

Revised Community Priority Evaluation Guidelines

A Proposal by At-Large

The CPE Guidelines must be incorporated into the next version of the AGB to provide additional clarity to the process and scoring principles outlined on Community Priority Evaluation. These proposed guidelines are intended to modify the AGB framework, changing some of the intent or standards laid out in the 2012 AGB. However, as before, they are also intended to increase transparency, fairness and predictability around the CPE assessment or evaluation process.

In summary and from an overall perspective, the At-Large’s proposal presents the CPE Criteria as follows.

Criterion #1: Community Establishment	Criterion #2: Nexus between Proposed String and Community	Criterion #3: Registration Policies	Criterion #4: Community Endorsement
Measured by 2 sub-criteria: <ul style="list-style-type: none"> • 1-A Delineation • 1-B Extension Scoring <ul style="list-style-type: none"> • Max of 4 points for Criterion #1 • Max of 2 points for each sub-criterion 	Measured by 2 sub-criteria: <ul style="list-style-type: none"> • 2-A Nexus • 2-B Uniqueness Scoring <ul style="list-style-type: none"> • Max of 4 points for Criterion #2 • Max of 3 points for 2-A Nexus and max of 1 point for 2-B Uniqueness 	Measured by 4 sub-criteria <ul style="list-style-type: none"> • 3-A Eligibility • 3-B Name Selection • 3-C Content and Use • 3-D Enforcement Scoring <ul style="list-style-type: none"> • Max of 4 points for Criterion #3 • Max of 1 point for each sub-criterion 	Measured by 2 sub-criteria <ul style="list-style-type: none"> • 4-A Support • 4-B Opposition Scoring <ul style="list-style-type: none"> • Max of 4 points for Criterion #4 • Max of 2 points for each sub-criterion
<ul style="list-style-type: none"> • More flexible interpretation of “Community” and “delineation” • Increased influence of community expertise • 1-A Delineation and 1-B Extension are evaluated independent of each other 	<ul style="list-style-type: none"> • More flexible interpretation of “Community” for establishing nexus • Greater clarity for between prerequisites for scoring on 2-A Nexus • 2-A Nexus is evaluated independently to Criterion #1 		<ul style="list-style-type: none"> • Sources for Criterion #4 to be drawn strictly from Application, Application Comment and/or Objections
Need at least 12 points of max 16 points to prevail in CPE			
Lowering of threshold from 14 to 12 point of a maximum 16 points to prevail			

The need for translation of CPE Guidelines must correspondingly be included in any recommendation as to translating the AGB.

Criterion #1: Community Establishment

This section relates to the community as explicitly identified and defined according to statements in the application. (The implicit reach of the applied-for string is not considered here, but taken into account when scoring Criterion #2, “Nexus between Proposed String and Community.”)

Measured by

- 1-A Delineation
- 1-B Extension

A maximum of 4 points is possible on the Community Establishment criterion, and each sub-criterion has a maximum of 2 possible points.

1-A Delineation

The following main questions must be answered when evaluating the application:

- **Is the Community (as identified in the application) clearly delineated, organized and pre-existing?”**
- **If the Community is not clearly delineated, is the Community reasonably delineated and pre-existing?”**

Where, the following definitions apply:

Definitions	Evaluation Guidelines
<p>“The Community” - Usage of the expression “community” has evolved considerably from its Latin origin – “communitas” meaning “fellowship” – while still implying more of cohesion than a mere commonality of interest. Notably, as “Community” is used throughout the application, there should be:</p> <p>(i) An awareness and/or recognition of the Community; and</p> <p>(ii) Some understanding of the Community’s existence prior to the launch of this application window.</p>	<p>“The Community” as it relates to Criterion #1, refers to the community as defined by the applicant. It could be any group of individuals or any legal entities brought together in order to collectively act, express, promote, pursue or defend a field of common interests – and should be interpreted in a reasonably flexible manner; while a “community” (i.e. with a small ‘c’) refers the wider community which includes the Community defined by the applicant where the Community does not exactly mirror the community.</p> <p>Any distinction between a Community based on a common economic interest (CEI model) and a Community advocating for Human Rights (CHR model) should not serve as a basis for preferring one over the other.</p>
<p>“Delineated” relates, as the case may be, to the constituency of a Community, where:</p>	<p>“Delineation” also refers to the extent to which a Community has the requisite awareness and/or recognition.</p>

