UPDATE & CONSULTATION ON
New gTLD Subsequent Procedures
Consensus Building on Recommendations

COMMUNITY APPLICATIONS (v06)
(incl. Community Priority Evaluation - CPE)

Justine Chew
10 June 2020
Proposed Approach for Community Applications

- **What are our positions?**
- **CPWG Deliberations**
- **At-Large Policy Session at ICANN68**
- **ALAC Statement to SubPro PDP WG Final Report**

- **Need for additional input**

- **Input beyond SubPro**
- **ALAC Advice to Board**

**Timeline:**
- **NOW**
- **END JUNE**
- **JULY**
- **AFTER JULY**
Where can we intervene?

What are our positions

CPWG Deliberations

#1 Where can we intervene?

#1A Positions on SubPro recommendations on CBA

Impact of #1B on #1A?

Details not covered or specified in SubPro recommendations on CBA

1B-1 Community participation in ICANN selection of CPE Service Provider/ Panel

To include stringent term regarding
• Qualifications of evaluators, use of research
• Conflict of interest elimination / management
• Necessary dialogue with applicants
• Necessary liaison with IOs, IGOs, community experts
• CPE cost control element

#1B-2 Changes to CPE Process

Integration of Application, Application Comment and Objection processes/procedures for handling support vs opposition

#1B-3 Changes to CPE Criteria & Guidelines

At-Large’s Proposed Revised CPE Criteria & Guidelines – Assessment guidance, scoring, threshold to pass etc

#1B-4 Dispute Resolution Processes

Review of RRDRP, PICDRP

At-Large Interventions on CBA & CPE

Revised CPE Guidelines Proposal
#1B Community Applications

1B-3 Changes to CPE Criteria & Guidelines
Possibility of revamping scoring scale and/or threshold to prevail in CPE - balance increasing “accessibility” to deserving communities without opening floodgates

1. Any major concerns with the 0-2 or 0-3 scoring scale for sub-criterions after taking into consideration the proposed revision fixes?

2. Do we think the threshold of 14 points of max 16 points should be lowered?
## CPE Criteria in 2012 Round

Surrounding the FOUR Criteria stated in the Applicant Guidebook, Module 4 s. 4.2

<table>
<thead>
<tr>
<th>Criterion #1: Community Establishment</th>
<th>Criterion #2: Nexus between Proposed String and Community</th>
<th>Criterion #3: Registration Policies</th>
<th>Criterion #4: Community Endorsement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Measured by 2 sub-criteria</td>
<td>Measured by 2 sub-criteria</td>
<td>Measured by 4 sub-criteria</td>
<td>Measured by 2 sub-criteria</td>
</tr>
<tr>
<td>• 1-A Delineation</td>
<td>• 2-A Nexus</td>
<td>• 3-A Eligibility</td>
<td>• 4-A Support</td>
</tr>
<tr>
<td>• 1-B Extension</td>
<td>• 2-B Uniqueness</td>
<td>• 3-B Name Selection</td>
<td>• 4-B Opposition</td>
</tr>
<tr>
<td>Scoring</td>
<td>Scoring</td>
<td>Scoring</td>
<td>Scoring</td>
</tr>
<tr>
<td>• Max of 4 points for Criterion #1</td>
<td>• Max of 4 points for Criterion #2</td>
<td>• Max of 4 points for Criterion #3</td>
<td>• Max of 4 points for Criterion #4</td>
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<tr>
<td>• Max of 2 points for each sub-criterion</td>
<td>• Max of 3 points for 2-A Nexus and max of 1 point for 2-B Uniqueness</td>
<td>• Max of 1 point for each sub-criterion</td>
<td>• Max of 2 points for each sub-criterion</td>
</tr>
</tbody>
</table>

Need at least 14 points of max 16 points to prevail in CPE
### Review: Criterion #1: Community Establishment – 2 Sub-criteria

