

(3) Stronger Protection for Non-Capital City Names

Following the CPWG Call of 5-Aug-2020, wherein there was overwhelming support for Non-Capital City Names to have stronger protection, a supplemental straw poll was taken to “gauge the temperature of the room” on:

Having indicated that Non-Capital City Names should have stronger protection, which following option do you support?

Option 1:

- (a) Keep 2-limb test with “use” as is;
- (b) String is city name as listed on official city documents, including in all relevant current and historic forms, native scripts
- (c) Allow those city authority to use Notification Tool

Option 2:

- (a) Keep 2-limb test with “use” to be assessed solely by Geonames Panel;
- (b) String is city name as listed on official city documents, including in all relevant current and historic forms, native scripts
- (c) Allow those city authority to use Notification Tool
- (d) Non-use for purposes assoc. with city name to also apply as a condition for SL registrations
- (e) Commitment of non-use for purposes assoc. with city name at TL & SL is prerequisite to assignment or disposal

Option 3:

- (a) Discard 2-limb test, apply preventive protection if ...
- (b) String is a city name:
 - (i) As listed in an established UN database (eg. of capital cities and cities of 100 000 or more inhabitants; or
 - (ii) As listed by IATA as a city with an airportIncluding per (i) or (ii) in all relevant current and historic forms, native scripts
- (c) Preventive protection means must contact city authority
- (d) Conditions of use negotiated with parties giving letter of support / non-objection
- (e) Commitments per (d) is prerequisite for any assignment or disposal of the TLD, unless modified with agreement of parties

Option 3A:

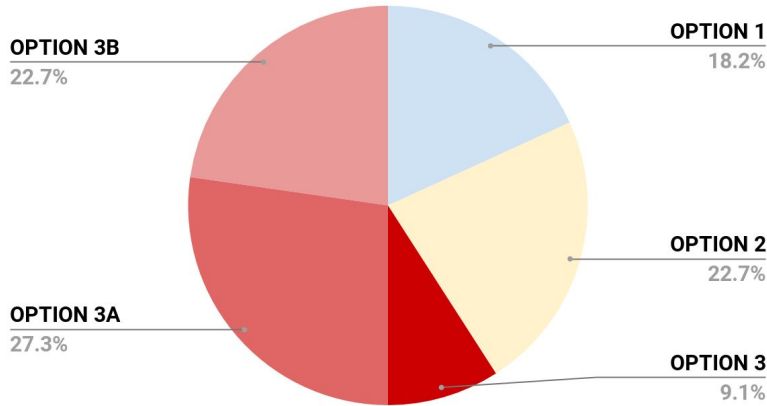
- Same as Option 3 EXCEPT that subpart (b) which reads as
- (b) String is a city name:
 - (i) As listed in an established UN database (eg. of capital cities and cities of 100 000 or more inhabitants; or
 - (ii) As listed by IATA as a city with an **INTERNATIONAL** airportIncluding per (i) or (ii) in all relevant current and historic forms, native scripts

Option 3B:

- Same as Option 3 EXCEPT that subpart (b) which reads as
- (b) String is a city name:
 - (i) As listed in an established UN database (eg. of capital cities and cities of 100 000 or more inhabitants; or
 - (ii) ~~As listed by IATA as a city with an airport~~Including per (i) or (ii) in all relevant current and historic forms, native scripts

(3) Stronger Protection for Non-Capital City Names

Indicative Result from 22 Respondents



CONCLUSION

Significant support for strongest protection by way of prevention protection, including for city names in current & historic forms, native scripts, but limited to a specific external list, with perpetual commitments regarding use at TL and SL included in RA.

Result indicates:

[1] Option 1: 18% think that the “as-is” 2-limb test for preventative protection acceptable but ought to include affected city names in all relevant current and historic forms, native scripts.

[2] Option 2: 23% favoured strengthening protections by relying on the Geonames Panel to assess “use primarily for purposes associated with the city name” and including commitments on non-use at TL and SL, to be carried in event of disposal / assignment.

[3] Options 3+3A+3B: **59% support the strongest protection framework by requiring preventive protection regardless of use, but limited to a UN list of non-capital cities with 100 000 or more inhabitants, including affected city names in all relevant current and historic forms, native scripts.** In aggregate, 36% (or 61% of this group) felt that cities with an IATA international airport code should also be included. **Also to include in RA, any commitments as negotiated regarding use at TL and SL, and to be carried forward in event of disposal / assignment.**

Rationale on why cities with an (international) airport from Sebastien Bachollet: IATA lists of cities with airport codes are external to ICANN and likely do not change frequently, thus proposed as a more suitable alternative to the 100 000 population criteria.

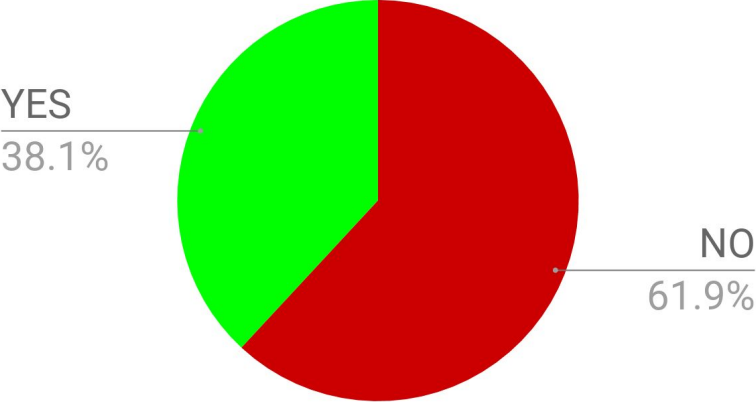
(2) Treatment of Non-AGB Terms

During the CPWG Call of 19-Aug-2020, another supplemental straw poll was taken to “gauge the temperature of the room” on the following question, with corresponding answer choices

Regardless of what happens with Treatment of Non-Capital City Names, should the Adapted “Notification Tool” be limited to GAC?

- NO**, it should be open to anyone, and with no limiting criteria
- YES**, this specific “Notification Tool” should be limited to GAC Members only, as envisaged, but it should not prevent implementation for a separate, post-application opt-in notification feature to be activated on Reveal Day

Indicative Result from 21 Respondents



CONCLUSION

While there is stronger support for an open Notification Tool with no limiting criteria, support for the pre-round Notification Tool exclusively for GAC Members remains significant, distinguished from a separate Notification feature tied to the Application System.