Definitions	Evaluation Guidelines
<p>[a] A clearly delineated grouping established by a clear and straight-forward membership definition scores high, eg.</p> <ul style="list-style-type: none"> • Any subscription-based organization such as a trade association, or a membership-based club (i.e. a CEI model) <p>[b] A grouping can be established as clearly delineated even without a clear and straight-forward membership definition and will also score high, if it:</p> <ul style="list-style-type: none"> • Forms part or the whole of a community which is recognized by an International Organization specialized in the specific/relevant field (i.e. a CHR model), and such recognition will sufficiently establish it as pre-existing; or • Forms part or the whole of a community or segment of society recognized by a relevant subject matter or community expert of regional or international standing (i.e. also a CHR model) and such recognition will sufficiently establish it as pre-existing; and • Is organized - In other words, whether it scores high or low will depend on the extent to which it is organized. 	<p>[a] Is the Community clearly delineated with a clear and straight-forward membership definition?</p> <ul style="list-style-type: none"> • The non-exhaustive list of elements denoting a community’s delineation are: fees, skill and/or accreditation requirements, privileges or benefits entitled to members, certifications aligned with community goals, etc • An awareness and recognition of the Community among its members must be established <ul style="list-style-type: none"> ○ Are Community members aware of the existence of the Community as defined by the applicant? ○ Do Community members recognize the Community as defined by the applicant? ○ Is there clear evidence of such awareness and recognition? <p>[b] Is the Community clearly delineated even without a clear and straight-forward membership definition?</p> <ul style="list-style-type: none"> • Such a Community can be one recognized by an International Organization specialized in the specific/relevant field or by a relevant subject matter or community expert of regional or international standing – includes marginalized or minority groups; linguistic, cultural, ethnic groupings, “traditional knowledge” and indigenous communities • An awareness of the Community may be established by: <ul style="list-style-type: none"> ○ Imputation as stated by the relevant International Organization or by the relevant subject matter or community expert; or ○ Others, where, “others” refers to individuals outside of the Community itself, as well as the most knowledgeable individuals in the wider geographic and language environment of direct relevance. It also refers to recognition from other organization(s), such as quasi-official, publicly

Definitions	Evaluation Guidelines
<p>[c] A grouping without a clear and straight-forward membership definition may be found to be reasonably delineated and score low, if it:</p> <ul style="list-style-type: none"> • Has not organized itself or is one whose designees or beneficiaries may not recognize themselves as members of the Community but either they can relate to that Community or others can identify them with that Community - In other words, whether it scores or not will depend on the extent to which it is organized; and • Is pre-existing. <p>(d) A vague, dispersed or unbound definition will not score.</p>	<p>recognized institutions, or other peer groups.</p> <p>[c] If the Community is not clearly delineated, is the Community reasonably delineated?</p> <ul style="list-style-type: none"> • Such a Community may be a grouping that does not yet enjoy any recognition but whose designees or beneficiaries may be reasonably identified • An awareness of the Community may be established among others who identify designees or beneficiaries with that Community or who can relate to that Community, where, “others” refers to individuals outside of the Community itself, as well as the most knowledgeable individuals in the wider geographic and language environment of direct relevance. It also refers to recognition from other organization(s), such as quasi-official, publicly recognized institutions, or other peer groups.
<p>“Organized” implies that there is at least one entity mainly dedicated to the community, with documented evidence of community activities; where:</p> <ul style="list-style-type: none"> • “Mainly” could imply that the entity administering or advocating on behalf of the community may have additional roles/ functions beyond administering or advocacy for the community, but one of the key or primary purposes/ functions of the entity is to administer or advocate on behalf of a community or a community organization. 	<ul style="list-style-type: none"> • Is there at least one entity mainly dedicated to the community? • Or does the applicant purport to be such an entity? <p>Where at least one such entity exists, or where the applicant purports to be such an entity then consider the following:</p> <ul style="list-style-type: none"> • Was the entity established to administer or advocate on behalf of the community? • Does the entity’s mission statement clearly identify the community? • Does the entity have documented evidence of community activities? <p>Additional research may need to be performed to establish that there is documented evidence of community activities. Research may include reviewing the entity’s web site, including mission statements, charters, reviewing websites of community members (pertaining to groups), if applicable, etc.</p>

<u>Definitions</u>	<u>Evaluation Guidelines</u>
<p>“Pre-existing” means that a community has been either active or recognized as existing prior to the launch of this application window</p>	<p>There must be some understanding of the community’s existence prior to the launch of this application window.</p> <ul style="list-style-type: none"> • Is the Community active? • Or has the Community been recognized as pre-existing?

And scoring is guided as follows:

<u>Scoring for 1-A Delineation</u>	<u>Scoring Guidelines</u>
<p>2= Clearly delineated, organized, and pre-existing community.</p> <p>1= Reasonably delineated and pre-existing community</p> <p>0= Insufficient delineation and pre-existence for a score of 1.</p>	<p>With respect to “Delineation” it should be noted that a community can consist of legal entities (for example, an association of suppliers of a particular service), of individuals (for example, a language community) or of a logical alliance of communities (for example, an international federation of national communities of a similar nature). All are viable as such, provided the requisite awareness and/or recognition of the community is established as provided above.</p> <p>Accordingly, with respect to “Delineation”,</p> <ul style="list-style-type: none"> • If an application satisfactorily demonstrates all three relevant parameters (clearly delineated, organized and pre-existing), then it scores a 2; or • If an application satisfactorily demonstrates two relevant parameters (reasonably delineated and pre-existing), then it scores a 1; and • An application with insufficient delineation and pre-existence will score a zero.

