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DATE: 29 September 2020
STATUS: Ratified

AT-LARGE ADVISORY COMMITTEE

ALAC Statement on GNSO New gTLD Subsequent Procedures Draft Final Report

Introduction

ICANN Policy staff in support of the At-Large community created an [At-Large Workspace on Subsequent Procedures \(SubPro\) Updates](#) in July 2019. The At-Large Consolidated Policy Working Group (CPWG) created a standing agenda item on SubPro, led by Justine Chew, ALAC Member of the Asian, Australasian, and Pacific Islands Regional At-Large Organization (APRALO). Justine Chew formed a SubPro Small Team consisting of Alan Greenberg, Marita Moll, Holly Raiche, and Christopher Wilkinson, to provide weekly updates to the CPWG on the topic and to update the SubPro workspace.

The CPWG held [several single-issue calls about Subsequent Procedures](#) (SubPro) earlier in 2020 in preparation for the Public Comment proceeding. Justine Chew and the SubPro Small Team also developed [At-Large Scorecards on SubPro](#) topics between July 2019-September 2020, in response to the work of the SubPro PDP and CPWG meeting presentations and feedback.

On 20 August 2020, Public Comment opened for [GNSO New gTLD Subsequent Procedures Draft Final Report](#). On the same day, an At-Large [workspace](#) was created for the statement. The CPWG confirmed it would be in the interest of end users to develop an ALAC statement on the Public Comment, and Justine Chew volunteered to lead the drafting team of the ALAC statement. The drafting team also included the members of the SubPro Small Team, as well as Jonathan Zuck, ALAC Vice Chair for Policy and Co-Chair of the CPWG.

This ALAC statement on the SubPro Final Report is the culmination of months of volunteer work in developing [At-Large Scorecards on SubPro](#) topics, as well as a community-wide survey on GeoNames, and analysis of feedback from the Internet end user community. Policy staff also held an internal planning call with Justine and the CPWG Co-Chairs to analyze feedback and plan for a timely submission of the ALAC statement. The Small Team and staff created an internal workplan to organize ALAC responses to the various SubPro topics as they relate to end user interests, and divided inputting these responses into a Google Doc for the ALAC statement, which was in the format of the Public Comment's Google Form.

On 16 September 2020, Justine Chew announced during the CPWG meeting that final comments would be requested from the At-Large community on the topic of the At-Large SubPro scorecards, which provided the basis for ALAC response to the Public Comment proceeding. ICANN Policy staff in support of the At-Large community sent out this final call for comments, linking to the At-Large workspace on SubPro, as well as a workspace and Google Doc dedicated to the At-Large scorecards. A separate call for comments was requested for the topic of Closed Generics led by Alan Greenberg, and Metrics led by Jonathan Zuck. Feedback was requested by 23 September at 23:59 UTC.

On 23 September 2020, Justine Chew and the Small Team along with staff as support, finalized the Google Doc of the ALAC statement. ICANN Policy staff in support of the At-Large community posted the draft to its workspace. The ALAC Chair, Maureen Hilyard, requested that the statement be ratified by the ALAC, and staff launched the ALAC ratification vote on 26 September 2020.

On 28 September 2020, the ALAC unanimously endorsed the ALAC statement on [GNSO New gTLD Subsequent Procedures Draft Final Report](#). Staff confirmed the online vote resulted in the ALAC endorsing the statement with 15 votes in favor, 0 votes against, and 0 abstentions. Please note 100% (15) of the 15 ALAC Members participated in the poll. The ALAC Members who participated in the poll are (alphabetical order by first name): Abdulkarim Oloyede, Bastiaan Goslings, Carlos Raul Gutierrez, Dave Kissoondoyal, Humberto Carrasco, Holly Raiche, Javier Rua-Jovet, Joanna Kulesza, Jonathan Zuck, Justine Chew, Marita Moll, Matthias Hudobnik, Maureen Hilyard, Sylvia Herlein Leite, and Tijani Ben Jemaa. You may view the result independently under: <https://www.bigpulse.com/pollresults?code=134012194ubnqKYKVjG9fjTtQC3>

On 29 September 2020, Justine Chew finalized the ALAC statement. The ALAC Chair, Maureen Hilyard, requested that the statement be submitted 1 day ahead of the Public Comment deadline. Staff submitted the ALAC statement to Public Comment, addressing the Co-Chairs of the Subsequent Procedures PDP, Cheryl Langdon-Orr and Jeff Neuman.

New gTLD Subsequent Procedures Draft Final Report - Public Comment Input Form

This Public Comment forum seeks community feedback on the draft Final Report published by the New gTLD Subsequent Procedures Policy Development Process (PDP) Working Group.

* Required

1. Email address *

staff@atlarge.icann.org

>>> IMPORTANT INSTRUCTIONS >>> PLEASE READ BEFORE PROCEEDING >>>

Purpose and Format

The purpose of this public comment period is to obtain input on recommendations that have changed substantively since publication of the Initial Report and Supplemental Initial Report, as well as a limited number of specific questions.

- This is a standard format for collecting public comment. It seeks to:
 - Clearly link comments to specific topics of the draft Final Report
 - Encourage commenters to provide reasoning or rationale for their opinions
 - Enable the sorting of comments so that the Working Group can more easily read all the comments on any one topic
- Outputs in the Final Report: There are 5 types of outputs: (a) Affirmation, (b) Affirmation with Modification, (c) Recommendation, (d) Implementation Guidance, and/or (e) No Agreement.
- Please go to the referenced topic in the draft Final Report at the beginning of each section in the Google Form to read the details and context of each Output.

PLEASE NOTE: Word format form to enter and save work

PLEASE NOTE: The most secure, and strongly recommended, method to complete the survey is to enter your responses into the Word format form available at the link below, and then copy the information into the Google survey form.

- Word: <https://gnso.icann.org/en/issues/new-gtld-subsequent-draft-final-report-public-comment-input-form-20aug20-en.docx>
- PDF (for reference): <https://gnso.icann.org/en/issues/new-gtld-subsequent-draft-final-report-public-comment-input-form-20aug20-en.pdf>

If you encounter a warning that your responses are too large (the character limit), please contact policy-staff@icann.org for assistance.

Please submit your public comments via this form only

If you are unable to use Google forms, alternative arrangements can be made. Please contact policy-staff@icann.org for assistance.

There is no obligation to complete all sections within this form

Respond to as many or as few questions as desired. The only "mandatory" questions are those related to commenter's personal data in Section 1 and Section 2 of this form.

You may enter general comments in the last section (Section 3)

There is an opportunity to comment on the general content of this Draft Final Report and provide input that may not be tied to any specific items that the Working Group is seeking community input.

There is a limit of 2,000 characters (about 350-400 words) for each "text box" response

In the event you reach the character limit, you may send an email to policy-staff@icann.org, and the Working Group Support Staff will assist you and manually enter your responses.

To stop and save your work for later, you MUST (to avoid losing your work):

1. Provide your email address above in order to receive a copy of your submitted responses;
2. Click "Submit" at the end of the Google Form (the last question after every 5 topics allows you to quickly jump to the end of the Google Form to submit);
3. After you click "Submit," you will receive an email to the above-provided email address; within the email, click the "Edit Response" button at top of the email;
4. After you click the "Edit Response" button, you will be directed to the Google Form to return and complete;
5. Repeat the above steps 2-4 every time you wish to quit the form and save your progress.

When the commenter hits the "Submit" button, all submitted comments will be displayed publicly via an automatically-generated Google Spreadsheet

Note: Email addresses provided by commenters will not be displayed.

The final date of the Public Comment forum is 30 September 2020

This form will be closed by 30 September 2020. Any comments received after that date/time will not be reviewed/discussed by the Working Group.

Section 2: Consent & Authorization

By submitting my personal data, I agree that my personal data will be processed in accordance with the ICANN Privacy Policy (<https://www.icann.org/privacy/policy>), and agree to abide by the website Terms of Service (<https://www.icann.org/privacy/tos>).

2. Please provide your name: *

ICANN Policy Staff in support of the At-Large Community / Evin Erdoğan, Policy Development Senior Coordinator

3. Please provide your affiliation *

ALAC

4. Are you providing input on behalf of another group (e.g., organization, company, government)? *

Mark only one oval.

Yes

No

5. If yes, please explain:

ALAC Statement submitted by At-Large staff. ALAC drafting team members include Justine Chew, Alan Greenberg, Marita Moll, Jonathan Zuck, Holly Raiche and Christopher Wilkinson.

