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Applications for a new generic Top-Level Domain „.gmbh“

Dear Mister Chehadé,

we are aware that the Federal Ministry of Economics and Technology and the German Association of Chambers of Commerce and Industry (DIHK) already informed you that the term "GmbH" (Gesellschaft mit beschränkter Haftung) is that of a corporate legal structure in Germany, Austria and Switzerland.

Agreeing with the Federal Ministry of Economics and Technology and DIHK, the Chamber of Commerce and Industry Berlin (IHK Berlin) also would like to point out that in Germany, only companies registered as a "Gesellschaft mit beschränkter Haftung" have the right to use the respective abbreviation "GmbH" accordingly and that the legal aspect is a core aspect in allowing the use of the term "GmbH" as part of a second-level domain. Therefore IHK Berlin, as well believes that, a future applicant for ".gmbh" should ensure that second-level domains below a top-level domain ".gmbh" should be granted solely to companies with this corporate legal structure.

As the German Government as well as Austria and Switzerland underlined in their early warnings of November 2012 to all parties applying for ".gmbh" we agree that they should fulfill the following requirements:

- Applicants for SLDs under ".gmbh" have to be companies which are already organized as "Gesellschaft mit beschränkter Haftung" according to the regulations valid in Germany, Austria, Switzerland or Liechtenstein, or they should be able to prove that

such a registration is pending in at least one of these countries. Compliance with these requirements has to be regularly reviewed.

- Applicants for SLDs have to prove that they are subject to liability as a GmbH by forwarding a full set of valid documents from their respective place of jurisdiction.

We likewise ask ICANN to ensure that the above-mentioned criteria are made mandatory for the new operator of a ".gmbh" registry in order to permanently exclude a misuse of second-level domain names. Please allow us to point out that, to our knowledge, in the view of the governments of Germany, Austria and Switzerland, the two applications by InterNetWire Web-Development GmbH and by TLDDOT GmbH meet these requirements.

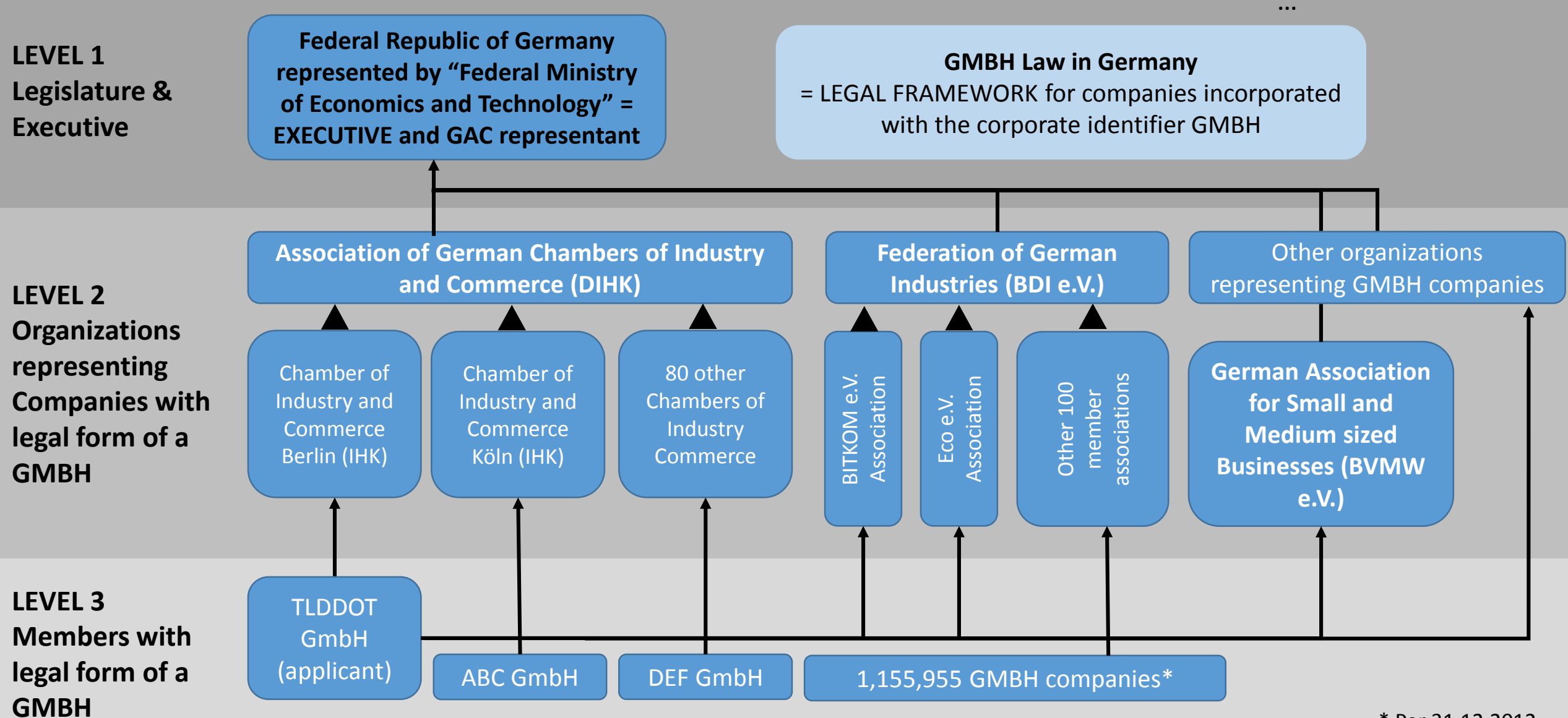
If you have any questions, please do not hesitate to ask us for further information.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Christoph Irrgang".

