UPDATE & CONSULTATION ON
New gTLD Subsequent Procedures

STRING SIMILARITY

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SNAPSHOT OF KEY ELEMENTS
String Similarity

ALAC STATEMENTS touched on:

- Reducing risk of foreseeable consumer confusion due to plurals and singulars of the same word within the same language/script being allowed

- No overlap in rounds for a string that is still being processed from a previous application

- CPE as appropriate method for resolving contentions (if administered properly)

- Concerns and need to draw up rules to disincentive gaming or abuse of private auctions in respect of string similarity/contention sets

- Treatment for synonym strings associated with a highly regulated sector or are verified TLDs

RELATED SubPro Areas/Topics include:

- String Confusion Objections
- Dispute resolution review
- SSAC: RFC 5894 IDNA: Background, Explanation & Rationale

COMPETITION, CONSUMER CHOICE & TRUST (CCT) RECOMMENDATIONS

- Rec #35: Consider adopting new policies to avoid potential for inconsistent results in string confusion objections:
  1) Determine through initial string review process, singular and plural versions of same string which should not be delegated
  2) Avoid disparities in similar disputes, ensure similar cases of plural versus singular strings are examined by same expert panelist
  3) Introduce a post dispute resolution panel review mechanism

❖ SubPro WG deliberations on public comments to Initial Report on topic of String Similarity is targeted for 22 Aug 2019

ALAC STATEMENTS support:

- Prohibition on plurals and singulars of the same word within the same language/script to reduce risk of consumer confusion
- Expanding scope of String Similarity Review to encompass singulars/plurals of TLDs on a per-language basis – applications for a plural version of a singular word in the same language should go into contention set because they are confusingly similar – application for single/plural variation of an existing TLD would not be permitted -- but applications should not be automatically disqualified because of a single letter difference with an existing TLD (eg .NEW and .NEWS)
- Using a dictionary to determine singular and plural versions of the string for the specific language
- Disallowing application for a string that is still being processed from a previous application opportunity

SUBPRO WG Deliberations:

High Level Agreement
- General support for adding detailed guidance on the standard of confusing similarity as it applies to singular and plural versions of the same word, specifically:
  - o Prohibiting plurals and singulars of the same word within the same language/script in order to reduce the risk of consumer confusion (eg. .CAR and .CARS)
  - o Expanding the scope of the String Similarity Review to encompass singulars/plurals of TLDs on a per-language basis
  - o Using a dictionary to determine the singular and plural version of the string for the specific language
- Support for eliminating use of SWORD tool
- General support for the idea that that it should not be possible to apply for a string that is still being processed from a previous application opportunity.

ALAC STATEMENTS also:

- Favour CPE as appropriate method for resolving contentions (if administered properly) over auctions of last resort (disfavour less-wealthy applicants, open to abuse)

- Suggest a study be done on how best to draw up rules to disincentive gaming or abuse of private auctions – not enough info about abuse in 2012 auctions – legality of auctions both ICANN and private ones in question. Explore other contention resolution mechanisms.

- Re: Synonyms: standard of treatment for synonym strings associated with a highly regulated sector or are verified TLDs should be higher because of greater potential harm to consumers.

SUBPRO WG Deliberations:

Outstanding Items

- No clear support for either CPE or auctions of last resort as similar string contention resolution mechanism

- Concerns over possible abuses of private auctions and legality of the same but not concrete action mentioned to address concerns

- Treatment of homonyms in string similarity rules because homonyms can cause end-user confusion (eg. .THAI phonetically clashed with existing Thai IDN ccTLD)

- Coordination between ccNSO and GNSO for common approach i.e. at minimum, ensure mutual understanding of need for and different methods for evaluating "confusing similarity" – use of small working group to analyse this