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ANNUAL GENERAL

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MONTRÉAL

2-7 November 2019

New gTLD Subsequent Procedures Policy Development Process Working Group

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4 November 2019 - Face to Face



Session 1

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Welcome,
Introduction, and
Current Status

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Review and
discussion of
potential topics
requiring additional
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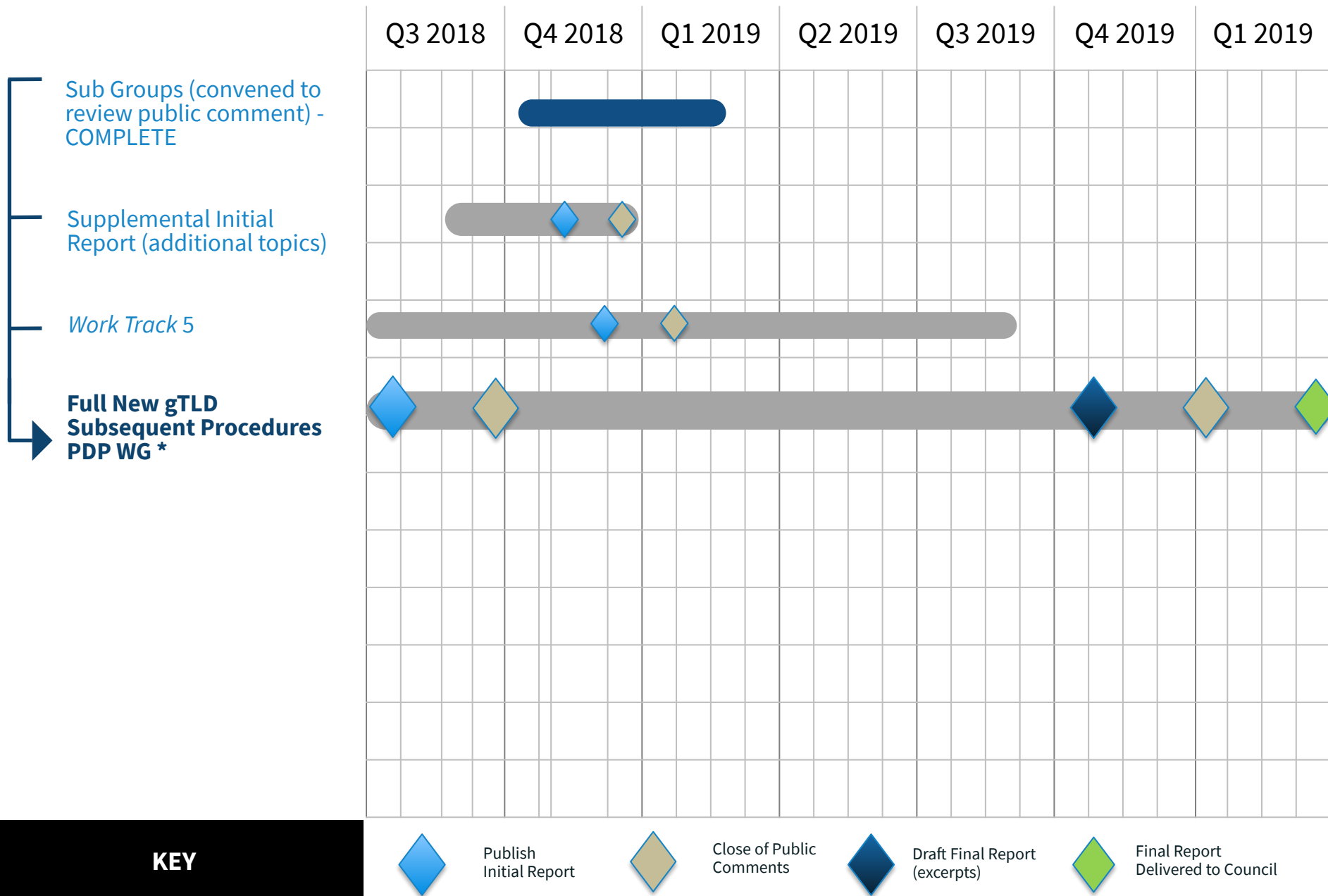
Welcome, Introduction, and Current Status

Agenda Item #1

Current Status

- The WG has published an **Initial Report and a Supplemental Initial Report**
- All public comments received were first organized then considered substantively, with that substantive consideration now nearly complete.
- The WG is in a transition period where it will primarily **focus on preparing draft Final Recommendations.**
- A **public comment period on select topics** will likely be needed prior to finalization of the Final Report.
- The WT5 Final Report, delivered with Consensus support, will be integrated into the overall Final Report.

SubPro Timeline



Review and discussion of potential topics requiring additional public comments

Agenda Item #2

Potential Topics Needing Add'l Public Comment

- Public input has been sought via Community Comment 1, Community Comment 2, the Initial Report, and a Supplemental Initial Report, as well as dialogue at ICANN meetings.
- The basis for additional public comment should be focused on **whether or not the public should reasonably already have had the opportunity to provide comment previously.**
- The public comment would also focus on outcomes (i.e., draft Final Recommendations), not on new concepts or deliberations.
- Therefore, while this discussion now is instructive, final decisions will be dependent upon actual draft outcomes.

Overarching Issues

Topic	PC Likely?
2.2.1 Continuing Subsequent Procedures	Not Anticipated
2.2.2 Predictability	Likely (for proposed structure and details)
2.2.3 Applications Assessed in Rounds	Possible
2.2.4 Different TLD Types	Not Anticipated
2.2.5 Application Submission Limits	Not Anticipated
2.2.6 Accreditation Programs (RSP Pre-Approval)	Possible

Overarching Issues

Topic: 2.2.2 Predictability

PC Likely: Likely (for proposed structure and details)

Rationale/Notes: Work remains to be done to at a minimum, refine and clarify the framework. For instance 1) clear boundaries are needed between the framework and any existing GNSO processes and 2) clear usage guidance is needed for ICANN Org and the community, who will be asked to implement and eventually execute against this framework.