#### Comparison of 6 Examples from 2012 Round

<table>
<thead>
<tr>
<th>Example</th>
<th>Pre-existence</th>
<th>Longevity</th>
<th>Size</th>
<th>Organization</th>
<th>Delineation</th>
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<tbody>
<tr>
<td>.GAY dotgay LLC</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>D</td>
<td>0/2</td>
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<tr>
<td>.KIDS DotKids Foundation Ltd</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>D</td>
<td>0/2</td>
</tr>
<tr>
<td>.RADIO European Broadcasting Union</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>D</td>
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<tr>
<td>.MUSIC DotMusic Limited</td>
<td>Y</td>
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<td>D</td>
<td>0/2</td>
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<tr>
<td>.OSAKA Interlink Co., Ltd</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>D</td>
<td>0/2</td>
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<tr>
<td>.TENNIS Tennis Australia Ltd</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>D</td>
<td>0/2</td>
</tr>
</tbody>
</table>

### All CPE determinations are available at [https://newgtlds.icann.org/en/applicants/cpe](https://newgtlds.icann.org/en/applicants/cpe)
Review: Criterion #1: Community Establishment – 2 Sub-criteria

Specifics of 2 Examples from 2012 Round

.KIDS
DotKids Foundation Ltd
Scored 0/4 here
And 6/16 in total – Did not prevail

1-A Delineation = 0/2
Delineation
• N-Community as defined by applicant (4 groups) does not delineate a clear & straightforward membership &
• N-Commonality of interest within 4 groups but, insuff. cohesion, i.e. no awareness or recognition by community overall

Organization
• N-No entity mainly dedicated to entire comm – geo reach, range of categories; no single umbrella org &
• N-No evidence of activity
Pre-existence
• N-Could not have been active before Sep'07

1-B Extension = 0/2
Size
• Y-Comm is of considerable size, but
• N-But no awareness/recognition among its members
Longevity
• N-Not est. for entire community &
• N-No awareness/recognition among its members

.MUSIC
DotMusic Limited
Scored 0/4 here
And 10/16 in total – Did not prevail

1-A Delineation = 0/2
Delineation
• Y-Applicant provided a clear & straightforward membership but
• N-But awareness & recognition among members not est.

Organization
• N-No single entity dedicated to all member categories per applicant &

Pre-existence
• N-Lack of cohesion means community did not exist before Sep'07

1-B Extension = 0/2
Size
• N-Lack of cohesion = fail on “size” &
• N-Awareness & recognition among members not est.
Longevity
• N-Longevity not est. &
• N-Awareness & recognition among members not est.

• Applicants defined “community” as 4 groups:
  (i) Kids defined by UNCRC convention
  (ii) Charities, NGOs and govt institutions that work on well-being of children, including alliances that promote causes that promote the well-being of children
  (iii) Parents & educators
  (iv) Educational institutions, orgs and operations that primarily serve children.

• Community defined by applicant does not delineate a clear & straightforward membership –
  ❏ Children and parents are clearly defined
  ❏ But groups (ii) and (iv) are not clearly defined, and given lack of clarity around membership parameters, is dispersed and unbound, so not clear and straightforward

• Community defined by applicant does not demonstrate an awareness and recognition among its members –
  ❏ There is commonality in interest but “cohesion” requires more than, it requires awareness and recognition of a community among its members
  ❏ While individuals within some of the member categories may show cohesion within a category or across a subset of member categories, the number of individuals and entities included in applicant’s definition that do not show such cohesion is considerable enough so the community as a whole cannot be said to have the required cohesion.

Applicants listed over 40 categories of community members and identifies each with a NA Ind. Classification System code AND included a more general definition “all constituents involved in music creation, production and distribution…. involved in support activities that are aligned with the .MUSIC mission”
  ❏ But there are other categories in NAICS code not cited by applicant – eg. “Music accountants” and “Music lawyers”

Applicant bounds community membership by way of well-defined categories, therefore provided a clear & straightforward membership.