1-B Extension

The following main question must be answered when evaluating the application:

- **Is the Community (as identified in the application) of considerable size and longevity?**

Where, the following definitions apply:

<u>Definitions</u>	<u>Evaluation Guidelines</u>
<p>“Extension” relates to the dimensions of the Community, regarding its number of members, geographical reach, and foreseeable activity</p>	<p>“The Community” as it relates to Criterion #1, refers to the community as defined by the applicant. It could be any group of individuals or any legal entities brought together in order</p>

<u>Definitions</u>	<u>Evaluation Guidelines</u>
lifetime, as further explained in the following. (i.e. "Size" and "Longevity")	<p>to collectively act, express, promote, pursue or defend a field of common interests – and should be interpreted in a reasonably flexible manner; while a "community" (i.e. with a small 'c') refers the wider community which includes the Community defined by the applicant where the Community does not exactly mirror the community.</p> <p>Any distinction between a Community based on a common economic interest (CEI model) and a Community advocating for Human Rights (CHR model) should not serve as a basis for preferring one over the other.</p>
<p>"Size" relates both to the number of members and the geographical reach of the Community, and will be scored depending on the context rather than on absolute numbers - a geographic location community may count millions of members in a limited location, a language community may have a million members with some spread over the globe, a community of service providers may have "only" some hundred members although well spread over the globe, an indigenous community may have thousands of members spread over the globe or may have a few hundred members in a limited location, just to mention some examples - all these can be regarded as of "considerable size".</p>	<p>Where feasible, the size of the Community (as defined by the applicant) should be differentiated from and evaluated against the size of the community.</p> <ul style="list-style-type: none"> • Is the Community large in terms of membership and/or geographic dispersion? • If the Community (as defined by the applicant) is distinguishable from the community, how does the size of the Community compare with the size of the community? • If the Community is not evidently large in terms of membership and/or geographic dispersion, is there a valid explanation of the Community being not of considerable size? • If the community is one advocating for rights that are not universally accepted, or that are considered as crimes (eg. same sex relations) such that the size of the community is not ascertainable which limits comparison with the Community size, then flexibility is given to the scoring of this sub-criterion.
<p>"Longevity" means that the pursuits of a Community are of a lasting, non-transient nature.</p>	<p>The Community should have extended tenure or longevity—non-transience—into the future</p> <ul style="list-style-type: none"> • Is the Community a relatively short-lived congregation (e.g. a group that forms to represent a one-off event)? • Is the Community forward-looking (i.e. will it continue to exist in the future)?

And scoring is guided as follows:

Scoring for 1-B Extension	Scoring Guidelines
<p>2=Community of considerable size and longevity</p> <p>1=Community of either considerable size or longevity.</p> <p>0=Community of neither considerable size nor longevity</p>	<p>Accordingly, with respect to “Extension”,</p> <ul style="list-style-type: none"> • If an application satisfactorily demonstrates both considerable size and longevity, it scores a 2; or • If an application satisfactorily demonstrates either one of the two relevant parameters (i.e. considerable size or longevity), then it scores a 1; and • An application with neither considerable size nor longevity will score a zero. <p>With flexibility provided to the circumstance described under the “Size” sub-criterion.</p>

Criterion #2: Nexus between Proposed String and Community

This section evaluates the relevance of the string to the specific community that it claims to represent.

Measured by

- 2-A Nexus
- 2-B Uniqueness

A maximum of 4 points is possible on the Nexus criterion, and with the Nexus sub-criterion having a maximum of 3 possible points, and the Uniqueness sub-criterion having a maximum of 1 possible point.

2-A Nexus

The following main questions must be answered when evaluating the application:

- **Does the applied-for string match the name of the community?**
- **Or is the applied-for string a well-known short-form or abbreviation of the community?**
- **Or does the applied-for string identify the Community?”**

Where, the following definitions apply:

Definitions	Evaluation Guidelines
<p>“Name” of the community means the established name by which the community is commonly known by others. It may be, but does not need to be, the name of an organization dedicated to the community, where:</p>	<ul style="list-style-type: none"> • Does the applied-for string match the name of the community? The name may be, but does not need to be, the name of an organization dedicated to the community.

Definitions	Evaluation Guidelines
<ul style="list-style-type: none"> • “Others” refers to individuals outside of the community itself, as well as the most knowledgeable individuals in the wider geographic and language environment of direct relevance. It also refers to recognition from (a) an International Organization specialized in the specific/relevant field; (b) a relevant subject matter or community expert of regional or international standing, (c) other organization(s), such as quasi-official, publicly recognized institutions, or (d) other peer groups. • “Match” is of a higher standard than “identify” and means ‘corresponds to’ or ‘is equal to’. 	<ul style="list-style-type: none"> • Or is the applied-for string a well-known short-form or abbreviation of the community?
<p>“Identify” means that the applied-for string closely describes the Community or a reasonably understood boundary of the Community members, without over-reaching substantially beyond the Community, where:</p> <ul style="list-style-type: none"> • “Identify” does not simply mean ‘describe’, but means ‘closely describes the Community’. • “Over-reaching substantially” means that the string indicates a wider geographical or thematic remit than the Community has. 	<ul style="list-style-type: none"> • Where the applied-for string neither matches the name of the community nor is a well-known short-form or abbreviation of the community, does the applied-for string identify the Community? <p>Consider the following:</p> <ul style="list-style-type: none"> • Does the string identify a wider or related community of which the applicant is a part, but is not specific to the applicant’s Community? • Does the string capture a wider geographical/thematic remit than the Community has? • Recognition by an International Organization specialized in the specific/relevant field of the use of the string is to be given significant weight. • Consultation with a relevant subject matter or community expert of regional or international standing should be utilized to help understand whether the string identifies the Community and is known by others. • An Internet search is the least preferred method to be utilized to help understand whether the string identifies the Community and is known by others. <p>Where at least one such entity exists, or where the applicant purports to be such an entity then:</p>