Save Your Progress

6. Do you want to save your progress and quit for now? You will be able to return to the form to complete at a later time.

Mark only one oval.

Yes

No, I would like to continue to the next section

Topic 1:
Continuing
Subsequent
Procedures

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 14 of the draft Final Report: <https://gns0.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences, but minor differences include the following:

- Affirmed purposes for introducing gTLDs.

7. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

8. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

9. Enter your response here:

We maintain that there is no rush to have new applications, and there remains the need to properly assess actual benefits that the Program has brought about (or not) beyond just general consumer choice, and DNS marketplace competition aspects. In any event, should a next round proceed, it is more important to improve the application process to “get it right” rather than have ad hoc fixes post implementation which have not undergone community input. Further, in principle, prerequisite and high priority recommendations of the CCT Review Report of 2018 need to be implemented first.

In large part, the CCTRT recommendations focused on two things: intentions (goals, objectives) and data. For example Rec. 1, approved by the board, calls for the formalization and integration of data collection and metrics into all ICANN activities. Without clear, measurable objectives for a new round, there simply won't be any way to evaluate it in a meaningful way. If a new round is being justified as creating “competition,” then a commitment needs to be made to get the necessary data from registries and registrars to adequately measure competition. If the objective of a new round is to improve consumer trust in the DNS then

developing baseline metrics for consumer trust is essential so that improvements can be objectively measured.

As the first review after the IANA Transition, the CCTRT recommendations fell into a sort of purgatory and very little has been done to implement even those which were accepted outright by the board. Those that were directed to the Subsequent Procedures Working Group posed several questions about objectives for the new program which were not answered, making it difficult to evaluate changes to, for example, Applicant Support and Community Priority Evaluations. The CCTRT also found that the safeguards, imposed on the 2012 applicants, did little to prevent DNS Abuse from migrating to new gTLDs, where bulk sales, at lower prices, proved too good to pass up. Many of the security and stability recommendations, advanced by the CCTRT, were echoed in the recommendations coming out of the SSRT2.

10. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

11. Enter your response here:

Four horizontal lines for text input.

Topic 2:
Predictability

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 15 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- Added details to the Initial Report's conceptual Predictability Framework, including defining different "buckets" of changes, clarifying which parties can raise issues, and explaining in more detail the jurisdiction of the Framework/SPIRT.
- Added specific details to the structure of the SPIRT, governance model and operating procedures.

12. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

13. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

14. Enter your response here:

15. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

16. Enter your response here:

Topic 3:
Applications
Assessed in
Rounds
(Application
Submission
Periods)

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 19 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- Simplified recommendation to make it clear that the New gTLD Program would be conducted in rounds.
- Added recommendations on when future rounds can be initiated (even if applications may still be pending from the previous round).
- Added clarity on the circumstances when a new application may be submitted for a string that was not delegated in the previous round.
- Added recommendations on the need for a predictable cadence of future rounds and that future reviews of the program should be conducted concurrently with the program.
- Added recommendation that material changes from reviews/policy development should apply only to the next subsequent round.

17. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

18. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

19. Enter your response here:

The ALAC/At-Large maintains caution over the continued push for expansion of the Program, and expresses concern regarding the provision of option (a) in Recommendation 3.2, which read together with Recommendation 3.5 and Recommendation 3.6, seemingly mandate a very high threshold for pausing and/or stopping the Program in order to allow Community consideration and/or input on the impact of future reviews and/or policy development processes to be effectively taken into account.

20. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

21. Enter your response here:

Four horizontal lines for text input.

Topic 4:
Different
TLD
Types

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 23 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- More detail provided on different categories of TLD applications and how those are treated (e.g., how the type of application, string, or applicant will result in differential treatment during the application evaluation process).
- Added Category 1 - GAC Safeguards, IGO and governments, and Applicant Support as different TLD Types.
- Added recommendation that creating types should be exceptional and need-based, but that there should be a predictable process to have potential changes considered by the community.

22. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

23. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

24. Enter your response here:

25. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

26. Enter your response here:

Topic 5:
Application
Submission
Limits

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 27 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences.

27. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

28. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

29. Enter your response here:

30. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

31. Enter your response here:

Save Your Progress

32. Do you want to save your progress and quit for now? You will be able to return to the form to complete at a later time.

Mark only one oval.

- Yes
- No, I would like to continue to the next section

Topic 6:
Registry
Service
Provider
Pre-
Evaluation

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 28 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- Renamed the service to better align with its function (RSP Pre-Evaluation). Clarified that substantively, the program is more about timing of the review rather than introducing new evaluation requirements.
- Confirmed that new and existing RSPs are eligible for pre-evaluation (no automatic approval for existing RSPs).
- Provided guidance on timing and applicability of pre-evaluation (only applies to the specific round and that in the future, streamlining the process may be appropriate).
- Confirmed that pre-evaluated RSPs are not “contracted parties” for purposes of the GNSO Structure.
- Recommended that for usability, a list of pre-evaluated RSPs must be made available well enough in advance of the application submission window, so as to be useful for prospective applicants.

33. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

34. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

35. Enter your response here:

36. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

37. Enter your response here:

**Topic 7:
Metrics
and
Monitoring**

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 33 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences, but minor differences include the following:

- The section itself is new, but the content is not. This new section simply aggregates the metrics and monitoring recommendations from various sections.

38. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

39. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

40. Enter your response here:

Lack of specifics to Recommendation 7.1 that “meaningful metrics must be identified to understand the impact of the Program” does not inspire confidence - there must be descriptions of what data is needed and to prescribe that such data be necessarily collected by ICANN Org as a matter of priority, and/or by registries and/or registrars as a contractual obligation.

41. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

42. Enter your response here:

First and foremost, absent clear objectives, against which to measure progress, “metrics” are far less useful. Furthermore, “objectives” are a matter of policy, *not* implementation and must be established through policy development. In particular, the ALAC are focused on clear, measurable objectives with regards to Consumer Trust, DNS Abuse, Universal Acceptance and expanded local/community participation in gTLDs. The latter must include objectives and metrics surrounding Applicant Support, Community Priority Evaluation, mentoring and regional applications for new strings. In fact, at *this* stage, the only clear rationale for a new round would be expanded and diversified participation in the program. As such, no further rounds should proceed without clear objectives surrounding applicant diversity both economic and geographic.

There was, at the very least, an implied requirement to *justify* the 2012 round with improved competition, choice and consumer trust. Now, all pretense for a justification has been replaced with “we said we would do it,” and the only clear objective is greater predictability and “fairness” for applicants. This *fete accompli* approach to a new round is fraught with pitfalls and, without prescribed benefits, the likely consequences to expanding the root are placed in stark relief.

The ALAC would like to see goals set and measured related to Consumer Trust including:

- Frequency of direct use (rather than redirect, QR code, etc.), commercial activity or consensual data sharing.
- Awareness of complaint channels (PICDRP and RRDRP);
- More granular reports on merit of complaints, action taken by whom, and responsiveness of registries and/or registrars to complainant to begin with

Note that due to character/word limit restrictions for each question, other metrics or measurements related to Universal Acceptance adoption, a communications plan, applicant support, EBERO and IDNs, have been included under Topics 11, 13, 17, 22, and 25, respectively.

Topic 8: Conflicts of Interest

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 35 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences, but minor differences include the following:

- The section itself is new, but the content is not. This concept was originally captured in Objections, but the WG deemed it to be broadly applicable to all vendors that support the program (e.g., evaluators, objections providers).

43. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

44. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

Do not support certain aspects or all of the Output(s)

45. Enter your response here:

46. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

47. Enter your response here:

**Topic 9:
Registry
Voluntary
Commitments
/ Public
Interest
Commitments**

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package to better understand the full context of the Outputs and changes made.

See page 36 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- Added specificity to mandatory PICs (i.e., reference to specification 11 3(a)-(d)).
- Added a recommendation to allow for single-registrant TLDs to obtain waivers for 11 3(a) and 3(b)
- Added specificity to voluntary PICs (which were renamed Registry Voluntary Commitments, or RVCs), including when and for what reasons they may be added and that they be treated as application change requests (to allow for public consideration).
- Recommended that the PICDRP be updated to account for name change.
- Added a recommendation to improve access for being able to review RVCs, in line with CCT-RT recommendation 25.
- Added a set of recommendations for Category 1 Safeguards, which affirms the NGPC framework and suggests that strings be evaluated as an evaluation element, to determine if they fall into any of the NGPC framework groupings.
- Added a recommendation that DNS Abuse should be addressed holistically, instead of just in the context of future new gTLDs.

48. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

49. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

50. Enter your response here:

In respect of Recommendation 9.15, the ALAC maintains its position that new policy on DNS abuse mitigation must be put in place prior to the initiation of a new round of New gTLDs. While we agree in principle that the topic of DNS abuse should be dealt with in a comprehensive and holistic manner, and which addresses both existing/legacy TLDs and the new gTLDs to be delegated in the new/subsequent rounds, we disagree with the practice of pushing it off to another forum/PDP/etc.

We have seen periodic changes to the Base Registry Agreement through singular party-ICANN Org contract negotiations that incorporate incremental obligations as well as an incremental level of permissions which in general are beneficial to both sides, if not to everyone. We opine that these incremental obligations and permissions in the Base Registry Agreement for the operation of new gTLDs have been instrumental in inspiring registry operators of legacy TLDs to also adopt and take on similar (if not all) such obligations and/or permissions during negotiations for their Registry Agreement renewal.

Therefore, declining to make any recommendations on DSN abuse mitigation for subsequent procedures constitutes, to us, a missed opportunity to incentivize the voluntary adoption by existing registry operators of desirable changes to their Registry Agreements to bring about beneficial consequences to end-users.

We are also wary of a need to have not only more data, but the correct data, to be captured by registries and registrars in order to monitor and detect changes in not only the level of the DNS abuse but the types of DNS abuse (changing DNS abuse landscape) and that the obligation to collect such data may evolve in scope and/or breadth over time. In this respect we should be exploiting every opportunity to introduce desirable changes in respect of obligations to do with DNS abuse mitigation.

51. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

52. Enter your response here:

Topic 10:
Applicant
Freedom
of
Expression

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 48 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences.

53. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion**

54. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

55. Enter your response here:

56. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

57. Enter your response here:

Save Your Progress

58. Do you want to save your progress and quit for now? You will be able to return to the form to complete at a later time.

Mark only one oval.

- Yes
- No, I would like to continue to the next section

Topic 11:
Universal
Acceptance

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 50 of the draft Final Report: <https://gns0.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences.

59. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

60. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

61. Enter your response here:

ALAC remains convinced that any expansion of the new gTLD market must actively and effectively facilitate the inclusion of the next billion Internet end-users - those who depend on IDNs and IDN-emails. Merely "welcoming and encouraging the work of the Universal Acceptance Initiative (UAI) and the Universal Acceptance Steering Group (UASG)" even if "strongly" has no real effect on the goal of promoting Universal Acceptance (UA). To this end, SubPro PDP WG must recommend for greater action towards UA-adoption in a number of ways:

Adoption of UA

- 1. ICANN must include a metric on UA adoption by third parties as a measure of success for the New gTLD Program because without greater adoption of UA, any expansion of the Program would not facilitate inclusion of the next billion Internet end-users.(see also our comments in answer to Q.63)

Promotion of UA-readiness

- 1. ICANN must invest in being itself able and ready to communicate to registrants and end-users in languages/scripts for LGRs that have been released under the IDN Variant TLD Implementation.
- 2. ICANN must strongly encourage registries and registrars which are owned by the same entity to be UA-ready in any new gTLD application since these are the entities best positioned to offer IDN TLDs/SLDs.
- 3. The application process must require all applicants to state:
 - The level of UA-readiness of their Registry operations (if not .brand TLD applicant), including whether they have policies in place to respond to IDN-email or to introduce IDNs.
 - The level of readiness, both at Registry and Registrar levels, to accept IDN SL domain name registrations.

62. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

63. Enter your response here:

Some (additional) measurements to evaluate Universal Acceptance adoption include:

- Number of Registrars offering services per country/region/language and scope of contractual obligations on Registrars to provide IDNs and EAI, publication of same to applicants,
- Extent of Registry/Registrar structural separation; contractual non-discrimination requirements, publication of same to applicants,
- Web Scriptability, Incident Responsiveness and Manageability.

Topic 12:
Applicant
Guidebook

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 52 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences, but minor differences include the following:

- Emphasis was placed on the need for enhancing language support in the 6 UN languages

64. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

65. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

66. Enter your response here:

67. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

https://docs.google.com/forms/d/1cPcUwJWW3etSV
bv3VDLEwCdp6ZHVbn6beAxEl-6pCJQ/edit

Topic 13:
Communications

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 55 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences.

69. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

70. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

71. Enter your response here:

With respect to Affirmation 13.1, it is important for the community to understand how “comment forums will be used to inform evaluation panels” - controlling factors such as when do comment forums open and close and the identification of commenters are important to avoid abusive use of the comment forums.

With respect to Recommendation 13.2, metrics are needed to evaluate the effectiveness of any communications strategy and plan in achieving program goals.

72. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

73. Enter your response here:

As stated above, specific objectives need to be set for portions of the program, in terms of Applicant Support, Community Applications, DNS Abuse, Universal Acceptance, etc. It would then be against these measurable objectives that a communications plan would be judged. Simply constructing a communications plan, the execution of which is its own metric is insufficient. Communications metrics should incorporate surveys, both as part of communications as well as generally to understand reach. Specifically, the CCTRT recommended identifying a “profile” for applicants in underserved regions and trying to reach them directly, potentially with case studies which help a potential applicant to understand typical business models.

Some metrics/measurements essential to evaluate a communications plan, include:

- Marketing/promotional events across regions/countries/cities and by whom - how many, and when the first and last events took place,
- Languages used at events and/or for materials other than in the 6 UN working languages, Whether events involved ICANN community members or third parties
- Whether surveys were used to identify interests in Program - what kind of interest (to apply/operate standard, community or IDN TLDs vs general interest),
- Number of active follow ups vs unsolicited inquiries

Topic

14:

Systems

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 57 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences.

74. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

75. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

76. Enter your response here:

77. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

78. Enter your response here:

In respect of Recommendation 14.2 and Implementation Guidance 14.6, we believe that systems used for the application and evaluation processes should not only target applicants as its main end-users, but should also be able to support community needs in accessing, commenting and monitoring all publicly-available information pertaining to an application - including but not limited to responses to entries and historical changes to application question answers, Public Comment forum, Public Interest Commitments or Registry Voluntary Commitments offered.

In particular, we propose two additional opt-in notification tools be created for:

1. Specific to Non-AGB terms with geographic meanings - Participating GAC Members to be notified of applications submitted for strings which are exact matches of adjectival forms of country and territory names (per ISO 3166-1 list) in the official language(s) of the country in question and other terms with geographic meaning, as notified by any GAC Member to ICANN Org, where there exists an official document (eg. founding/incorporation of an administrative division) giving a geographic place its name, or it is attested that a geographic place or feature has the name from time immemorial (refer to comments under topic 21.1 Geographic Names)
2. Any interested party (without any limiting criteria) to receive updates on any indicated application.

Topic 15: Application Fees

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 62 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- Combined the Application Fees and Variable Fees section.
- Clarified that applicants utilizing a pre-evaluated RSP would not incur costs for the technical/operational evaluation element and that applicants qualifying for Applicant Support would necessarily be subject to a different fee structure.

79. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

80. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

81. Enter your response here:

82. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

83. Enter your response here:

Save Your Progress

84. Do you want to save your progress and quit for now? You will be able to return to the form to complete at a later time.

Mark only one oval.

Yes

No, I would like to continue to the next section

**Topic 16:
Applications
Submission
Period**

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 66 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences.

85. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion**

86. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

87. Enter your response here:

88. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

89. Enter your response here:

Topic 17:
Applicant
Support

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

****PLEASE NOTE:** There is an additional question below for Community Input.**

See page 67 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- For the recommendation related to support beyond the application fee, financial support for ongoing registry fees were removed.
- Suggested that a dedicated Implementation Review Team (IRT) (ASP) may be warranted for this topic alone and be constituted of experts in this area.
- Added greater detail on outreach and collaboration with local partners to achieve outreach plan.
- Added recommendation that the dedicated IRT establish metrics for success (with a non-exhaustive list of potential metrics included).
- Added Implementation Guidance that the dedicated IRT consider how to allocate support if the number of qualified applicants exceeds funds.
- Added recommendation that ICANN develop a plan for funding the ASP and potentially seek funding partners.

90. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

91. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

92. Enter your response here:

The ALAC has major concerns with many of the recommendations and implementation guidance which we believe either do not go far enough to improve the utility of ASP and/or suggest "implementation elements of ASP" which lack adequate policy guidance details which are highly necessary. Instead the approach in punting these off to the IRT is disappointing since the implementation phase typically does not incorporate extensive community participation.

In particular:

- Recommendation 17.1 should include within the ASP framework, a requirement that applicants must demonstrate how they would serve a beneficiary target region or community, not propose merely a general public interest benefit as an evaluation criterion.
- Recommendation 17.3 and Implementation Guidance 17.4 should expressly include a reference to business model education (eg. different business case studies) for applicants (as was identified the AM Global Study) to increase the utility of the ASP.
- Re: Recommendation 17.5 and Implementation Guidance 17.8, 17.9, 17.1, will a dedicated IRT established / charged with developing implementation elements of ASP – even if giving regard to the JAS WG Final Report and 2012 implementation of ASP – allow for effective community participation and/or input to be incorporated?
- Re: Recommendation 17.12 and Implementation Guidance 17.13 ad 17.14, given that the success of the ASP is intrinsically tied to the amount of ASP funds available, we want to know how ICANN org will develop such plan to source for ASP funds. In particular, we believe more concrete steps should be established to secure funding for ASP; that ICANN Org ought to actively inform, encourage and liaise with National banks and aid agencies worldwide to participate in sponsoring applicants or ASP funding; and that request for cooperation by GAC be made, as appropriate.
- Re: Recommendation 17.15 and Implementation Guidance 17.16, we are concerned about being asked to support important elements which lack adequate policy guidance details. To be clear, we maintain our proposal to allow an applicant who qualifies for ASP should be given priority in any string contention set, and not be subjected to any further string contention resolution process but note that if 2 or more applicants that qualify for Applicant Support were to be placed in a contention

set, then a mechanism is still required to resolve that contention set. In this scenario, and should priority not be given to an applicant that qualifies for Applicant Support, then a version of the Vickrey auction should be the mechanism of last resort where the benefit of a multiplier should apply to bids placed by applicants that receive Applicant Support.

- Re: Recommendation 17.18, while we fully support the move to allow applicants that fail ASP evaluation the option to pay balance of full standard application fee and transfer to standard application process, we remain concerned over questions on (i) how SARP's evaluation methodology will be expanded to include determination of wilful gaming; and (ii) the development of broad agreement on penalty to be applied to applicants found to be wilful gamers.

93. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

94. Enter your response here:

We have some suggestions related to Implementation Guidance 17.10; if we are expecting uptake to improve then more consideration ought to be given to having established approach, suggest:

- Using points earned during evaluation to determine dispersion of funds if there are more applicants than funds
- Using "quota per region" approach

Separately, the term "Community" is subject to different interpretation by different groups, including evaluators and dispute resolution panelists. It is inherently difficult and unfair to expect an applicant or an objector to accept that a group determined to be a "community" within one aspect of the Program can then be rejected as a "community" in respect of another. An eg. might be an applicant that qualifies for Applicant Support because it has been able to persuade the Support Applicant Review Panel (SARP) that its application target/benefits a community while failing to do the same with a Community Priority Evaluation panelist. We not only support a recommendation that "Community" should be broadly interpreted, but would go further to advocate that the way "community" is interpreted should be applied consistently throughout each aspect of the application process.

And, in terms of metrics for the ASP, these should include:

- Number of enquiries, number of applications, distribution of applications by jurisdiction, first time/repeats; single vs existing or new portfolios; based on pre-existing trademarks or not
- Classification of applications by main categories, distribution by incorporation/private, country, language, scripts etc.
- Numbers and responsibilities of ICANN Staff assigned to support applicants - numbers of staff, including out-sourced, assigned to evaluation
- Budget available to finance pro-bono assistance,
- Third party financing: interest, outreach, T&C, amounts available etc.
- Mentorship program participation numbers

Question for Community Input

Recommendation 17.2 states: "The Working Group recommends expanding the scope of financial support provided to Applicant Support Program beneficiaries beyond the application fee to also cover costs such as application writing fees and attorney fees related to the application process."

Question: Should the Applicant Support Program also include the reduction or elimination for eligible candidates of ongoing registry fees specified in Article 6 of the Registry Agreement? If so, how should the financial impact to ICANN be accounted for?

95. If you have a response to the question please enter your response here:

Yes, it should. We have expressed above our belief that more concrete steps should be established to secure funding for ASP; that ICANN Org ought to actively inform, encourage and liaise with National banks and aid agencies worldwide to participate in sponsoring applicants or ASP funding; and that request for cooperation by GAC be made, as appropriate. All these steps will help relieve the pressure on ICANN to fully and internally fund the ASP.

We also wish to provide input on guardrails for mitigating risk of gaming while increasing the appeal, utility of ASP, to boost overall success of ASP, as follows:

Joint financing of Applicant Support applications

- ICANN Applicant Support must take account of the overall investment costs necessary for the success of the proposed independent Registry, including how these costs will be financed.
- The financial evaluation of the application must be undertaken by qualified staff within ICANN Org. The applicant's submitted financial data should be kept confidential, except that in the event of joint financing by third party entities (e.g. regional development banks) such data would have to be shared under conditions of confidentiality and with the applicant's consent.
- 'Portfolio applicants' or incumbent Registry/ Registrar entities with 10 or more delegated gTLDs (new and legacy) are ineligible to apply for Applicant Support.
- To be eligible for Applicant Support, an applicant for:
 - A geographic name string, must be incorporated in the jurisdiction corresponding to that geographic name, on the basis of prior authorization and regardless of intended use of the string.
 - A non-geographic name string, must not be incorporated in the jurisdiction considered as tax havens by the OECD.
- To implement joint financing, ICANN Org must:
 - a. Undertake a review of the financing of independent gTLD applications arising from the 2012 Round. And publish the anonymised data arising from that review. This is not to be out-sourced.
 - b. Conduct a proactive information and promotional activity with possible third party entities to facilitate subsequent approaches from ICANN and applicants for Applicant Support.
 - c. Establish confidentiality rules and procedures with respect to the sharing of the applicants' information with third party entities, including all of the applicant's financial data.

Topic 18: Terms and Conditions

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 79 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences, but minor differences include the following:

- Added recommendation about treatment of confidential elements of applications.

96. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

97. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

98. Enter your response here:

99. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

100. Enter your response here:

Topic 19:
Application
Queuing

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 81 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- Added recommendation to equitably prioritize IDN applications, including a detailed formula if relatively high volumes of IDN applications are received.

101. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

102. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

103. Enter your response here:

104. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

105. Enter your response here:

Topic 20:
Application
Change
Requests

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 86 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences, but minor differences include the following:

- Recommends allowance of resolving string contention 1) through business combinations and 2) through string change for .Brand TLDs in limited circumstances.

106. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

107. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

108. Enter your response here:

109. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

110. Enter your response here:

Save Your Progress

111. Do you want to save your progress and quit for now? You will be able to return to the form to complete at a later time.

Mark only one oval.

Yes

No, I would like to continue to the next section

**Topic 21:
Reserved
Names**

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 89 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences, but minor differences include the following:

- For consistency with other top-level Reserved Names, the WG altered the recommendation related to Public Technical Identifiers to only reserve the PTI acronym, not the full names.

112. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written**
- No Opinion

113. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

114. Enter your response here:

115. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

116. Enter your response here:

**Topic 21.1:
Geographic
Names at
the Top-
Level
(Annex I)**

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

Please see Annex I, which contains the Final Report of Work Track 5 on Geographic Names at the Top Level of the draft Final Report:
<https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences

117. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

118. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

119. Enter your response here:

In respect of “3. Non-Capital City Names” (at pages 21-24 of the WT5 Final Report) there is significant At-Large support for stronger protection to be placed on Non-Capital City Names. The current situation where little to no protection for Non-Capital City Names leaves too many such cities in peril of having TLDs matching their city names being applied for and possibly delegated without so much as the need to consult the relevant local public authority on whether they might support or oppose applications for their city name string.

The ALAC believes that Non-Capital City Name strings must be subject to preventive protection in the following manner:

1. Letters of support or non-opposition must be obtained from the relevant governments or local public authorities for strings matching Non-Capital City Names found in a definitive list, and whether they be names in their current or historic forms (eg. Kolkata/Calcutta) or in native scripts or otherwise
2. The definitive list would be a composite of externally sourced lists, namely (a) the United Nations list of non-capital cities with 100,000 or more inhabitants (found at <https://unstats.un.org/unsd/demographic-social/products/dyb/documents/DYB2018/table08.pdf>) as well as (b) the list of non-capital cities with an IATA international airport code (derived from <https://www.iata.org/en/publications/directories/code-search/>)
3. Registry commitments resulting from negotiations with the relevant government or local public authorities regarding the use of the string both at the top level and for second level registrations, must be incorporated into the applicant/registry’s Registration Agreement and stipulated to be carried forward in the event of a disposal or assignment of the TLD.

120. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

121. Enter your response here:

In respect of “2. Categories of Terms Not Included in the 2012 Applicant Guidebook” (at pages 17-21 of the WT5 Final Report), we noted the 3 proposals that were made and discussed but none of which were determined to have received sufficient support to produce a recommendation.

After extensive discussion, the ALAC resolved to propose that ICANN org develop and implement the Notification Tool, which could conceptually take one or both of the following forms:

- **An open Notification Tool with no limiting criteria, on an opt-in basis**
A larger portion of the At-Large group that was consulted preferred an open Notification Tool, one that should be open to anyone on an opt-in basis, with no limiting criteria on eligibility to opt-in.

Given the added complications with the contemplated early bid submission aspect for Auctions as a mechanism of last resort to resolve contention sets, even if this Notification Tool could be implemented prior to the launch of the next round or more foreseeably, only made available after the start of the next application submission period, it should not function to compromise any need to withhold the identities of applicants until “Reveal Day” takes place.

We see this version of a Notification Tool as supplementing the idea captured in Implementation Guidance 20.5, i.e. the valuable suggestion that Community Members have the option of being notified on application change requests that requires a public comment to be opened.

- **A Notification Tool limited exclusively to GAC Members**

A smaller but not insignificant portion of the same group that was consulted believes that the concept of a Notification Tool which was discussed within WT5 is a valuable proposition. In particular, members of this grouping propose that an adapted version of the Notification Tool concept be introduced, which would encompass the following features and/or implementation guidance:

- (1) A database-driven tool managed by ICANN Org where the database would be populated in 2 ways --
 - a. exact matches of adjectival forms of country and territory names in accordance with the ISO 3166-1 list, in the official languages of the relevant, and
 - b. other strings matching terms with geographic meaning as submitted by participating GAC Members that exercise an option is to submit such terms where (i) there exists an official document (eg of founding or incorporation of an administrative division) giving a geographic place its name, or (ii) it is attested that a geographic place or feature has the name from time immemorial
- (2) ICANN Org can publish the database contents to enhance predictability in that applicants can refer to this published list to check for strings that are considered to have geographic meaning
- (3) The notifications would be automatically triggered by applications for exact matches of strings in the database. This removes the burden from an applicant having to contact the relevant GAC Member or local public authorities.
- (4) The notification does not in itself place any obligation on an applicant because the purpose of this tool is solely to put a submitting GAC Member on notice. What actually happens if a notification is triggered is entirely up to the submitting GAC Member.
- (5) This tool is very similar in intent to ICANN Org's implementation of a dedicated webpage for GAC Members to view, download and track 2-character ASCII SLD registration data - ie exact matches to 2-character country codes - for requesting compliance action in the event of a perceived misuse.

Topic 22: Registrant Protections

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 93 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences, but minor differences include the following:

- The Initial Report provided options to consider as alternatives to the Continuing Operations Instrument. Although the WG did not agree on a specific alternative, the WG did add a recommendation that alternatives be explored during implementation.

122. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

123. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

124. Enter your response here:

The ALAC thinks that ICANN Org (GDD) must publish more granular data/information and/or explanation on the following:

- The five critical registry functions and respective threshold levels ICANN Org has used to determine the triggering vs non-triggering of an EBERO event: (i) DNS resolution for registered domain names; (ii) Operation of Shared Registration System; (iii) Operation of Registration Data Directory Services; (iv) Registry data escrow deposits; and (v) Maintenance of a properly signed zone in accordance with DNSSEC requirements.
- How many events have triggered or come close to triggering EBERO since launch of EBERO for 2012 round

The rationale is that the community should be made aware of objective threshold levels and if ICANN Org can show that very few Registries reach those thresholds then all the better, but as it is, we simply do not have the level of information required for community decision-making.

125. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

126. Enter your response here:

Topic 23:
 Closed
 Generics
 (also
 known as
 Exclusive
 Generics)

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

****PLEASE NOTE:** There is an additional question below for Community Input.**

See page 96 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- For the purposes of the draft Final Report, the WG designated the status as No Agreement and continued to make no recommendations with respect to either allowing or disallowing Closed Generics. However, with widely diverging viewpoints, the WG asked WG members to contribute proposals for consideration, to help identify circumstances when a closed generic may be permitted. These proposals were not thoroughly vetted by the WG and therefore none of the proposals at this point in time have any agreement within the WG to pursue. However, the WG is very interested in community feedback regarding the three proposals received, in regards to both the high level principles and the details (where provided). Thus, any feedback is appreciated.

127. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

128. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

Do not support certain aspects or all of the Output(s)

129. Enter your response here:

130. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

131. Enter your response here:

Question for Community Input:

Please review the following proposals:

A Proposal for Public Interest Closed Generic gTLDs (PICG TLDs), submitted by Alan Greenberg, Kathy Kleiman, George Sadowsky, Greg Shatan):

<https://community.icann.org/display/NGSPP/Proposals+Included+in+Draft+Final+Report?preview=/144376220/144376262/ProposalforPICGnTLDs.pdf>

The Case for Delegating Closed Generics, submitted by Kurt Pritz, Marc Trachtenberg, Mike Rodenbaugh:

<https://community.icann.org/display/NGSPP/Proposals+Included+in+Draft+Final+Report?preview=/144376220/144376263/ClosedGenerics24July2020.pdf>

Closed Generics Proposal, submitted by Jeff Neuman in his individual capacity:

<https://community.icann.org/display/NGSPP/Proposals+Included+in+Draft+Final+Report?preview=/144376220/144376261/Neuman%20Closed%20Generics%20Proposal.pdf>

Which, if any, do you believe warrant further consideration by the WG, and why? Are there elements or high-level principles in any of the proposals that you believe are critical to permitting closed generics even if you may disagree with some of the details? If so, please explain.

132. If you have a response to the questions please enter your response here:

The ALAC supports "A Proposal for Public Interest Closed Generic gTLDs (PICG TLDs)". it fully addresses the GAC Advice that all such exclusive use generic TLDs must serve a Public Interest.

The ALAC cannot under any conditions accept "The Case for Delegating Closed Generics", as it completely ignores the GAC Advice which the ALAC agrees with.

Should "A Proposal for Public Interest Closed Generic gTLDs (PICG TLDs)" not receive consensus support from the PDP WG, the ALAC could support a modified "Closed Generics Proposal". Included in the principles the ALAC would need to see (from the first proposal) include:

- The TLD must embody the concept of TRUST. It must be the trusted source for whatever it is offering.
- The concept of "competitors" and "competition" is anathema to the concept that the TLD is operated in the Public Interest. Any Public Interest site must span the competitors and serve them all.
- The Board must be the ultimate judge of something being in the Public Interest.
- The commitments embodied in the application must be enforceable and renewal contingent on the commitments being honored.

Topic 24:
String
Similarity
Evaluations

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 102 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- The WG added detail and precision around its recommendations, especially around singular/plurals.
- The concept of "intended usage" was integrated into the singular/plural standard, meaning that in circumstances where string combinations that could be considered singular/plural, but where the applicants intend to use the strings in connection with different meanings, both can possibly be delegated. In this case, applicants must agree to mandatory PICs to use the string in line with their intended usage as described in the application.

133. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

134. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

135. Enter your response here:

136. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

137. Enter your response here:

Implementation Guidance 3.4 under Topic 3 - Applications Assessed in Rounds merely halts new applications for strings which already applied for (where an application is marked “Active”, “Applicant Support”, “In Contracting”, “On-hold” or in “In PDT”) but does not expressly extend to strings which may be found to be confusingly similar. We understand that the recommendations under this Topic 24 do not have a retrospective effect since subsequent procedures are not intended to apply to any applications in the 2012 round. Hence, there isn't a recommendation or clarity on an approach for treating applications in the next round(s) for strings which may be found to be confusingly similar to strings which have been applied for in the 2012 round but remain unresolved or not yet delegated., While the risk may turn out to be insignificant, it might be useful to caution applicants in the new round of such a risk, even if remote.

