SNAPSHOT OF KEY ELEMENTS
Name Collisions

Latest ALAC STATEMENT expressed:

- Concern that name collisions have the potential for great user harm
- Need for deference to SAC090 and for SSAC NCAP results to be in before proceeding with next round

RELATED SubPro Areas/Topics include:

- SSAC Name Collisions Analysis Project (NCAP)
- SSAC SAC090

COMPETITION, CONSUMER CHOICE & TRUST (CCT) RECOMMENDATIONS

- None

❖ SubPro WG deliberations on public comments to Initial Report on topic of Name Collisions is targeted for 12 Sep 2019. Will include developments in relation to NCAP being initiated after ICANN Board in March 2019 authorized Study One to proceed.

SNAPSHOT OF SUBPRO WG DELIBERATIONS
Name Collisions as at 11 Sep 2019

ALAC STATEMENT:

- *The process needs to wait for the SSAC to complete its work and to be subject to their recommendations. The next round should not proceed before that is in.*

- *For clarity sake, the ALAC opines that Subsequent Procedures WG can conclude its work, and implementation may proceed, but **ICANN may not launch the application window until the NCAP study(ies) are completed and any recommendations resulting from those study(ies) are addressed in implementation**.*

- *As a compromise, in the event ICANN proceeds to launch the application window and start the evaluation process, then **no TLD may be delegated until the NCAP Study(ies) is/are completed and any recommendations resulting from those study(ies) are retroactively incorporated**. However, we see this latter circumstance as being more difficult to address, which is why we think the next round should not proceed before the SSAC completes its work and their recommendations (if any) implemented.*

SUBPRO WG Deliberations:

<u>High Level Agreement</u>

- None as this point
- Many outstanding issues pending further deliberations

For SUBPRO WG Deliberations:

Outstanding

- SSAC feedback on NCAP – question on any dependency between NCAP and next round applications, concerns on impact of proceeding with new round on NCAP

- SAC090 still stands – 4 recommendations

- Mechanism to evaluate risk of name collisions in TLD evaluation process – is existing mechanism sufficient? Does it also need to be applied during transition to delegation?

- Create a "Do Not Apply" list that pose a substantial risk? A second list that may not pose substantial risk but strong presumption exists for specific mitigation framework? Should applicants file such a framework?

- Require study of effectiveness of APD or CI from ICANN to judge legacy mitigation framework?

- Develop test during evaluation process to evaluate name collision risk for every applied-for string, then place in risk categories with clear guidance on risk level?

- Or disallow high risk strings from processing and offer some refund?

- High risk strings to require non-standard mitigation framework? Evaluated by RSTEP panel?

- Should low risk strings be allowed and "managed" through controlled interruptions soonest? For how long? Note that operationally, CI means string needs to be put into the "temporary" records in the root zone which could remain for years if/while applicant undergoes dispute resolution processes.

For SUBPRO WG Deliberations:

Outstanding

- Dependency between WG findings and NCAP

  Summation by WG Co-Chairs to GNSO Council on NCAP-SubPro Dependencies

  - ❏ *There are so many people making so many arguments and even if the Board says that there are "dependencies", I think they need to be specific as to which exact step is the completion of the NCAP work dependent on. What is the exact point where we cannot move forward?*

  - ❏ *Some people say the Board cannot accept the final policy without this work being done.*

  - ❏ *Some say the policy can be completed, but implementation work cannot be completed prior to the NCAP finishing.*

  - ❏ *Some say that can complete but we cannot complete the AGB. Some say we can complete that but we cannot announce the new round.*

  - ❏ *Some say we can announce but cannot accept applications.*

  - ❏ *Some say we can do it all but not delegate.*

  - ❏ *And finally some say we can delegate and use existing name collision model until NCAP states otherwise.*