<u>Definitions</u>	<u>Evaluation Guidelines</u>
	<ul style="list-style-type: none"> • Additional research may need to be performed to include reviewing such an entity’s web site, including mission statements, charters, reviewing websites of community members (pertaining to groups), if applicable, etc, and • Consider whether the applicant’s mission statement aligns with the additional research.

And scoring is guided as follows:

<u>Scoring for 2-A Nexus</u>	<u>Scoring Guidelines</u>
<p>3= String matches the name of the community or is a well-known short-form or abbreviation of the community</p> <p>2= String identifies the Community without over-reaching substantially beyond the Community</p> <p>0= String does not fulfill the requirements for a score of 2 or 3</p>	<p>Accordingly, with respect to “Nexus”,</p> <ul style="list-style-type: none"> • For a score of 3, the essential aspect is that the applied-for string matches the name of the community • Where an exact match is not established but the applied-for string is established as commonly known by others as a well-known short-form or abbreviation of the community, it will score a 3 • Where the applied-for string does not match the name of the community or is not a well-known short-form or abbreviation of the community, it may score a 2 if it identifies the Community – i.e. closely describes either the Community or a reasonably understood boundary of the Community members, without over-reaching substantially beyond the Community. • An applied-for string which identifies the Community but over-reaches substantially into a community will score a zero.

2-B Uniqueness

The following main question must be answered when evaluating the application:

- **Does the applied-for string have any other significant meaning (to the public in general) beyond identifying the Community described in the application?**

Where, the following definitions apply:

<u>Definitions</u>	<u>Evaluation Guidelines</u>
<p>“Uniqueness”</p>	<p>It should be noted that "Uniqueness" is only about the meaning of the string - since the evaluation takes place to resolve contention there will obviously be other applications, community-based and/or standard, with identical or confusingly similar strings in the contention set to resolve, so the string will clearly not be "unique" in the sense of "alone."</p>
<p>“Identify” means that the applied-for string closely describes the Community or the Community members, without over-reaching substantially beyond the Community, where:</p> <ul style="list-style-type: none"> • “Over-reaching substantially” means that the string indicates a wider geographical or thematic remit than the Community has. 	
<p>“Significant meaning” relates to the public in general, with consideration of the community language context added</p>	<p>Consider the following:</p> <ul style="list-style-type: none"> • Will the public in general immediately think of the community when thinking of the applied-for string? • If the string is unfamiliar to the public in general, it may be an indicator of uniqueness. • Is the geography or activity implied by the string? • Is the size and delineation of the Community inconsistent with the string? • An internet search should be utilized to find out whether there are repeated and frequent references to entities or communities other than the Community referenced in the application.

And scoring is guided as follows:

<u>Scoring for 2-B Uniqueness</u>	<u>Scoring Guidelines</u>
<p>1=String has no other significant meaning beyond identifying the Community described in the application.</p> <p>0=String does not fulfill the requirement for a score of 1</p>	<p>"Uniqueness" will be scored both with regard to the Community context and from a general point of view. For example, a string for a particular geographic location Community may seem unique from a general perspective, but would not score a 1 for uniqueness if it carries another significant meaning in the common language used in the relevant Community location.</p> <p>Accordingly, with respect to “Uniqueness”,</p>

<u>Scoring for 2-B Uniqueness</u>	<u>Scoring Guidelines</u>
	<ul style="list-style-type: none"> An applied-for string which has no other significant meaning beyond identifying the Community scores a 1; Otherwise, it scores zero.

Criterion #3: Registration Policies

This section evaluates the applicant’s registration policies as indicated in the application. Registration policies are the conditions that the future registry will set for prospective registrants, i.e. those desiring to register second-level domain names under the registry.

Measured by

- 3-A Eligibility
- 3-B Name Selection
- 3-C Content and Use
- 3-D Enforcement

A maximum of 4 points is possible on the Registration Policies criterion and each sub-criterion has a maximum of 1 possible point.

3-A Eligibility

The following main question must be answered when evaluating the application:

- Do the applicant’s policies include an eligibility restriction for registrants?**

Where, the following definitions apply:

<u>Definitions</u>	<u>Evaluation Guidelines</u>
<p>“Eligibility” means the qualifications that organizations or individuals must have in order to be allowed as registrants by the registry.</p>	<ul style="list-style-type: none"> “Do the applicant’s policies include an eligibility restriction for registrants?” <p>With respect to “eligibility”, the limitation to Community “members” can invoke a formal membership but can also be satisfied in other ways, depending on the structure and orientation of the Community at hand.</p> <p>For example, for a geographic location community TLD, a limitation to members of the Community can be achieved by requiring that the registrant’s physical address be within the boundaries of the location.</p>

And scoring is guided as follows:

<u>Scoring for 3-A Eligibility</u>	<u>Scoring Guidelines</u>
<p>1= Eligibility restricted to Community members</p> <p>0=Largely unrestricted approach to eligibility</p>	<p>Accordingly, with respect to “Eligibility”,</p> <ul style="list-style-type: none"> • If the applicant’s registration policy has eligibility restrictions, then that application scores a 1; • Otherwise, it scores zero.