Also, we do not know what is meant to happen with applications in the next round(s) for strings which may be confusingly similar to strings which have been applied for vide applications from the 2012 round which have not been withdrawn or have little chance of proceeding.

Topic
25:

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

IDNs

See page 109 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- Added Implementation Guidance to allow applicants to apply for a string in a script that is not yet part of RZ-LGR, though it will not be allowed to proceed to contracting.
- Added additional recommendations/detail around same entity requirements for IDN variants at the top and second levels.
- Added recommendation that second-level IDN variants are not required to behave identically.

138. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

139. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

Do not support certain aspects or all of the Output(s)

140. Enter your response here:

141. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

142. Enter your response here:

While we support Recommendation 25.5 as amended which omits a reference to how IDN gTLDs identified as IDN variants of already existing or applied for gTLDs will be “allocated”, the ALAC / At-Large also supports the proposition that such IDN identified IDN variants should be offered to the relevant registry operator of the already existing or applied for gTLDs by way of activation at no or minimal cost and not through a separate application incurring at the prevailing application fee amount for standard applications.

Further, metrics or measures to evaluate the promotion and/or availability of IDNs at the top level, should include a clear reporting distinction in IDN applications by languages, scripts, jurisdiction etc. and the corresponding level of assignment of ICANN staff support and evaluators.

Save Your Progress

143. Do you want to save your progress and quit for now? You will be able to return to the form to complete at a later time.

Mark only one oval.

- Yes
- No, I would like to continue to the next section

Topic
26:
Security
and
Stability

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 113 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- Refined recommendations related to root zone scaling, focusing on the rate of change for the root zone for a shorter period of time (e.g. monthly basis) rather than on a yearly basis.
- Added Implementation Guidance intended to promote the conservative expansion of the DNS.
- While previously discussed, formalized as a recommendation that emojis should not be allowed at any level in gTLDs.

144. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

145. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

146. Enter your response here:

147. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

148. Enter your response here:

**Topic 27:
Applicant
Reviews:
Technical &
Operational,
Financial
and Registry
Services**

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 116 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences, but minor differences include the following:

- Structural and grammatical changes made for ease of understanding.

149. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

150. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

151. Enter your response here:

152. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered**

153. Enter your response here:

We are not commenting on the details of the recommendations in this Topic 27, except to support a permissible level of differential treatment for applicants that apply for Applicant Support which should take into account comment on the question in Topic 17 Applicant Support in respect of whether the scope of financial support for applicants what quality for Applicant Support should be expanded to also costs associated with operating the TLD.

**Topic 28:
Role of
Application
Comment**

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 124 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences, but minor differences include the following:

- Recommendations are better aligned and consistent with what occurred in the 2012 round, resulting in some recommendations being converted to affirmations instead. With more detail and precision overall, several recommendations were broken into discrete elements, expanding the number of overall recommendations in this section.

154. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

155. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

Do not support certain aspects or all of the Output(s)

156. Enter your response here:

In respect of Recommendation 28.9 and Implementation Guidance 28.10, of particular concern to the ALAC is how public comments which impact scoring for Community Priority Evaluation (CPE) will be handled. We strongly recommend that the same time period for application comment period apply to all applications as there is no basis for subjecting Community-based applications that opt for CPE (or any other) to a discriminatory practice of prolonged or additional application comment period. The experience community-based applications that opted for CPE in the 2012 round experience with application comments still being accepted long after the close of the stated application comment period must not be allowed to reoccur. Please refer to our comments to Topic 34 Community Applications for more details.

157. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

158. Enter your response here:

In respect of Recommendation 28.3 and Implementation Guidance 28.4 and 28.5, the ALAC asks, what are the consequences of a commenter found not to have disclosed a relationship with an applicant in violation of the spirit of this recommendation? Also, the mechanism to be developed or used in implementing these recommendation and implementation guidance should be subject to community input.

In respect of Implementation Guidance 28.12, there should be an allowance of reasonable time after the close of a public comment period for an applicant to address late submissions of comments during the public comment period – eg if the applicant so choose to address a comment submitted within the last week of the public comment period. We think that any right of reply should conclude with the applicant.

Topic 29: Name	The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.
Collisions	See page 128 of the draft Final Report: https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf

Description of Difference: Substantive differences include the following:

- Affirmed the use of the New gTLD Collision Occurrence Management framework, unless it is replaced by a new Board approved framework (e.g., as a result of the NCAP studies)
- Focused recommendations more on criteria for assessing name collision risk, relying less so on prescribed lists (e.g., High, Aggravated, Low).

159. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

160. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

161. Enter your response here:

While we fully support the expressed role of the ICANN community in Implementation Guidance 29.5, we strongly advocate for (1) this to be subject to the recommendations of SSAC resulting from the Name Collisions Analysis Project Studies 2 and 3 having been implemented; and (2) if the application period for the next round were to commence before the NCAP Studies 2 and 3 were completed or the resulting recommendations of SSAC were to be implemented (as approved by the ICANN Board), then delegation of any applied-for strings which pose a risk of name collisions must be withheld until the NCAP studies are completed and recommendations are addressed in implementation, retrospectively for the next round (to ensure that the applicant commits to adopting any requirements under the implementation). Furthermore, the SSAC should examine the risks of "Man in the Middle" attacks stemming from name collisions.

162. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

163. Enter your response here:

Topic 30:
GAC
Consensus
Advice
and GAC
Early
Warning

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 133 of the draft Final Report: <https://gns0.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- Created this separate section on GAC Early Warning and GAC Consensus Advice, apart from Objections.
- In recognition of the GAC's role under the ICANN Bylaws, the recommendations were made consistent with the GAC's role. The WG expressed its preference for certain outcomes (e.g., providing GAC Consensus Advice on TLD types ahead of program launch), but acknowledged that it is unable to impose such requirements on the GAC.
- The WG solidified its proposal to remove the language in the AGB that creates a "strong presumption for the ICANN Board that the application should not be approved," which the WG believes is consistent with the GAC's role under the ICANN Bylaws and encourages mutually beneficial outcomes rather than creating a presumption of rejected applications.
- Clarified that GAC Early Warnings must also include rationale for the warning, which should also promote mutually beneficial outcomes.
- Converted potential guidance in the Initial Report to a recommendation: RVCs should be allowed as a mechanism to address or mitigate concerns in GAC Early Warning or GAC Consensus Advice.

164. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

165. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

166. Enter your response here:

167. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

168. Enter your response here:

Save Your Progress

169. Do you want to save your progress and quit for now? You will be able to return to the form to complete at a later time.

Mark only one oval.

Yes

No, I would like to continue to the next section

Topic 31: Objections

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 139 of the draft Final Report: <https://gns0.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- Added Implementation Guidance aimed at improving accessibility to objections (e.g., reducing costs, timing requirements).
- Added recommendation to allow parties to mutually agree to one or three-expert panels.
- Added a recommendation and Implementation Guidance aimed at improving clarity in the process and transparency of outcomes (e.g., criteria and/or processes and fees/refunds should be available ahead of program launch and in the Applicant Guidebook; any additional panel requirements should be available in a central location).

170. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

171. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

172. Enter your response here:

In respect of Affirmation 31.1 and Implementation Guidance P:

The manner in which the 2012 AGB provides for standing vs eligibility to file Community Objections is confusing, and is likely to cause confusion to a Dispute Resolution panellist determining a Community Objection filed by the ALAC. In particular, s.3.2.2 Standing to Object provides that in effect that, established institution associated with a clearly delineated community has standing to object, while s.3.2.2.4 provides that established institution associated with clearly delineated communities as eligible to file a community objection but must still prove 2 elements to qualify for standing for a community objection.

More importantly, a lack of clarity or omission in policy could effectively prevent the ALAC from filing Community Objections on account of "standing". The action that the ALAC takes in filing a Community Objection (or a Limited Public Interest Objection, for that matter) is derived from a stringent consultative process involving all 5 Regional At-Large Organizations) and therefore is not one that the ALAC takes lightly.

By virtue of Implementation Guidance P, it is clear that ALAC is an established institution for purposes of a Community Objection. The ALAC is also an Empowered Community within ICANN and is the ICANN stakeholder group charged with advising on and advocating the interests of individual Internet end-users. As such, the ALAC should be equal in standing to the Independent Objector insofar as not having to prove a link to the community invoked in its Community Objection.

Therefore, any Community Objection filed by the ALAC should be determined on the merit of the reasons for the objection without regard to whether the ALAC can invoke any community it refers to.

173. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

174. Enter your response here:

An additional question which arises is in respect of the Implementation Guidance 31.19. In principle, we support the initiative to mitigate possible conflict of interest issues that may arise from having a single panelist serving as the Independent Objector. However, it raises further questions about the budget/resources to be afforded to a panel of Independent Objectors as opposed to a single Independent Objector.

Topic 32:
Limited
Challenge /
Appeal
Mechanism

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 148 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- The draft Final Report now includes a substantial amount of additional detail regarding challenges and appeals.
- The recommendations identify which evaluation mechanisms can be challenged and which objection decisions can be appealed. An Annex is included, which provides clarity around standing, the arbiter of the challenge/appeal, who is responsible for costs, standard for appeal ("clearly erroneous" for everything but conflicts of interests), and remedies.
- The recommendations seek to limit the impact that challenges/appeals may have on program timing and costs.

175. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

176. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

Do not support certain aspects or all of the Output(s)

177. Enter your response here:

178. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

179. Enter your response here:

Topic 33: The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

Dispute Resolution Procedures After Delegation

See page 156 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences.

180. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

181. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

182. Enter your response here:

Recommendation 33.2 does not sufficiently address the aspect or need for ICANN Org to be compelled to conduct more, periodic outreach and promotional” campaigns in order to increase public awareness of the available dispute resolutions procedures (i.e the Public Interest Commitment Dispute Resolution Procedure - PICDRP and the Registry Restriction Dispute Resolution Procedure - RRDRP).

183. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

184. Enter your response here:

Ideally, we expect greater visibility on efforts by ICANN Org to increase public awareness on these procedures as well as taking all reasonable action to ensure that they remain accessible to all from not just a cost perspective, but also usability.

Topic 34:
Community
Applications

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

PLEASE NOTE: There is an additional question below for Community Input.

See page 157 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- Added recommendation that letters of opposition should be considered in balance with letters of support.
- Added recommendation intending to clarify the scope of additional research done in performing CPE, and noting that any research impacting the decision should be disclosed to the applicant.

185. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

186. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

187. Enter your response here:

The SubPro PDP WG said it notes that CCT-RT Recommendation 34 is directed at it, and passed to it by ICANN Board and that it has extensively discussed this in the CPE process and put forward the above recommendations to address concerns raised about CPE in the 2012 round, and so believes that the work it has completed is in line with that CCT recommendation.

However, the ALAC opines that the SubPro recommendations are at a high policy level which do not include a comfortable level of specificity to guide implementation.

188. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

189. Enter your response here:

The ALAC has supported and continues, broadly, to support the use of CPE to resolve string contention sets involving Community-based applications, acknowledging that it is an option for Community-based applicants which must be made available at a reasonable and predictable cost.

However, as alluded to earlier, the ALAC opines that the SubPro recommendations are at a high policy level which do not include a comfortable level of specificity to guide implementation. Further, there is broad agreement for a number of improvements to be implemented before the next round of applications begins. These proposed improvements are grouped as follows:

- (1) A need for greater community participation in ICANN's engagement of a CPE service provider/panellists, namely in 4 aspects:
 - (i) the development of criteria by which ICANN Org is to evaluate and select candidates;
 - (ii) the shortlisting of identified candidates;
 - (iii) the final selection process; and
 - (iv) the terms for inclusion into the contract between ICANN Org and the selected candidate;

- (2) Changes to the CPE Process including access to recourse, namely in 3 aspects:
 - (i) introducing a mechanism for handling conflict of interest of the part of panellist(s);
 - (ii) elimination of a supplementary call for documented support or opposition by the CPE service provider/panellist; and
 - (iii) introducing a limited challenge/appeal mechanism to challenge the evaluation determination by the panel/panellist;
- (3) Changes to the CPE Criteria and Guidelines, the details of which are (also) included in our comments to the next question; and
- (4) Greater awareness in the availability and use of Dispute Resolution Procedures (i.e. PICDRP and RRDRP)

Details of the above can be found in 2 documents:

- (i) "[At-Large Interventions on Community Applications & Community Priority Evaluation \(CPE\)](#)"; and
- (ii) "[Revised Community Priority Evaluation Guidelines – A Proposal by At-Large](#)" which is our proposed revision of the CPE Guidelines of 27 Sep 2013.

Question for Community Input:

Implementation Guideline 34.3 states: "To support predictability, the CPE guidelines, or as amended, should be considered a part of the policy adopted by the Working Group." In deliberations, the Working Group suggested changes to the Community Priority Evaluation (CPE) Guidelines from 2012, but did not ultimately recommend any specific changes to the text of the Guidelines (see guidelines here

<https://newgtlds.icann.org/en/applicants/cpe/guidelines-27sep13-en.pdf> and comments from WG member here:

https://drive.google.com/file/d/1Ih_1NARViJXNNewDg-q87sQzQoC1dCtC/view?usp=sharing.

Question: Do you believe any substantive changes to the CPE Guidelines are needed? Please explain.

190. If you have a response to the question please enter your response here:

We are proposing the consideration and adoption of a revised CPE Guidelines (including corresponding changes to the Applicant Guidebook) in the form of "[Revised Community Priority Evaluation Guidelines – A Proposal by At-Large](#)" dated 11 June 2020, which incorporates changes to the CPE Criteria and Guidelines, key of which include:

- (i) allowing a broader, more flexible interpretation of "community" so as to not disadvantage Minority communities, marginalized groups, linguistic, cultural, ethnic groupings, "traditional knowledge" and "Indigenous Communities" (eg. First Nation, Native American tribal communities, Roma community), even loosely organized but reasonably well-known groups or segments of society and civil-society advocacy groups (Community Human Rights based - CHR), as well as consultation with relevant International Organizations specialized in the specific/relevant fields or a relevant subject matter or community expert with regional or international standing especially if a panel does not have community expertise;
- (ii) adjusting Criteria, Sub-criteria and scoring guidelines such that scoring for every Criterion as well as Sub-criterion will be wholly independent of each other to eliminate carrying over of any bias across Criteria and Sub-criteria;
- (iii) greater flexibility and clarity in applying Criteria and Sub-criteria;
- (iv) preventing imbalance in considering opposition versus support; and
- (v) lowering the threshold to prevail in CPE.

Topic 35:
Auctions:
Mechanisms
of Last
Resort /
Private
Resolution
of
Contention
Sets

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

****PLEASE NOTE: There is an additional question below for Community Input.****

See page 163 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: Substantive differences include the following:

- Selected the second price sealed-bid mechanism for the ICANN Auctions of Last Resort, which was previously one of several options under consideration. The Working Group added procedural details, such as when bids should be submitted, confirmed that program evaluation elements should remain largely unchanged, how the ICANN Auction of Last Resort should be conducted, among other elements.
- The Working Group had previously been trending towards disallowing private resolution where a party is paid to withdraw, but is now focusing instead on seeking to ensure that applications are submitted with a bona fide (“good faith”) intentions, while also allowing private resolution (including private auctions). Contentions sets resolved via private resolution have information disclosure requirements (i.e., Contention Resolution Transparency Requirements).

191. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

192. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

193. Enter your response here:

The ALAC remains concerned about efforts to “game” the application process, in part, through the use of private auctions. We disagree with the SubPro WG recommendation to allow them and believe that attempts to determine “good faith” will ultimately be little more than window dressing. Further, the proposed “sealed bid, second price auction” compromise, while superior to the status quo, represents a *highly* watered down version of the far superior traditional Vickrey auction. The ALAC implore the working group to revisit the prohibition of private auctions and implement a true Vickrey auction solution. Transparency of the terms of any private resolution is absolutely necessary for program evaluation but is not sufficient to disincet gaming. The issues, raised by the Board, surrounding the reshuffling of funds, need to be resolved.

194. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

195. Enter your response here:

Question for Community Input:

Recommendation 35.3 requires that, “Applications must be submitted with a bona fide (“good faith”) intention to operate the gTLD.” The Working Group discussed examples of what would constitute a lack of bona fide intent and included a non-exhaustive list of indicative “Factors,” though it believes analysis of the included examples and identification of additional examples is helpful. What do you believe are appropriate “Factors” to consider when determining if an application was submitted with a bona fide intention, and why?

196. If you have a response to the question please enter your response here:

While we think that the concept of a bona fide intention is noble, we do not believe it is feasible to adopt because challenges with the level of subjectiveness involved in each of the identified factors are just too difficult to overcome, and will likely render the concept not worthwhile to implement, especially if no penalties apply to any party found to have shown a lack of bona fide intent.