Community defined by applicant does not demonstrate an awareness and recognition among its members –
  ❏ Applicant’s material and further research provides no substantive evidence of “cohesion” per AGB – that is that the various members of the community defined by applicant are “united or form a whole”
  ❏ There is “commonality in interest” in music but this was insufficient to demonstrate requisite awareness and recognition of the community among its members, even if some members may show cohesion within a category or across a subset of member categories, the number of individuals included in defined community, such cohesion is not considerable enough for the community as a whole to have the requisite cohesion.

All CPE determinations are available at https://newgtlds.icann.org/en/applicants/cpe
## Comparison of 6 Examples from 2012 Round

<table>
<thead>
<tr>
<th>Domain</th>
<th>Description</th>
<th>Scored</th>
<th>Result</th>
<th>Nexus</th>
<th>Uniqueness</th>
</tr>
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<tbody>
<tr>
<td>.GAY</td>
<td>dotgay LLC</td>
<td>0/4</td>
<td>Did not prevail</td>
<td>0/3</td>
<td>0/1</td>
</tr>
<tr>
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<td>DotKids Foundation Ltd</td>
<td>0/4</td>
<td>Did not prevail</td>
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</tr>
<tr>
<td>.RADIO</td>
<td>European Broadcasting Union</td>
<td>3/4</td>
<td>Prevailed</td>
<td>2/3</td>
<td>1/1</td>
</tr>
<tr>
<td>.MUSIC</td>
<td>DotMusic Limited</td>
<td>3/4</td>
<td>Did not prevail</td>
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</tr>
<tr>
<td>.OSAKA</td>
<td>Interlink Co., Ltd</td>
<td>4/4</td>
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</tr>
<tr>
<td>.TENNIS</td>
<td>Tennis Australia Ltd</td>
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### Review: Criterion #3: Registration Policies – 4 Sub-criteria

Comparison of 6 Examples from 2012 Round

<table>
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<tr>
<th>Domain</th>
<th>Applicant</th>
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<th>In Total</th>
<th>Result</th>
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</thead>
<tbody>
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<td>6/16</td>
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<td>DotKids Foundation Ltd</td>
<td>3/4</td>
<td>6/16</td>
<td>Did not prevail</td>
</tr>
<tr>
<td>.RADIO</td>
<td>European Broadcasting Union</td>
<td>4/4</td>
<td>14/16</td>
<td>Prevailed</td>
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<tr>
<td>.MUSIC</td>
<td>DotMusic Limited</td>
<td>4/4</td>
<td>15/16</td>
<td>Prevailed</td>
</tr>
<tr>
<td>.OSAKA</td>
<td>Interlink Co., Ltd</td>
<td>3/4</td>
<td>11/16</td>
<td>Did not prevail</td>
</tr>
<tr>
<td>.TENNIS</td>
<td>Tennis Australia Ltd</td>
<td>3/4</td>
<td>10/16</td>
<td>Did not prevail</td>
</tr>
</tbody>
</table>

#### 3-A Eligibility
1. Registration eligibility restricted to community members

#### 3-B Name Selection
1. Name selection rules consistent with articulated community-based purpose of string

#### 3-C Content & Use
1. Rules for content and use for registrants consistent with articulated community-based purpose of string

#### 3-D Enforcement
1. Specific enforcement measures and appropriate appeal mechanisms provided

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### Review: Criterion #4: Community Endorsement – 2 Sub-criteria

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<td>And 11/16 in total – Did not prevail</td>
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**Applicant received:**
- 177 Application Comments
- 51 verified of 128 attachments to Form Q20(f)
- 56 verified of 152 corres

**4-A Support = 1/2**
- Applicant not recognized community institution / member org, no documented authority to represent community – while ILGA considered as “entity mainly dedicated to the community” under 1-A Delineation, it does not meet std of a “recognized” org (not “clearly recognized by the community members as representative of the community”). Also no evidence of single org recognized by all of the defined community’s members but applicant had documented support from groups with relevance containing process and rationale used in arriving at expression of support and showing understanding of implications of support. So, partial score given.

**4-B Opposition = 1/2**
- Max score since no letters of opposition received

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