICATIONS, LTD. • NEIL A. KJOS MUSIC COMPANY • HAL LEONARD CORPORATION • LILLENAS PUBLISHING COMPANY • THE LORENZ CORPORATION • MANNA MUSIC, INC. • MARANATHA! MUSIC • MERCY/VINEYARD PUBLISHING • MORNINGSTAR MUSIC PUBLISHES • OCP PUBLICATIONS • PRAISE-GATHERING MUSIC GROUP • THEODORE PRESSER COMPANY • REVIEW & HERALD PUBLISHING ASSOCIATION • SHAWNEE PRESS, INC. • DAVID E. SMITH PUBLICATIONS, L.L.C. • SPIRITSOUND MUSIC GROUP • SUNMIN MUSIC • TROUBADOUR FOR THE LORD • UNISONG MUSIC PUBLISHERS B.V. • UNIVERSAL CHRISTIAN MUSIC PUBLISHING GROUP • WARNER BROS. PUBLICATIONS, INC. • WORD MUSIC • WORLD LIBRARY PUBLICATIONS In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with several other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.

Based on the above, CMPA supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community under the string ".music" for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC) led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects artists' and owners' rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions about this letter, please contact me at eraymer@comcast.net.

Sincerely,

Elwyn Raymer President/CEO CMPA Action Fund

cc: John Styll, Far Further Rush Hicks, CMPA counsel Steve Shorney, CMPA President



A Regional Group of the International Music Council

European Music Council, Haus der Kultur, Weberstr. 59a, D-53113 Bonn

To whom it may concern

## **Letter of Support**

We are sending this letter in support of Far Further/.music LLC's application for the .music Top-Level Domain.

The **European Music Council (EMC)** is a non-profit organisation dedicated to the development and promotion of all kinds of music in Europe. It is a network for representatives of both national music councils and European organisations involved in the fields of music education, creation, performance and heritage. It was founded in 1972 as the European regional group of the International Music Council (IMC). The EMC contributes to a better mutual understanding amongst people and their different cultures, and promotes the right for their musical

cultures to coexist. It acknowledges the significant role that music and culture play in the political and societal development of a peaceful and integrative Europe. Therefore it advocates on local, national and European levels for an appropriate framework, respecting equal rights and opportunities for music, music professionals and access to music. The European Music Council serves its members by advocating for the societal and political significance of musical diversity in Europe and, hence, plays a key role in supporting the European communities that want to celebrate their music.

The EMC is a membership organisation, acting as a stakeholder for the European music sector including all kinds of musical genres on different levels. The 81 member organisations are based in 29 European countries, as such, the EMC reaches out directly and indirectly to more than 40 million music lovers across Europe.

In line with the IMC's 5 Musical Rights, the EMC's strategies and actions honour human and cultural rights such as:

- the right for all children and adults to express themselves musically in full freedom;
- the right for all children and adults to learn musical languages and skills;
- the right for all children and adults to have access to musical involvement through participation, listening, creation and information;
- the right for musical artists to develop their artistry and communicate through all media, with appropriate facilities at their disposal;
- the right for musical artists to obtain fair recognition and remuneration for their work.

**EMC – European Music Council** Haus der Kultur Weberstraße 59 a 53113 Bonn Germany

Tel +49 (0)228/966996-64 Fax +49 (0)228/966996-65

info@emc-imc.org www.emc-imc.org In line with these five music rights, it is of utmost importance that the music-themed generic top-level domains are operated in accordance with these rights. We would like to emphasise the importance that online content that is non-profit, community-based, and musically diverse has access to this domain. We understand that Far Further intends to apply for the .music TLD and we trust that Far Further will operate .music with the highest degree of integrity, while promoting and protecting the diversity of musical expressions worldwide. We have carefully reviewed their programs and we are confident in their experience and expertise regarding all aspects of operating this particular domain.

were Melt

&imone Dudt, Secretary General European Music Council



P.O. Box 171269 | Austin, Texas 78717 Phone 877.570.1651 info@guitarfoundation.org www.guitarfoundation.org

February 1, 2012

To Whom It May Concern:

On behalf of our members, we are sending this letter in support of Far Further/.music LLC's application for the .music Top-Level Domain.

Our organization, the Guitar Foundation of America, was founded in 1973 with the mission of "inspiring artistry, building community, and promoting the classical guitar internationally through excellence in performance, literature, education and research." We represent classical guitarists from not only the United States but internationally as well. Our membership stands at approximately 2,000 and includes professional performers, teachers, composers, students, and accomplished amateurs.