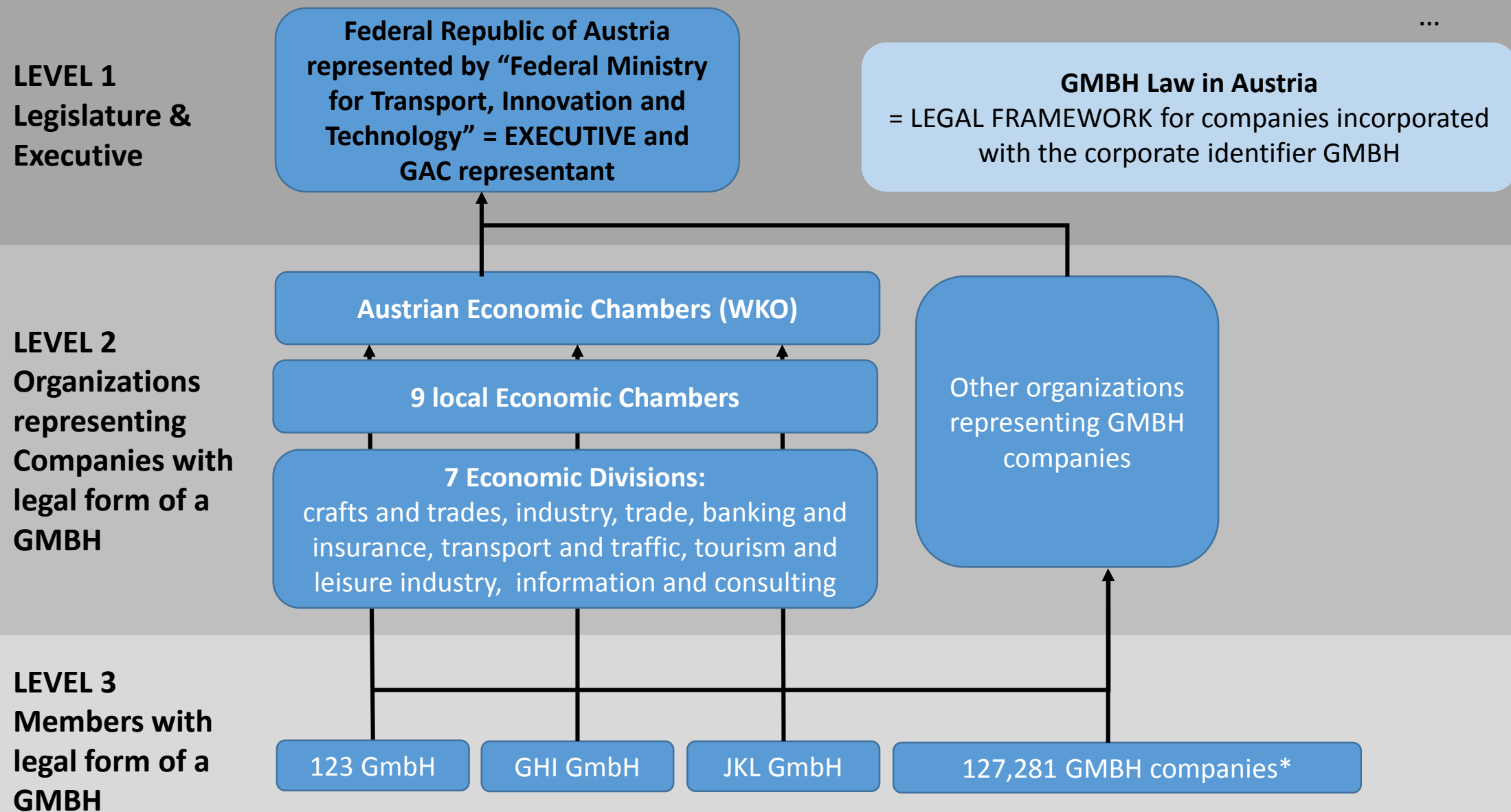
Christoph Irrgang
Chief Legal Officer

The Legal Framework of the GMBH Community in Germany



* Per 31.12.2012

The Legal Framework of the .GMBH Community in Austria



* Per 31.12.2012

The Legal Framework of the .GMBH Community in Switzerland