Topic: 2.2.3 Applications Assessed in Rounds

PC Likely: Possible

Rationale/Notes: if we suggest a specific threshold on when to start accepting applications for next subsequent round

Overarching Issues

Topic: 2.2.6 Accreditation Programs (RSP Pre-Approval)

PC Likely: Possible

Rationale/Notes: There remain questions about several elements, like re-testing RSPs, differences (if any) between RSP pre-approval and technical requirements.

There are also touchpoints here with the technical evaluation and pre-delegation testing.

Foundational Issues; Pre-Launch Activities

Topic	PC Likely?
2.3.1 Competition, Consumer Trust and Consumer Choice	Not Anticipated
2.3.2 Global Public Interest	Possible
2.3.3 Applicant Freedom of Expression	Not Anticipated
2.3.4 Universal Acceptance	Not Anticipated
2.4.1 Applicant Guidebook	Not Anticipated
2.4.2 Communications	Not Anticipated
2.4.3 Systems	Not Anticipated

Foundational Issues; Pre-Launch Activities

Topic: 2.3.2 Global Public Interest

PC Likely: Possible

Rationale/Notes: There remains substantial opposition from parts of the community, though some of this resistance may be related to the naming convention (i.e., public interest) and the WG may want to make sure that all have the opportunity to provide public comment. We may want to test this notion in a public comment period.

There is also the question of whether we should codify the notion of the sensitive / regulatory strings where PICs were added to address initial GAC concerns (Category 1)

Application Submission; Application Processing

Topic	PC Likely?
2.5.1 Application Fees	Not Anticipated
2.5.2 Variable Fees	Not Anticipated
2.5.3 Application Submission Period	Not Anticipated
2.5.4 Applicant Support	Not Anticipated
2.5.5 Terms & Conditions	Not Anticipated
2.6.1 Application Queuing	Not Anticipated
2.4 Application Change Requests	Possible

Application Submission; Application Processing

Topic: 2.4 Application Change Requests

PC Likely: Possible

Rationale/Notes: Possibly on new processes/procedures discussed if they gain traction.

Application Evaluation / Criteria

Topic	PC Likely?
2.7.1 Reserved Names	Not Anticipated
2.7.2 Registrant Protections	Not Anticipated
2.7.3 Closed Generics	Possible
2.7.4 String Similarity	Possible
2.7.5 IDNs	Not Anticipated
2.7.6 Security and Stability	Not Anticipated
2.7.7 Applicant Reviews: Technical/Operational, Financial and Registry Services	Not Anticipated
2.3 Role of Application Comment	Not Anticipated
2.7.8 Name Collisions	Not Anticipated

Topic: 2.7.3 Closed Generics

PC Likely: Possible

Rationale/Notes: If we get a consensus or a good amount of support for something other than 2012 rules.

Topic: 2.7.4 String Similarity

PC Likely: Possible

Rationale/Notes: There was some discussion that the recommendations could extend beyond singular/plural.

Dispute Proceedings; String Contention Resolution

Topic	PC Likely?
2.8.1 Objections	Undetermined
2.8.2 Accountability Mechanisms	Likely
2.9.1 Community Applications	Not Anticipated
2.1 Auctions: Mechanisms of Last Resort	Possible
2.2 Private Resolution of Contention Sets (including Private Auctions)	Undetermined

Dispute Proceedings; String Contention Resolution

Topic: 2.8.1 Objections

PC Likely: Undetermined

Rationale/Notes: There are a number of unresolved elements, but unclear if the outcomes will be something the community has not had the opportunity to comment against.

Topic: 2.8.2 Accountability Mechanisms

PC Likely: Likely

Rationale/Notes: Additional detail being formulated here, much of it not in earlier reports.

Dispute Proceedings; String Contention Resolution

Topic: 2.1 Auctions: Mechanisms of Last Resort

PC Likely: Possible

Rationale/Notes: The WG is considering changes to the precise type of auction.

Topic: 2.2 Private Resolution of Contention Sets (including Private Auctions)

PC Likely: Undetermined

Rationale/Notes: This may be dependent on the outcomes of 2.2 above.

Dispute Proceedings; String Contention Resolution

Topic	PC Likely?
2.10.1 Base Registry Agreement	Not Anticipated
2.10.2 Registrar Non-Discrimination / Registry/Registrar Standardization	Not Anticipated
2.5 Registrar Support for New gTLDs	Not Anticipated
2.11.1 Registry System Testing	TBD - WG Summary Doc Review Pending
2.12.1 TLD Rollout	TBD - WG Summary Doc Review Pending
2.12.3 Contractual Compliance	TBD - WG Summary Doc Review Pending

Substantive discussion on select topics

Agenda Item #3

Overview

- The WG, after having reviewed the summary documents for nearly every topic, has identified several topics that would benefit from focused discussion and analysis (potentially via sub-teams).
- The three topics selected for discussion today are:
 - Predictability Framework
 - String Contention Mechanism of Last Resort
 - Limited Appeals Mechanism
- Leadership and staff have prepared discussion papers to help facilitate today's discussion by providing background/foundational information (e.g., problem statement, goals/objectives, proposal(s) currently being discussed), as well as trying to identify the remaining gaps that require discussion.

Next Steps, AOB, Adjournment

Agenda Item #4