3-B Name Selection

The following main question must be answered when evaluating the application:

- **Do the applicant’s policies include name selection rules which are consistent with the articulated community-based purpose of the applied-for gTLD?**

Where, the following definitions apply:

<u>Definitions</u>	<u>Evaluation Guidelines</u>
<p>“Name selection” means the conditions that must be fulfilled for any second-level domain name to be deemed acceptable by the registry.</p>	<ul style="list-style-type: none"> • Do the applicant’s policies include name selection rules? • If yes, are those name selection rules consistent with the articulated community-based purpose of the applied-for gTLD? <p>With respect to “Name selection”, scoring of applications against this sub-criterion will be done from a holistic perspective, with due regard for the particularities of the Community explicitly addressed.</p> <p>For example, an application proposing a TLD for a language community may feature strict rules imposing this language for name selection as well as for content and use, scoring 1 on both 3-B and 3-C. It could nevertheless include forbearance in the enforcement measures for tutorial sites assisting those wishing to learn the language and still score 1 on 3-D. More restrictions do not automatically result in a higher score. The restrictions and corresponding enforcement mechanisms proposed by the applicant should show an alignment with the community-based purpose of the TLD and demonstrate continuing accountability to the Community named in the application.</p> <p>Where at least one entity mainly dedicated to the community exists, then consider:</p>

<u>Definitions</u>	<u>Evaluation Guidelines</u>
	<ul style="list-style-type: none"> Are the name selection rules consistent with the entity’s mission statement?

And scoring is guided as follows:

<u>Scoring for 3-B Name Selection</u>	<u>Scoring Guidelines</u>
<p>1= Policies include name selection rules consistent with the articulated community-based purpose of the applied-for TLD</p> <p>0= Policies do not fulfill the requirements for a score of 1</p>	<p>Accordingly, with respect to “Name Selection”,</p> <ul style="list-style-type: none"> If the applicant’s registration policy has second-level domain name selection rules which are consistent the articulated community-based purpose of the applied-for gTLD, then that application scores a 1; Otherwise, it scores zero.

3-C Content and Use

The following main question must be answered when evaluating the application:

- Do the applicant’s policies include content and use rules which are consistent with the articulated community-based purpose of the applied-for gTLD?**

Where, the following definitions apply:

<u>Definitions</u>	<u>Evaluation Guidelines</u>
<p>“Content and use” means the restrictions stipulated by the registry as to the content provided in and the use of any second-level domain name in the registry.</p>	<ul style="list-style-type: none"> Do the applicant’s policies include content and use rules? If yes, are those content and use rules consistent with the articulated community-based purpose of the applied-for gTLD? <p>With respect to “Content and Use”, scoring of applications against this sub-criterion will be done from a holistic perspective, with due regard for the particularities of the Community explicitly addressed.</p> <p>For example, an application proposing a TLD for a language community may feature strict rules imposing this language for name selection as well as for content and use, scoring 1 on both 3-B and 3-C. It could nevertheless include forbearance in the enforcement measures for tutorial sites assisting those wishing to learn the language and still score 1 on 3-D. More restrictions do not automatically result in a higher score. The restrictions and corresponding enforcement mechanisms</p>

	<p>proposed by the applicant should show an alignment with the community-based purpose of the TLD and demonstrate continuing accountability to the Community named in the application.</p> <p>Where at least one entity mainly dedicated to the community exists, then consider:</p> <ul style="list-style-type: none"> • Are the content and use rules consistent with the entity’s mission statement?
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And scoring is guided as follows:

<u>Scoring for 3-C Content and Use</u>	<u>Scoring Guidelines</u>
<p>1= Policies include rules for content and use consistent with the articulated community-based purpose of the applied-for TLD</p> <p>0= Policies do not fulfill the requirements for a score of 1</p>	<p>Accordingly, with respect to “Content and Use”,</p> <ul style="list-style-type: none"> • If the applicant’s registration policy has content and use rules which are consistent the articulated community-based purpose of the applied-for gTLD, then that application scores a 1; • Otherwise, it scores zero.