Question for Community Input:

Also related to Recommendation 35.3, the Working Group discussed what the punitive measures should be if an application is found to have been submitted lacking a bona fide intention, in respect of the “Factors.” Some of the ideas discussed include the potential loss of the registry, barring participation in any future rounds (both for the individuals as well as the entities (and their affiliates) involved), or financial penalties. In this respect, the Working Group discussed the timing of when such “Factors” may be identified (e.g., likely after private auctions have already taken place) and how that may impact potential punitive measures. What do you believe are appropriate punitive measures for applications that were submitted lacking a bona fide intention, and why?

197. If you have a response to the question please enter your response here:

In principle we agree that the 3 identified punitive measure ideas are appropriate but we do not believe they will be easy to enforce for the same reason we provided on the concept of bona fide intention to operate the gTLD.

Save Your Progress

198. Do you want to save your progress and quit for now? You will be able to return to the form to complete at a later time.

Mark only one oval.

Yes

No, I would like to continue to the next section

Topic 36:

Base

Registry

Agreement

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

****PLEASE NOTE: There is an additional questions below for Community Input.****

See page 172 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences, but minor differences include the following:

- The WG is converting questions in the Initial Report to recommendations.

199. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

200. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

201. Enter your response here:

202. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

203. Enter your response here:

The ALAC believes that a prohibition on fraudulent or deceptive practices **must** be enforceable without having to demonstrate that harm has been suffered, in other words, the potential of harm caused should suffice. This implies that this prohibition cannot be enforceable solely through a dispute resolution procedure (DRP) and in turn, raises important considerations on PICs and RVCs.

The ALAC believes that the intent in the 2012 round was for **all** registry commitments to be enforceable through the PICDRP (where a burden of proof applied) **and** directly through Contractual Compliance (which Contractual Compliance would investigate). We still believe this to be the case, and that any digression from this position in implementation (if at all) ought to be corrected.

Therefore, it should not matter whether this prohibition is captured in a PIC or as an obligation in the Base Registry Agreement. What matters is that it must be enforceable without requiring a complainant to go through a PICDRP.

Please also see our response to the following Question for Community Input.

Question for Community Input:

Recommendation 36.4 states: "ICANN must add a contractual provision stating that the registry operator will not engage in fraudulent or deceptive practices." The Working Group discussed two options for implementing the recommendation: the addition of a PIC or a provision in the Registry Agreement. A new PIC would allow third parties to file a complaint regarding fraudulent and deceptive practices. ICANN would then have the discretion to initiate a PICDRP using the third-party complaint. If a provision regarding fraudulent and deceptive practices would be included in the RA, enforcement would take place through ICANN exclusively. Which option is preferable and why?

204. If you have a response to the question please enter your response here:

In line with our response to Q. 203, the ALAC considers it possible to include both options for the following reasons but with a proviso::

- Our predominant position is that there is no question as to the second option being compulsory - that is that a provision prohibiting a Registry Operator from engaging in fraudulent or deceptive practices be included in the Registry Agreement in order to enable anyone to allege such a violation or violations (ie that a Registry Operator has engaged in fraudulent or deceptive practice(s)) as the subject of a complaint to be submitted to Contractual Compliance for action/enforcement (through its process)
- At the same time, we are prepared to accept that a specifically worded PIC which also allows third parties to file a complaint that a Registry Operator had engaged in fraudulent or deceptive practices which could then be resolved by ICANN Org through the initiation of a PICDRP **provided always** that if such a PIC were to be clearly in conflict with the provision in the RA which prohibits such practices, then the enforcement route by Contractual Compliance using the express prohibition in the RA shall always prevail over that of a PICDRP based on the relevant PIC.
- This is because while we believe that all complainants must have an avenue to raise their complaints, we cannot always expect that a (genuine) complainant would be able to show evidence of having suffered significant harm that normally required with a PICDRP filing.
- In other words, we believe that this prohibition must be enforceable without requiring a complainant to go through a PICDRP.

Of more concern to the ALAC is the need for greater visibility and granularity in how Contractual Compliance processes **all** complaints received, from evaluation to resolution, and what objective factors and thresholds are used to accept or dismiss each complaint.

**Topic 37:
Registrar Non-
Discrimination &
Registry/Registrar
Standardization**

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

****PLEASE NOTE:** There is an additional questions below for Community Input.**

See page 175 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences.

205. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion**

206. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

207. Enter your response here:

208. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

209. Enter your response here:

Question for Community Input:

The Working Group discussed specific circumstances in which it may be appropriate for ICANN to grant Code of Conduct exemptions. In particular the Working Group considered a proposal that if a registry makes a good faith effort to get registrars to carry a TLD, but is unable to do so after a given period of time, the registry should have the opportunity to seek a Code of Conduct exemption so that it can be its own registrar without needing to maintain separate books and records and legally separate entities. What standard should be followed or what evidence should be required of the registry in evaluating if a "good faith effort" has been made? Is a Code of Conduct exemption as it currently exists the right mechanism for a registry that lacks registrar support for its gTLD, considering that the Code of Conduct is primarily focused on registrant protections?

210. If you have a response to the question please enter your response here:

**Topic38:
Registrar
Support
for New
gTLDs**

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 176 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences.

211. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion**

212. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

213. Enter your response here:

214. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

215. Enter your response here:

Topic
39:
Registry
System
Testing

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 177 of the draft Final Report: <https://gns0.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences, but minor differences include the following:

- Structural and grammatical changes made for ease of understanding.

216. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

217. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

218. Enter your response here:

219. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

220. Enter your response here:

Topic

40:

TLD

Rollout

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 180 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences.

221. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

222. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

223. Enter your response here:

224. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

- New information or interests that the Working Group has not considered

Topic 41:
Contractual
Compliance

The below description of difference is intended to serve as a resource for readers to better understand which report topics have evolved significantly from the Initial Report to the draft Final Report. The differences are listed in a descriptive fashion and readers should review the full set of Outputs for the relevant topic as a package, to better understand the full context of the Outputs and changes made.

See page 181 of the draft Final Report: <https://gnso.icann.org/en/drafts/draft-final-report-new-gtld-subsequent-20aug20-en.pdf>

Description of Difference: No substantive differences.

226. If you choose one of the following responses there is no need to submit comments:

Mark only one oval.

- Support Output(s) as written
- Not ideal, but willing to accept Outputs as written
- No Opinion

227. If you choose the following response, please indicate in the text box below what should change and why:

Mark only one oval.

- Do not support certain aspects or all of the Output(s)

The ALAC does not believe that Affirmation 41.1 and Recommendation 41.2 go far enough. While we believe that the ICANN Contractual Compliance Department must publish more detailed data on its activities and the nature of the complaints handled, we also believe that it must publish the standards and/or thresholds it applies in assessing, and accepting each complaint for further action or in dismissing them as spurious or non-violations..

We do not agree to the proviso that ICANN should not publish specific information about any compliance action against a Registry Operator unless the alleged violation amounts to a clear breach of contract, because of 2 reasons. The first being with a lack of transparency regarding standards and/or thresholds used by Contractual Compliance in assessing complaints for further action (or not) does not allow the community to understand whether Contractual Compliance's action is justified or not. The second is that there is value to be derived in identifying the frequency or volume of complaints leveled against each registry or registrar. We do not believe a culture of repeated infraction and remedy is desirable or acceptable. More stern action ought to be taken against registries and registrars that exhibit such culture over a specific time period. In this respect, Contractual Compliance should introduce and publish a number of thresholds - along with clear guidelines on how each threshold is to be derived and applied - against which each registry and registrar would be assessed to identify patterns of good versus lax operating practices.

229. If you choose the following response, please indicate in the text box below the new information or interests that the Working Group has not considered:

Mark only one oval.

New information or interests that the Working Group has not considered

230. Enter your response here:

Save Your Progress

231. Do you want to save your progress and quit for now? You will be able to return to the form to complete at a later time.

Mark only one oval.

Yes

No, I would like to continue to the next section

Section 3: Other Comments & Submission

232. Are there any additional recommendations that you believe the Working Group should consider making? If yes, please provide details below.

233. Are there any other comments or issues you would like to raise pertaining to the draft Final Report? If yes, please enter your comments here. If applicable, please specify the page number in the draft Final Report to which your comments refer.

Untitled Section

Save Your Progress

234. Do you want to save your progress and quit for now? You will be able to return to the form to complete at a later time.

Mark only one oval.

Yes

No, I would like to go to another section