



UPDATE & CONSULTATION ON New gTLD Subsequent Procedures

RESERVED NAMES, CLOSED GENERICS & REGISTRANT PROTECTIONS

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SNAPSHOT OF KEY ELEMENTS

Reserved Names, Closed Generics & Registrant Protections



ALAC STATEMENTS touch on:

- Reserved Names: Avoidance of end user confusion as paramount consideration to any proposal to alter list of Reserved Names
- Closed Generics: Prohibition on use of Closed Generics, or at the very least, not coupled with a Public Interest Application or subject to a Code of Conduct
- Registrant Protections: Maintaining the original intent of EBERO, COI, Data Escrow requirements, Registry Performance Specs in Spec 10 of RA – Registry Agreement & have high standards for applicants



RELATED SubPro Areas/Topics include:

- Reserved Names: SAC090 SSAC Advisory on the Stability of the Domain Namespace



COMPETITION, CONSUMER CHOICE & TRUST (CCT) RECOMMENDATIONS

- None

- ❖ SubPro WG deliberation on public comments to Initial Report on topic of Reserved Names targeted on 8 Aug 2019, on topics of Closed Generics & Registrant Protections targeted on 12 Aug 2019

SNAPSHOT OF SUBPRO WG DELIBERATIONS

Reserved Names as at 7 Aug 2019

ALAC STATEMENTS support:

- Avoidance of end user confusion as paramount consideration – all practicable, reasonable measures must be considered and implemented to safeguard this end user protection principle
 - Eg. avoid impact on end users due to resemblance between ASCII letters resulting from proposal to remove reservation of 2-character strings at top level with one ASCII letter and one number (e.g .02 or .3M)
- Special Use Domain Names should be added to AGB Reserved Names at TL section to prevent applications for such strings
- No change needed to Spec 5 Provision 3.2 RO's right to reserve up to 100 domain names at all level

SUBPRO WG Deliberations:

High Level Agreement

- General support for reserving the names for Public Technical Identifiers (i.e., PTI, PUBLICTECHNICALIDENTIFIERS, PUBLICTECHNICALIDENTIFIER).
- General support for reserving Special-Use Domain Name through IETF RFC 6761 procedure
- General support for updating Schedule 5 to include measures for Letter/Letter Two-Character ASCII Labels to Avoid Confusion with Corresponding Country Codes adopted by ICANN Board on 8 Nov 2016.

Parking Lot

- For reference: SSAC Advice on Reserved Names from SAC090: SAC090 SSAC Advisory on the Stability of the Domain Namespace; See: <https://www.icann.org/en/system/files/files/sac-090-en.pdf>

SNAPSHOT OF SUBPRO WG DELIBERATIONS

Closed Generics as at 7 Aug 2019

ALAC STATEMENTS advocate:

- Prohibition to use of closed generics if not coupled with a Public Interest Application due to:
 - (1) potentially unfair influence over registration priority in a generic term and
 - (2) enabling significant security risks for particular strings, particularly for dotless domains per SSAC advice
- If were to be allowed, then closed generics should be coupled with Public Interest Application and subject to a Code of Conduct

SUBPRO WG Deliberations:

High Level Agreement

- None at this stage

Outstanding Items

- Deliberation on the 4 options of:
 - #1 No Closed Generics
 - #2 Closed Generics with Public Interest Application
 - #3 Closed Generics with Code of Conduct
 - #4 Allow Closed Generics

SNAPSHOT OF SUBPRO WG DELIBERATIONS

Registrant Protections as at 7 Aug 2019

ALAC STATEMENTS advocate:

- EBERO and/or COI is to protect consumers, not prop up failing ROs, therefore ICANN must observe original intent of EBERO and allow it to function under that scope
 - Data Escrow requirements and Registry Performance Specifications in Spec 10 RA should also remain
- ICANN should also subject publicly traded companies and affiliates to background checks to prevent “gaming”
- Yes to additional check questions: (1) termination for compliance issues and (2) company being a part of an entity found in breach of contract with ICANN
- ICANN Org should undertake applicant background screening twice: (1) at time of application (to identify unsuitable applicants) and (2) at time of contract signing (to identify material changes)
- Standard for applicants should remain high, noting special circumstances requiring adjustment in evaluation process to accommodate applicants for underserved regions and brand TLD perhaps

SUBPRO WG Deliberations:

High Level Agreement

- General support for maintaining existing registrant protections, including EBERO and associated triggers for EBERO event and critical registry functions
- General support for providing TLDs under Spec 9 and Spec 13 with an exemption from EBERO requirements (single registrant)
- General support for background screening process to be more accommodating, meaningful and flexible for different regions of the world and in different circumstances