3-D Enforcement

The following main question must be answered when evaluating the application:

- **Do the applicant’s policies include specific enforcement measures constituting a coherent set with appropriate appeal mechanisms?**

Where, the following definitions apply:

<u>Definitions</u>	<u>Evaluation Guidelines</u>
<p>“Enforcement” means the tools and provisions set out by the registry to prevent and remedy any breaches of the conditions by registrants.</p>	<ul style="list-style-type: none"> • Do the applicant’s policies include specific enforcement measures constituting a coherent set with appropriate appeal mechanisms?
<p>“Coherent set” refers to enforcement measures that ensure continued accountability to the named community, and can include investigation practices, penalties, and takedown procedures with appropriate appeal mechanisms. This includes screening procedures for registrants, and provisions to prevent and remedy any breaches of its terms by registrants.</p>	<p>Do the enforcement measures include:</p> <ul style="list-style-type: none"> • Investigation practices • Penalties • Takedown procedures (e.g., removing the second-level domain name) • Whether such measures are aligned with the community-based purpose of the TLD • Whether such measures demonstrate continuing accountability to the Community named in the application

	<p>With respect to “Enforcement”, scoring of applications against this sub-criterion will be done from a holistic perspective, with due regard for the particularities of the Community explicitly addressed.</p> <p>For example, an application proposing a TLD for a language community may feature strict rules imposing this language for name selection as well as for content and use, scoring 1 on both 3-B and 3-C. It could nevertheless include forbearance in the enforcement measures for tutorial sites assisting those wishing to learn the language and still score 1 on 3-D. More restrictions do not automatically result in a higher score. The restrictions and corresponding enforcement mechanisms proposed by the applicant should show an alignment with the community-based purpose of the TLD and demonstrate continuing accountability to the Community named in the application.</p>
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And scoring is guided as follows:

<u>Scoring for 3-D Enforcement</u>	<u>Scoring Guidelines</u>
<p>1= Policies include specific enforcement measures (e.g. investigation practices, penalties, takedown procedures) constituting a coherent set with appropriate appeal mechanisms</p> <p>0= Policies do not fulfill the requirements for a score of 1</p>	<p>Accordingly, with respect to “Enforcement”,</p> <ul style="list-style-type: none"> • If the applicant’s policies include specific enforcement measures constituting a coherent set with appropriate appeal mechanisms, then that application scores a 1; • Otherwise, it scores zero.

Criterion #4: Community Endorsement

This section evaluates community support and/or opposition to the application. Support and opposition will be scored in relation to the communities explicitly addressed in the application, with due regard for communities implicitly addressed by the string.

Measured by

- 4-A Support
- 4-B Opposition

A maximum of 4 points is possible on the Community Endorsement criterion and each sub-criterion (Support and Opposition) has a maximum of 2 possible points.

Evaluation of community support and/or opposition shall be derived solely from the following specified sources within the same application round/window:

- In the case of community support, Documented Supported –
 - As submitted by the applicant together with their application, or
 - As submitted through the Application Comment System.
- In the case of community opposition, Documented Opposition –
 - Objections filed against the application / applicant which must have prevailed in the ensuing dispute resolution procedure and which remain unresolved, or
 - As submitted through the Application Comment System.

For avoidance of doubt – No separate call for any Documented Support (i.e. Letter(s) of support) or Documented Opposition (in whatever form, eg. Letter(s) of opposition) is to be made by the CPE Panel or ICANN Org, and other than as specified above, no expressions of support or opposition must be allowed/received specifically for the CPE process. It must be made clear to all parties involved or otherwise interested parties as to the exclusive modality and finality of the Application Submission Period and Application Comment Period in respect of all submissions of Documented Support or Opposition.

Further, in all cases, only verified Documented Support or Opposition shall be considered by the CPE Panel.

4-A Support

The following main questions must be answered when evaluating the application:

- **Is the applicant the recognized community institution or member organization?**
- **If the applicant is neither the recognized community institution nor a community member organization, does the applicant have the Documented Support of clearly recognized representative(s) of the community?**
- **If nothing else, does the applicant have Documented Support from at least one group with relevance?**

Where, the following definitions apply:

Definitions	Evaluation Guidelines
<p>“Recognized” means the institution(s)/organization(s) that, through membership or otherwise, are clearly recognized by the community members as representative of that community.</p> <p>“Documented Support” means either (i) a Letter of support or (ii) a Comment in support of the application / applicant received through the Application Comment System; but both of which must be evaluated to determine both the relevance of the organization/group and the</p>	<p>[a] Is the applicant the recognized community representative?</p> <ul style="list-style-type: none"> • Is there evidence of clear recognition of the applicant as the representative of the community? <ul style="list-style-type: none"> • Is the applicant recognized by the relevant Intergovernmental Organization? <p>[b] If applicant is not the recognized community representative, is the applicant a</p>

