

Appendix A: The List of Prerequisite and High Level Recommendations in the Competition, Consumer Trust and Consumer Choice Review Final Report, 8 Sep 2018 for the attention of the SubPro PDP WG and/or passed through by the Board to SubPro PDP WG

#	Recommendation	To	Level
Chapter 7. Consumer Choice			
9.	The ICANN community should consider whether the costs related to defensive registration for the small number of brands registering a large number of domains can be reduced.	SubPro PDP WG and/or RPM PDP WG	Prerequisite
Chapter 8. Consumer Trust			
12.	<p>Create incentives and/or eliminate current disincentives that encourage gTLD registries to meet user expectations regarding:</p> <ul style="list-style-type: none"> (1) The relationship of content of a gTLD to its name (2) Restrictions as to who can register a domain name in certain gTLDs based upon implied messages of trust conveyed by the name of its gTLDs (particularly in sensitive or regulated industries) and (3) The safety and security of users’ personal and sensitive information (including health and financial information). <p>These incentives could relate to applicants who choose to make public interest commitments in their applications that relate to these expectations. Ensure that applicants for any subsequent rounds are aware of these public expectations by inserting information about the results of the ICANN surveys in the Applicant Guide Books.</p>	SubPro PDP WG	Prerequisite (incentives could be implemented as part of application process)
Chapter 9. Safeguards			
14.	Consider directing ICANN Org, in its discussions with registries, to negotiate amendments to existing Registry Agreements, or in consideration of new Registry Agreements associated with subsequent rounds of new gTLDs, to include provision in the agreements, to provide incentives, including financial incentives for registries, especially open registries, to adopt proactive anti-abuse measures.	ICANN Board, Registry Stakeholders Group, Registrar Stakeholders Group, GNSO, and SubPro PDP WG	High
15.	ICANN Org should, in its discussions with registrars and registries, negotiate amendments to the Registrar Accreditation Agreement and Registry Agreements to include provisions aimed at preventing systemic use of specific registrars or registries for DNS Security Abuse. With a view to implementing this recommendation as early as possible, and brought into effect by a contractual amendment through the bilateral review of the Agreements. In particular, ICANN should establish	ICANN Board, Registry Stakeholders Group, Registrar Stakeholders Group,	Prerequisite (provisions to address systemic DNS Security Abuse should be

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	<p>thresholds of abuse at which compliance inquiries are automatically triggered, with a higher threshold at which registrars and registries are presumed to be in default of their agreements. If the community determines that ICANN org itself is ill-suited or unable to enforce such provisions, a DNS Abuse Dispute Resolution Policy (DADRP) should be considered as an additional measure to enforce policies and deter against DNS Security Abuse. Furthermore, defining and identifying DNS Security Abuse is inherently complex and would benefit from analysis by the community, and thus we specifically recommend that the ICANN Board prioritize and support community work in this area to enhance safeguards and trust due to the negative impact of DNS Security Abuse on consumers and other users of the Internet.</p>	<p>GNSO, and SubPro PDP WG</p>	<p>included in the baseline contract for any future gTLDs)</p>
<p>16.</p>	<p>Further study the relationship between specific registry operators, registrar, and DNS Security Abuse by commissioning ongoing data collection, including but not limited to, ICANN Domain Abuse Activity Reporting (DAAR) initiatives. For transparency purposes, this information should be regularly published, ideally quarterly and no less than annually, in order to be able to identify registries and registrars that need to come under greater scrutiny, investigation, and potential enforcement action by ICANN organization. Upon identifying abuse phenomena, ICANN should put in place an action plan to respond to such studies, remedy problems identified, and define future ongoing data collection.</p>	<p>ICANN Board, Registry Stakeholders Group, Registrar Stakeholders Group, GNSO, SubPro PDP WG, SSR2 Review Team</p>	<p>High</p>
<p>17.</p>	<p>ICANN should collect data about and publicize the chain of parties responsible for gTLD domain name registrations.</p>	<p>ICANN Board, the GNSO EPDP, Registry Stakeholders Group, Registrar Stakeholders Group, GNSO, SubPro PDP WG</p>	<p>High</p>
<p>21.</p>	<p>Include more detailed information on the subject matter of complaints in ICANN publicly available compliance reports. Specifically, more precise data on the subject matter of complaints, particularly:</p> <ul style="list-style-type: none"> (1) The class/type of abuse; (2) The gTLD that is target of the abuse; (3) The safeguard that is at risk; (4) An indication of whether complaints relate to the protection of sensitive health or financial information; (5) What type of contractual breach is being complained of; and 	<p>ICANN Org</p>	<p>High</p>