The protection of intellectual property rights is vitally important to our members. For that reason, we wish to be involved in the formation of a top-level .music domain so that our members are ensured that their own creative output is recognized by the legitimate music community. We understand that Far Further intends to apply for the .music TLD. The leadership team of Far Further is well-known in the music community, and so our confidence in their ability to administer the .music domain with integrity is high. We therefore grant our endorsement to Far Further/.music of their application to operate the .music domain.

Sincerely,

Galen Wixson Executive Director

Board of Trustees:

Brian Head, Chair Mary Akerman Michael Andriaccio Jeff Cogan Nick Goluses Matthew Hinsley Bruce Holzman Doug James Tom Johnson William Kanengiser Pamela Kimmel Robert Lane Kate Lewis Martha Masters Jeffrey McFadden Tony Morris Jack Sanders Jason Vieaux Andrew Zohn

**Executive Committee:** 

Martha Masters (President) Brian Head (Artistic Director) Jeff Cogan (VP) Carol Sanders (Treasurer) Robert Lane (Secretary)

**Executive Director:** Galen Wixson



Brussels, 10<sup>th</sup> April 2012

 $t_{i}, k'$ 

To whom it may concern

Re: Music Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music Focused gTLD under the string ".music"

*IMPALA*, the Independent Music Companies Association, would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

IMPALA is a not-for-profit trade organisation representing the European independent music label community in the areas of advocacy, commerce opportunities and member services, more details of our activities can be found on <u>www.impalamusic.org</u>. IMPALA was established in 2000 to ensure that independent music labels, all of whom are small and medium size enterprises (SME's) were properly represented in the music community so they would not have to endure the business barriers to entry that occurred in the old music in the emerging new digital economy.

IMPALA's membership is made up of more than 4,000 Independent music labels located across Europe that have banded together to form a central voice advocating for the health of the Independent music sector. Our membership includes independent music label leaders like Beggars Group, PIAS Entertainment Group, Epitaph Europe, Rough Trade Benelux, Naïve and !K7 but it should be noted that our membership is not just made up of these market leaders. IMPALA membership also includes music labels of varying sizes (in terms of staffing, number of releases and revenues), and varying genres. Many of our member labels are located across Europe, in addition to the traditional London, Paris and Berlin music bases. For example we have members like CLS Music in Hungary, Playground Music in Scandinavia, Musikvertrieb in Switzerland, Pitch Black Records in Cyprus, or Anaconda Records in Poland, as well as representative national associations in Norway (FONO), Finland (Indieco), Italy (PMI), Spain (UFI), Israel (PIL) and Denmark (DUP) among others.

All of our label members have one thing in common: they are small business people with a love for music who are trying to make a living and compensate their artists and generate and maintain jobs.

Our members, as small creators whose sector comprises over 20% of European recorded music sales, are having their livelihoods challenged by unauthorized unpaid content acquisition over the Internet. Independent music labels are not luddites and the Internet has been the great equalizer for us on our ability to market, promote, monetise and introduce new music. The Internet has opened up countless opportunities for us and we would not do anything to jeopardise this improved access. Additionally, our members have embraced new business models that allow for efficient distribution of music, such as the licensing of free-to-the user streaming services and webcasting, one price per month subscription services, bundled mobile services, etc. We honestly feel there is no other industry that has embraced new forms of economic and delivery models as completely as the music industry. Our members also, on their own terms, give away free content to reward existing fans and cultivate new fans of their label's artists. However against this backdrop widespread copyright infringement has been to

the detriment of our members specifically and to the music economy generally. Therefore, we have a focused interest in ensuring that any music themed or focused gTLD operates in a manner that only allows authorised dissemination of music and provides for the financial and legal resources to run the .music gTLD within fair enforcement provision guidelines that protect intellectual property creators.

In the months prior to the application window, several entities with an interest in operating a music themed gTLD reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organisation, along with many other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its proposed registrar requirements, its financial and technical capabilities to operate the gTLD operations and many other areas. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions.

Based on the above, the music creator community group involved decided to endorse the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music creator community under the string ".music" for the benefit of the music community and IMPALA is supporting the group's consensus decision as a member of the music creator community. We are hopeful that Far Further will operate the gTLD in a manner that respects and protects artists' and owner's rights in copyrighted music and promotes the legitimate distribution and enjoyment of music.

Should you have any questions please contact me at the below address.