<u>Definitions</u>	<u>Evaluation Guidelines</u>
<p>validity of the documentation in the case of a Letter of support, and both the identity and relevance of the commenter in the case of a Comment in support.</p> <p>For avoidance of doubt:</p> <ul style="list-style-type: none"> • A Letter of support may be submitted by the applicant with their application or submitted by a third party using the Applicant Comment System. • Only Letter(s) of support received within the same application round/window shall be considered. • In particular, guidelines for the two types of Documented Support and their verification are included at the end of this section. 	<p>recognized institution or member organization of the community?</p> <ul style="list-style-type: none"> • Is there evidence of clear recognition of the applicant as an institution or member organization of the community? • Does the applicant have Documented Support from other institution(s) or member organization(s) of the community? <ul style="list-style-type: none"> • Is there evidence of clear recognition of those institution(s) or member organization(s) as the representative of the community? <p>[c] If the applicant is neither the recognized community representative nor a recognized institution or member organization of the community, then has the applicant provided full documentation that it has authority to represent the community with its application?</p> <ul style="list-style-type: none"> • Is the documented authority provided by the relevant entity with authority to do so? <p>[d] If the applicant does not meet any of the above limbs, then does the applicant have Documented Support from at least one group with relevance?</p> <p>In all cases, only verified Letter(s) of support or Comment(s) in support shall be considered.</p>
<p>“Relevance” and “relevant” refer to the communities explicitly and implicitly addressed. This means that Documented Support from communities not identified in the application but with an association to the applied for string would be considered relevant.</p>	<ul style="list-style-type: none"> • Consideration of Documented Support is not based merely on the number of Letter(s) of support and/or Comment(s) in support received. • The institution(s)/organization(s) or group(s) could be deemed relevant when not identified in the application but has an association to the applied-for string. • To be taken into account as relevant support, Documented Support from institution(s)/organization(s) or group(s) must contain a description of the process and rationale used in arriving at the Documented Support. • Documented Support from individual persons may be construed as having less

<u>Definitions</u>	<u>Evaluation Guidelines</u>
	<p>relevance to that from relevant institution(s)/ organization(s) or group(s).</p> <ul style="list-style-type: none"> Specifically, a finding of non-relevance of any Letter of support or Comment in support must be explained individually so as to enable an applicant that chooses to appeal the finding to rebut the same.

And scoring is guided as follows:

<u>Scoring for 4-A Support</u>	<u>Scoring Guidelines</u>
<p>2= Applicant is, or has Documented Support from, the recognized community institution(s)/member organization(s), or has otherwise documented authority to represent the community</p> <p>1= Documented Support from at least one group with relevance, but insufficient support for a score of 2</p> <p>0= Insufficient proof of support for a score of 1</p>	<ul style="list-style-type: none"> Accordingly, with respect to “Support,” it follows that Documented Support from, for example, the only national association relevant to a particular community on a national level would score a 2 if the string is clearly oriented to that national level, but only a 1 if the string implicitly addresses similar communities in other nations. Also with respect to “Support,” the plurals in brackets for a score of 2, relate to cases of multiple institutions/organizations. In such cases there must be Documented Support from institutions/organizations representing a majority of the overall community addressed in order to score 2. The applicant will score a 1 for “Support” if it does not have support from the majority of the recognized community institutions/ member organizations, or does not provide full documentation that it has authority to represent the community with its application. A score of zero on “Support” is given if the applicant: <ul style="list-style-type: none"> ○ Fails to provide documentation showing support from recognized community institutions/community member organizations, or showing recognition by a relevant Intergovernmental Organization; or ○ Does not provide documentation showing that it has the authority to represent the community. It should be noted, however, that Documented Support from groups or communities that may be seen as implicitly

<u>Scoring for 4-A Support</u>	<u>Scoring Guidelines</u>
	addressed but have completely different orientations compared to the applicant community will not be required for a score of 2 regarding support.

Letter(s) of support and their verification:

Letter(s) of support must be evaluated to determine both the relevance of the organization and the validity of the documentation and must meet the criteria spelt out. The letter(s) of support is an input used to determine the relevance of the organization and the validity of the documentation.

A majority of the overall community may be determined by, but not restricted to, considerations such as headcount, the geographic reach of the organizations, or other features such as the degree of power of the organizations/groups.

Letter requirements & validity

- Is the Letter of support (and supporting documentation, if any) submitted by the applicant valid (i.e. the organization exists and the letter/document is authentic)?
- Does the letter clearly express the organization’s or a group’s support for the community-based application?
- Does the letter demonstrate the organization’s or the group’s understanding of the string being applied-for as well as the use of that string by the applicant?
- To be taken into account as relevant support, such documentation must contain a description of the process and rationale used in arriving at the expression of support.

Verification of letter(s)

Additional information on the verification of Letter(s) of support:

- Changes in governments may result in new leadership at government agencies. As such, the signatory need only have held the position as of the date the letter was signed or sealed.
- A contact name should be provided in the Letter(s) of support.
- The contact must send an email acknowledging that the letter is authentic, as a verbal acknowledgement is not sufficient.
- In cases where the letter was signed or sealed by an individual who is not currently holding that office or a position of authority, the letter is valid only if the individual was the appropriate authority at the time that the letter was signed or sealed.

Comment(s) in support and their verification:

Comment(s) in support must be evaluated to determine both the relevance of the organization/commenter and must meet the criteria spelt out. The comment(s) in support is an input used to determine the relevance of the organization/commenter.

Comment requirements & validity

- Has the identity of the commenter been verified?
- Is the commenter a group or someone associated with the Community?
- Is the commenter in an ascertainable position of conflict in favour of the applicant?
- Does the Comment clearly express the commenter’s support for the community-based application?
- Does the Comment demonstrate the commenter’s understanding of the use of the string being applied-for as well as the use of that string by the applicant?