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	(6) Resolution status of the complaints, including action details. These details would assist future review teams in their assessment of these safeguards.		
22.	Initiate engagement with relevant stakeholders to determine what best practices are being implemented to offer reasonable and appropriate security measures commensurate with the offering of services that involve the gathering of sensitive health and financial information. Such a discussion could include identifying what falls within the categories of “sensitive health and financial information” and what metrics could be used to measure compliance with this safeguard.	ICANN Org	High
23.	<p>ICANN should gather data on new gTLDs operating in highly-regulated sectors to include the following elements:</p> <ul style="list-style-type: none"> • A survey to determine: 1) the steps registry operators are taking to establish working relationships with relevant government of industry bodies; and 2) the volume of complaints received by registrants from government and regulatory bodies and their standard practices to respond to those complaints. • A review of a sample of domain websites within the highly-regulated sector category to assess whether contact information to file complaints is sufficiently easy to find. • An inquiry to ICANN Contractual Compliance and registrar/resellers of highly regulated domains seeking sufficiently detailed information to determine the volume and the subject matter of complaints regarding domains in highly regulated industries. • An inquiry to registry operators to obtain data to compare rates of abuse between those highly-regulated gTLDs that have voluntarily agreed to verify and validate credentials to those highly-regulated gTLDs that have not. • An audit to assess whether restrictions regarding possessing necessary credentials are being enforced by auditing registrars and resellers offering the highly-regulated TLDs (i.e. can an individual or entity without the proper credentials buy a highly-regulated domain?). <p>To the extent that current ICANN data collection initiatives and compliance audits could contribute to these efforts, we recommend that ICANN assess the most efficient way to proceed to avoid duplication of effort and leverage current work.</p>	ICANN Org, SubPro PDP WG	High
25.	To the extent voluntary commitments are permitted in future gTLDs application processes, all such commitments made by a gTLD applicant must state their intended goal and be submitted during the application process so that there is sufficient opportunity for community review and time to meet the deadlines for community and Limited Public Interest objections. Furthermore, such	ICANN Org, SubPro PDP WG	High

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	<p>requirements should apply to the extent that voluntary commitments may be made after delegation. Such voluntary commitments, including existing voluntary PICs, should be made accessible in an organized, searchable online database to enhance data-drive policy development, community transparency, ICANN compliance, and the awareness of variables relevant to DNS abuse trends.</p>		
26.	<p>A study to ascertain the impact of the New gTLD Program on the costs required to protect trademarks in the expanded DNS space should be repeated at regular intervals to see the evolution over time of those costs. The CCT Review Team recommends that the next study be completed within 18 months after issuance of the CCT Final Report, and that subsequent studies be repeated every 18 to 24 months.</p> <p>The CCT Review Team acknowledges that the Nielsen survey of INTA members in 2017 intended to provide such guidance yielded a lower response rate than anticipated. We recommend a more user friendly and perhaps shorter survey to help ensure a higher and more statistically significant response rate.</p>	ICANN Org	High
27.	<p>Since the review team’s initial draft recommendation, the RPM PDP WG has started reviewing the Uniform Rapid Suspension system in detail and this is currently ongoing. Given this ongoing review, the CCT Review Team recommends that the RPM PDP WG continues its review of the URS and also looks into the interoperability of the URS with the UDRP. Given the current timeline, it would appear that the appropriate time to do so will be when the UDRP review is carried out by the RPM PDP WG and at this time consideration be given to how it should interoperate with the UDRP.</p> <p>The review team has encountered a lack of data for complete analysis in many respects. The RPM PDP WG appears to also be encountering this issue and this may well prevent it drawing firm conclusions. If modifications are not easily identified, then the review team recommends continued monitoring until more data is collected and made available for a review at a later date.</p>	GNSO	Prerequisite
28.	<p>A cost-benefit analysis and review of the Trademark Clearinghouse (TMCH) and its scope should be carried out to provide quantifiable information on the costs and benefits associated with the present state of the TMCH services and thus to allow for an effective policy review. Since our initial draft recommendation, the RPM PDP WG has started reviewing the TMCH in detail and ICANN has appointed the Analysis Group to develop and conduct survey(s) to assess the use and effectiveness of the Sunrise and Trademark Claims RPMs. Provided that the RPM PDP has sufficient data from this survey or other surveys and is able to draw firm conclusions, the CCT Review Team does not consider that an additional review is necessary. However, the CCT Review Team reiterates its</p>	GNSO	Prerequisite

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	recommendation for a cost-benefit analysis to be carried out if such analysis can enable objective conclusions to be drawn. Such cost-benefit analysis should include but not necessarily be limited to looking at cost to brand owners, cost to registries, and costs to registrars of operating with the TMCH now and going forward and look at the interplay with premium pricing.		
Chapter 10. Application and Evaluation Process of the New gTLD Program			
29.	Set objectives/metrics for applications from the Global South	SubPro PDP WG / GNSO	Prerequisite
30.	Expand and improve outreach into the Global South	ICANN Org	Prerequisite
31.	The ICANN Org to coordinate the <i>pro bono</i> assistance program	ICANN Org	Prerequisite
32.	Revisit the Applicant Support Program	SubPro PGP WG	Prerequisite
33.	As required by the October 2016 Bylaws, Governmental Advisory Committee (GAC) consensus advice to the Board regarding gTLDs should also be clearly enunciated, actionable, and accompanied by a rationale, permitting the Board to determine how to apply that advice. ICANN should provide a template to the GAC for advice related to specific TLDs, in order to provide a structure that includes all these elements. In addition to providing a template, the Applicant Guidebook (AGB) should clarify the process and timelines by which GAC advice is expected for individual TLDs.	SubPro PDP WG, ICANN Org	Prerequisite
34.	A thorough review of the procedures and objectives for community-based applications should be carried out and improvements made to address and correct the concerns raised before a new gTLD application process is launched. Revisions or adjustments should be clearly reflected in an updated version of the 2012 AGB.	SubPro PDP WG	Prerequisite
35.	The SubPro PDP should consider adopting new policies to avoid the potential for inconsistent results in string confusion objections. In particular, the PDP should consider the following possibilities: <ol style="list-style-type: none"> 1. Determining through the initial string similarity review process that singular and plural versions of the same gTLD string should not be delegated. 2. Avoiding disparities in similar disputes by ensuring that all similar cases of plural versus singular strings are examined by the same expert panellist. 3. Introducing a post-dispute resolution panel view mechanism. 	SubPro PDP WG	Prerequisite

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