

New gTLD Subsequent Procedures PDP Update #3

Status of Public Comments Review

Justine Chew

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PURPOSE OF THIS UPDATE

Draw attention to selected public comments received during Aug-Sep 2020 PC proceedings:

- Treatment of ALAC Comments
- Other comments of interest
- SubPro PDP WG leanings

To determine & record what CPWG resolves to do in response:

- 1 ALAC Advice
- 2 ALAC Minority Statement
- 3 Comment
- 4 No further action
- 5 Other?

SUBPRO TOPICS COVERED

as at 1.12.2020

1. 0. General Comments
2. 2. Predictability
3. 17. Applicant Support
4. 32. Limited Challenge/Appeals Mechanism
5. 12. Applicant Guidebook
6. 13. Communications
7. 14. Systems
8. 20. Application Change Requests
9. 24. String Similarity Evaluations – *revisiting "intended use"*
10. 35. Private Resolutions of Contention Sets / Auctions – *ongoing discussion*
11. 15. Application Fees
12. 36. Base Registry Agreement
13. 31. **Objections**
14. 30. GAC Early Warning & GAC Consensus Advice
15. 28. Role of Application Comment
16. 9. **Registry Commitments (Public Interest Commitments & Registry Voluntary Commitments) – *ongoing discussion***
17. 34. Community Applications (+ Community Priority Evaluations)
18. 41. Contractual Compliance
19. 37. Registrar Non-Discrimination / Registry/Registrar Standardization
20. 38. Registrar Support for New TLDs
21. 25. Internationalized Domain Names – *revisiting against pending IDN EPDP*
22. 6. RSP Pre-Evaluation
23. 27. Applicant Reviews
24. 39. Registry System Testing
25. 1. Continuing Subsequent Procedures
26. 3. Applications Assessed in Rounds
27. 5. Application Submission Limits
28. 16. Application Submission Period
29. 19. Application Queueing

Recap

CPWG 25.11.2020 Call

1 ALAC Advice

2 ALAC Minority Statement

Issue:

Status / Resolved / Action:

30. Objections

- ALAC Standing for Community Objections
 - Advocate for automatic standing so that objection be considered on merit without risk of dismissal on 'lack of standing' being an impediment to ALAC/At-Large role vis a vis individual end-users
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9. Registry Commitments (PICs & RVCs)

- DNS Abuse
- Maintain position on need for SubPro recommendations on DNS Abuse

Recap

CPWG 25.11.2020 Call

+ Updates

as at 1.12.2020

5 Other – to revisit

Issue (+ Update):

Status / Resolved:

2. Predictability

- Access / Membership to SPIRT
 - Emergency Situation (+ 14. Systems)
 - Review of SPIRT - New IG 2.3 added for lean, focused review of SPIRT supervised by GNSO Council, but does not suspend operation of SPIRT
- WG support for ALAC/GAC/SSAC Liaisons if wanted; SPIRT membership to remain open subject to 'expertise'
 - WG to add a rec / IG acknowledging ICANN Board & ICANN org ability to take narrowly tailored action in emergency situations (re: systems - service interruption, interference, service obstruction or other imminent threat to the systems. Notice to be given to all impacted users.

34. Community Applications & CPE

- Major reform of CPE process, criteria, guidelines
 - (+ 28. Role of Application Comment)
- Comments submitted

Recap

CPWG 25.11.2020 Call

No change from last week

5 Other – to revisit

Issue:

Status / Resolved:

9. Registry Commitments (PICs & RVCs)

- ICANN Board: Enforcement, Bylaw conflict re: PICs, String Similarity, Community TLDs commitments & RVCs
 - Board comments intended to seek answers not determine policy
 - Prohibition of fraudulent / deceptive practices in PIC or base RA
 - PICDRP requires evidence of harm
- To circle back
 - Explore joint advocacy with GAC – focus on upholding public interest, protecting end users, consumers
 - All PICs and RVCs must be enforceable
 - Pending SubPro WG deliberation

17. Applicant Support

- Bid Credits for AS qualifier in auctions
- Pending SubPro WG deliberation - May be potential need for Advice / Minority Statement

25. IDNs

- Potential 'overlap' with IDN Scoping Team
 - Treatment of IDN Variant TLDs
 - Metrics
- Pending SubPro WG deliberation