



# UPDATE & CONSULTATION ON New gTLD Subsequent Procedures

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## APPLICATION CHANGE REQUESTS

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# SNAPSHOT OF KEY ELEMENTS

## Application Change Requests



### ALAC STATEMENTS have touched on:

- Implementation Guidance for Change Requests intended to resolve string contention sets only
  - What should be allowed
  - How to handle such requests



### RELATED SubPro Areas/Topics include:

- String Contention resolution
- Name Collision risk assessment
- Role of public comment
- Objection procedures



### COMPETITION, CONSUMER CHOICE & TRUST (CCT) RECOMMENDATIONS

- None

- ❖ SubPro WG deliberations on public comments to Supplemental Initial Report on topic of Application Change Requests targeted for 8 Aug 2019

# SNAPSHOT OF SUBPRO WG DELIBERATIONS

## Application Change Requests as at 6 Aug 2019

### Operational Improvements

#### ALAC STATEMENT supports:

- Proposed operational improvements:
  - ICANN Org to provide guidance on changes likely to be approved and likely to not be approved
  - ICANN Org to state types of changes required to be posted for public comments or otherwise
  - AGB to state types of changes requiring re-evaluation of some/all parts of the application or otherwise
- Allowing changes to resolve string contention by (1) creating JV or (2) limited ability to select different string that must be closely related to original string, subject to:
  - Re-evaluation to ensure new JV entity meets program requirements with applicant carrying burden of any re-evaluation cost and accepting reasonable delay if need be
  - New string put through (a) name collision risk assessment, (b) public comment, (c) open to established Objection procedures

#### SUBPRO WG Deliberations:

##### High Level Agreement

- Maintain high-level, criteria-based change request process employed in 2012 with operational improvements.
  - ICANN Org to provide guidance on changes likely to be approved and likely to not be approved
  - ICANN Org to state types of changes required to be posted for public comments or otherwise
  - AGB to state types of changes requiring re-evaluation of some/all parts of the application or otherwise
- Allow application changes to support formation of JVs; ICANN Org may determine if re-evaluation needed in order to ensure new entity still meets program requirements; applicant to be responsible for any additional costs and accept reasonable delays

# SNAPSHOT OF SUBPRO WG DELIBERATIONS

## Application Change Requests as at 6 Aug 2019

### Limitations, Use of Criteria, Use of Public Comment

#### ALAC STATEMENT supports:

- NOT allowing any changes:
  - which causes name collision risk; or
  - if new string is not closely related to original string as determined through expert/community input; or
  - If new string is an exact match to or is an IDN variant of an already-applied-for string; or
  - If new string is an IDN variant of a delegated string
- Consideration on case-by-case basis and on the merits of each case, using existing 7 criteria with 2 minor tweaks:
  - #1: Reasonable explanation – can be supplemented by letter of support from non-applicant interested stakeholder
  - #7: Timing – interference with evaluation process should carry least weight
- Importance in role of public comment in change requests

#### SUBPRO WG Deliberations:

##### High Level Agreement

- If change in string applied-for is because original string was in contention set, then the **new string should not create a new contention set or enter into another existing contention set.**

##### Outstanding Items

- Comments on criteria used to evaluate change requests
- Role of public comment, when public comment needed
- Additional guidance on management of potential risk due to changes