

Was there an established presence of the identified community prior to the opening of the application submission period?

Instructions

Fournir la preuve d'une présence bien établie de la communauté identifiée avant l'ouverture de la période de dépôt des candidatures.

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Preliminary Definitions

“Profession d’avocat” (referred to as *“Legal Profession”* in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer exclusively to the legal profession of lawyer, as regulated in France by Law No. 71-1130 of 31 December 1971, reforming certain judicial and legal professions, Decree No. 91-1197 of 27 November 1991, and the Barreaux’ national rules of procedure.

“Avocat” (referred to as *“Attorney”* in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to any person practising the Profession d’avocat and registered on the Tableau, whether a natural person (an Avocat individually registered with a Barreau) or a legal entity (a company or practice entity of Avocats registered with a Barreau).

“Barreau” (referred to as *“Bar Association”* in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to all Avocats practising before each French judicial court, as well as before the Conseil d’État and the Cour de cassation, and registered on the Tableau.

“Ordre” (referred to as *“Bar Association”* in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the democratic institution representing each Barreau, administered by a Conseil de l’Ordre chaired by a Bâtonnier (or by a President in the case of the Ordre des avocats près du Conseil d’État et de la Cour de cassation), elected by all avocats of that Barreau.

“Conseil de l’Ordre” (referred to as *“Bar Association Board of Directors”* in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the representative and deliberative body of the Barreau, elected by all its Avocats.

"Bâtonnier" (referred to as "President" in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the person who chairs the Conseil de l'Ordre and whose mission is to represent the Avocats of their Barreau, uphold professional ethics, ensure discipline, and promote the activities of the Ordre.

"Tableau" (referred to as "Roll" in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the official list of Avocats of each Barreau adopted by the Conseil de l'Ordre, including two main sections: natural persons (Avocats individually registered with the Barreau) and legal entities (companies or practice entities of Avocats registered with the Barreau).

"Conseil National des Barreaux" and/or **"CNB"** (referred to as "National Council of Bar Associations" in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the public-interest organisation responsible for representing the Profession d'avocat nationally before public authorities.

"Conférence des Bâtonniers" shall hereinafter refer to the association representing 163 Barreaux and 45,000 Avocats.

"Centre Régional de Formation Professionnelle des Avocats" and/or **"CRFPA"** (referred to as "School of Attorney" in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the institution providing the initial professional training of Avocats to-be after they have passed the entrance examination organised through the Instituts d'Études Judiciaires, preparing them for the Certificat d'Aptitude à la Profession d'Avocat (or "CAPA"), and providing continuing training for Avocats.

"Caisse Autonome des Règlements Pécuniaires des Avocats" and/or **"CARPA"** (referred to as "Attorney Payment Fund" in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the intra-professional institutions that secure fund-handling transactions carried out by Avocats on behalf of their clients.

"Conseil de discipline" (referred to as "Disciplinary Council" in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to a professional disciplinary jurisdiction established at each french court of appeal and competent to hear breaches and misconduct committed by Avocats belonging to the Barreaux established within that jurisdiction.

"Syndicat d'avocats" and/or **"Association d'avocats"** (referred to as "Attorney's Union" and/or "Professional Union" in the Internal Regulations of the Bordeaux Bar Association) shall hereinafter refer to the professional association of Avocats of a Barreau.

Association) shall hereinafter refer to a collective organisation of Avocats, distinct from the Ordres and Barreaux, responsible for advancing claims, defending professional interests, and participating in debate on the development of the Profession d'avocat.

"Institution de la Profession d'avocat" (referred to as *"Professional institution"* in the *Internal Regulations of the Bordeaux Bar Association*) shall hereinafter refer interchangeably to the Ordres, the CNB, and the Conférence des Bâtonniers.

"Communauté professionnelle des Avocats" shall hereinafter refer collectively to the Avocats, the Ordres, the CNB, the Conférence des Bâtonniers, the CRFPAs, the CARPAs, the Conseils de discipline, the Syndicats and Associations d'avocats, as well as ad hoc entities mandated by the Institutions de la Profession d'avocat and social and/or technical bodies mandated by the Institutions de la Profession d'avocat.

Unique Development

The Communauté professionnelle des Avocats, whose interests are represented in the present application to ICANN by the Ordre des Avocats du Barreau de Bordeaux, is a **professional community that is institutionally stable and historically established**, and whose existence indisputably predates the opening of the ICANN application submission period.

This established presence is based on a longstanding legal framework, continuous institutional organization and a consolidated national professional structure.

Historically, the Profession d'avocat has existed in France **since the Middle Ages**. The Profession d'avocat in its current form **emerged in the 13th century**, with its first regulations dating back to **1274** and requiring, in particular, Avocats to take an oath and to be entered on an official list, the predecessor of the Tableau.

Today, the Profession d'avocat in France is embodied in a professional community governed by various legislative and regulatory instruments, including legislation that is more than 50 years old: the Law of 31 December 1971, which applies uniformly at the national level to all French Avocats.

A Law of 31 December 1990 also established a “new Profession d'avocat” following the merger of Avocats with legal advisers.

The Conseil National des Barreaux has also adopted a national set of internal rules intended to apply to all Avocats, while the 164 French Barreaux and Ordres have each adopted internal rules specific to their respective Ordre.

The Communauté professionnelle des Avocats is structured around territorially competent Barreaux. These Barreaux cover the entire French territory, thereby ensuring uniform representation of the Profession d'avocat.

France has **164 Barreaux**, representing more than **79,000 Avocats** and confirming the existence of a stable, consolidated and enduring structure. Moreover, some of these Barreaux have a particularly long history, including the Barreau de Bordeaux, whose Ordre des Avocats is submitting the present application and which has existed since the 15th century.

At the national level, the Communauté professionnelle des Avocats is structured by an Institution de la Profession d'avocat, the **Conseil National des Barreaux**, which was created by the Law of 31 December 1990 and is responsible for:

- The national representation of the Profession d'avocat;
- Consolidating the unity of the Communauté professionnelle des Avocats.

The Communauté professionnelle des Avocats also has structured and enduring representative organizations, including the **Conférence des Bâtonniers**, which represents 163 of the 164 French Barreaux and ensures continuous institutional coordination.

These structures demonstrate **the longstanding, stable and institutionalized collective organization of the Profession d'avocat**.

The Communauté professionnelle des Avocats in France has a **well-established, continuous and institutionally consolidated presence that unquestionably predates the application period for a gTLD before ICANN**. This is demonstrated, in particular, by:

- A longstanding and enduring legal framework, comprising the Law of 1971 and the related legislative and regulatory instruments;
- Permanent Ordre structures, including the Barreaux and the Ordres des Avocats des Barreaux;
- A stable national organization ensured by the Conseil National des Barreaux;
- Enduring representative bodies coordinating the Ordres, including the Conférence des Bâtonniers.

These elements unequivocally demonstrate that the Communauté professionnelle des Avocats constitutes a historically established, institutionally structured and enduring professional community that fully satisfies the ICANN criteria concerning the community's prior existence.