Sincerely,

Hden MK Smith

Helen Smith Executive Chair IMPALA 70 Coudenberg 1000 Brussels Belgium +32 2 503 31 38 hsmith@impalamusic.org www.impalamusic.org

cc: John Styll, Far Further Dr. Stephen Crocker, ICANN

2







V. J. Lazarus President

11<sup>th</sup> April 2012

## To Whom It May Concern

Community Support for Far Further's (or its subsidiary .music LLC) Application for a Music Focused gTLD under the string ".music"

IMI would like to express its support for Far Further's (or its subsidiary .music LLC) application to operate a music focused gTLD under the string ".music".

IMI - representing the recording industry in India with some 200 members. IMI is a not for profit members organisation registered in Kolkata. It operates a Secretariat currently based in Mumbai and has regional offices in Delhi, Kolkata, Chennai, Kerala, Hyderabad, and Chandigarh. IMI's mission is to promote the value of recorded music, safeguard the rights of record producers and expand the commercial uses of recorded music. Any company, firm or person producing sound recordings or music videos which are made available to the public in reasonable quantities is eligible for membership of IMI. IMI is responsible for co-ordinating national and international strategies in the key areas of the organisation's work - anti-piracy enforcement, lobbying of governments and representation in international organisations, legal strategies, litigation and public relations. It is also the recording industry's most authoritative source of market research and information, providing a comprehensive range of global industry statistics.

Our members' businesses and livelihoods have been deeply affected by the growth of the Internet and the World Wide Web. It has transformed how music is created and how recorded music is consumed. It presents both growth opportunities in the form of varied digital distribution channels for music as well as significant threats in the form of rampant online copyright infringement of copyrighted music. This widespread infringement has been to the detriment of our members specifically and to the music economy generally. Therefore, we have a vested interest in ensuring that any music themed or focused gTLD operates in a manner that encourages the broad distribution and enjoyment of music in a manner that respects intellectual property rights and discourages infringement.

In the months prior to the application window, several entities with an interest in operating a music themed gTLD, reached out to various music related trade associations to seek their support and endorsement. In light of that interest, our organization, along with several other music related trade associations representing a cross-section of the global music community, participated in an extensive request for information in 2011 to solicit information from potential applicants about their plans to apply for and operate a music themed gTLD. As part of that process, this group of associations requested information concerning, among other things, the respondent's plans to operate the gTLD generally as well as its proposed intellectual property protection measures for the gTLD, its governance model, its executives and staffing estimates, its whois commitments, its proposed registrar requirements, and its financial and technical capability to operate its proposed gTLD operations. Several entities responded to this request in writing, made presentations to the group about their proposed plans, and responded to follow-up questions. Separate due diligence and analysis were also performed concerning the respondents and their proposed plans.

: INDIAN MUSIC INDUSTRY PPL : PHONOGRAPHIC PERFORMANCE LIMITED

Crescent Towers, 7th Floor, B-68, Veera Estate, Andheri (west), Mumbai 400 053. India. Tel : 91 (22) 2673 6301/02/03 Fax : 91 (22) 2673 6304

IFPI : INTERNATIONAL FEDERATION OF THE PHONOGRAPHIC INDUSTRY IFPI Secretariat, 54 Regent Street, London Wib 5re, United Kingdom.

**IMI** 

DIRECT : E-mail : vijay.lazarus@indianmi.org Tel : 91 (22) 2673 6547 Fax : 91 (22) 2673 3872







V. J. Lazarus President

Based on the above and the endorsement by IFPI, IMI supports and endorses the application by Far Further (or its subsidiary .music LLC) to operate a music themed gTLD for the music community under the string ".music" for the benefit of the music community. We believe the application will show that Far Further (or its subsidiary .music LLC), led by executives who have deep knowledge of, and experience in, the music community, will operate the gTLD in a manner that respects and protects artists' and owner's rights in copyrighted music and promotes the legitimate distribution and enjoyment of music .

Should you have any questions about this letter, please contact Vijay Lazarus, President, IMI, Crescent Towers, 7th floor, B-68, Veera Estate, Off New Link Road, Andheri (W), Mumbai 4000 053, India

ţ.

Yours sincerely,

Vijay Lazarus President - IMI

 IMI
 : INDIAN MUSIC INDUSTRY
 PPL
 : PHONOGRAPHIC PERFORMANCE LIMITED

 Crescent Towers, 7th Floor, B-68, Veera Estate, Andheri (west), Mumbai 400 053. India. Tel : 91 (22) 2673 6301/02/03
 Fax : 91 (22) 2673 6301

IFPI : INTERNATIONAL FEDERATION OF THE PHONOGRAPHIC INDUSTRY IFPI Secretariat, 54 Regent Street, London Wib 5re, United Kingdom.

DIRECT : E-mail : vijay.lazarus@indianmi.org Tel : 91 (22) 2673 6547 Fax : 91 (22) 2673 3872