4-B Opposition

The following main questions must be answered when evaluating the application:

- **Does the application have any Documented Opposition that is deemed relevant?**
- **If yes, is that relevant opposition from one, two or more groups of non-negligible size?**

Where, the following definitions apply:

<u>Definitions</u>	<u>Evaluation Guidelines</u>
<p>“Documented Opposition” means either (i) an Objection filed against the application / applicant under the Program’s Objection procedures, which must have prevailed in the ensuing dispute resolution procedure and which remain unresolved, or (ii) a Comment in opposition to the application / applicant received through the Application Comment System and which remain unresolved; but both of which must be evaluated to determine both the relevance in the case of an Objection, and both the identity and relevance of the commenter in the case of a Comment in opposition.</p> <p>For avoidance of doubt:</p> <ul style="list-style-type: none"> • A letter in opposition submitted using the Applicant Comment System shall be considered as a Comment in opposition. • Only Comments in opposition received within the same application round/window shall be considered. • In particular, guidelines for a Comment in opposition and its verification are included at the end of this section. 	<p>[a] Does the application have any Documented Opposition that is deemed relevant?</p> <p>[b] If yes, is that relevant opposition from a group of non-negligible size?</p> <p>[c] If yes, is there relevant opposition from two or more groups of non-negligible size?</p>
<p>“Relevance” and “relevant” refer to the communities explicitly and implicitly addressed. This means that opposition from communities not identified in the application but with an</p>	<ul style="list-style-type: none"> • Consideration of Documented Opposition is not based merely on the number of Objections and/or Comment(s) in opposition received.

<u>Definitions</u>	<u>Evaluation Guidelines</u>
<p>association to the applied for string would be considered relevant.</p> <p>Where the Documented Opposition is/are submitted by one or more applicant(s) or groups(s) identified as associated with one or more applicant(s) whose application(s) are in competition with the application being evaluated, additional scrutiny must be given to the relevance of such opposition.</p>	<ul style="list-style-type: none"> • The institution(s)/organization(s) or group(s) could be deemed relevant when not identified in the application but has an association to the applied-for string. • To be taken into account as relevant opposition, Comment(s) in opposition from institution(s)/organization(s) or group(s) must contain a description of the process and rationale used in arriving at the Comment(s) in opposition. • Comment(s) in opposition from a group of individual persons may be considered but shall be construed as having less relevance to that from relevant institution(s)/organization(s) or group(s). • Specifically, a finding of non-relevance of any unresolved Objection or Comment(s) in opposition must be explained individually so as to enable an applicant that chooses to appeal the finding to rebut the same.
<p>“Non-negligible size” is to be determined with due consideration to the nature of the Community as defined by the application and the community and balanced against the impact or interest the opposer has on the larger size and scope of the community overall.</p>	<p>For “non-negligible size” consider:</p> <ul style="list-style-type: none"> • If a web search may help determine relevance and size of the objecting organization(s). • If there is opposition by some other reputable organization(s), such as a quasi-official, publicly recognized organization(s) or a peer organization(s)? • If there is opposition from a significant part of the community explicitly or implicitly addressed?

And scoring is guided as follows:

<u>Scoring for 4-B Opposition</u>	<u>Scoring Guidelines</u>
<p>2= No opposition of relevance</p> <p>1= Relevant opposition from one group of non-negligible size</p> <p>0= Relevant opposition from two or more groups of non-negligible size</p>	<p>When scoring “Opposition”, there will be no presumption that any Documented Opposition would prevent a score of 2 or lead to any particular score for “Opposition”.</p> <ul style="list-style-type: none"> • An application which received no opposition of relevance will score a 2 • An application determined to have received relevant opposition from one group of non-negligible size will score a 1 • An application determined to have received relevant opposition from two or more

<u>Scoring for 4-B Opposition</u>	<u>Scoring Guidelines</u>
	groups of non-negligible size will score zero.

Comment(s) in opposition and their verification:

Comment(s) in opposition must be evaluated to determine both the relevance of the organization/commenter and must meet the criteria spelt out. The Comment(s) in opposition is an input used to determine the relevance of the organization/commenter.

Comment requirements & validity

- Has the identity of the commenter been verified?
- Is the commenter a group or someone associated with the Community?
- Has the commenter declared a position of conflict in favour of a competing applicant or Is the commenter in an ascertainable position of conflict in favour of a competing applicant?
- Sources of opposition that are unidentified or are clearly spurious, unsubstantiated, made for a purpose incompatible with competition objectives, or filed for the purpose of obstruction will not be considered relevant.
- Does the Comment clearly express the commenter’s opposition for the community-based application?
- Does the Comment demonstrate the commenter’s understanding of the use of the string being applied-for as well as the use of that string by the applicant?

Where a Comment in opposition takes the form of a letter:

- A contact name should be provided in letter(s) from an organization.
- In cases where the letter was signed or sealed by an individual who is not currently holding that office or a position of authority, the letter is valid only if the individual was the appropriate authority at the time that the letter was signed or sealed.
- At least two contact names should be provided in letter(s) from a group of individuals.
- All contacts must send an email acknowledging that their letter is authentic, as a verbal acknowledgement is not sufficient.