Internationalized Domain Names Expedited Policy Development Process

B3, D1, D1a, D1b, B4

ICANN

EPDP on IDNs Team Call #23 | 10 February 2022

B3

Charter Question B3 & Context

> **B3:** Beyond having the same Registry Operator and same back-end registry service provider, as referenced in b1) and b2), is there a need for **additional constraints for the same entity requirement for the top-level**? If so, the rationale must be clearly stated.

Staff Paper

- The initial set of IDN variant TLD management recommendations proposed the requirement that the IDN variant TLDs be implemented using the <u>same nameservers</u>, unless otherwise justified

- That recommendation is removed based on the community feedback, asking for more operational flexibility in the implementation of IDN variant TLDs

D1, D1a, D1b

Charter Question D1 & Context

D1: The __same entity principle__ for variant TLDs -- having the same registry operator and the same back-end registry service provider for gTLD and its variant labels at the top-level -- __needs to be effectuated legally and operationally__.

From a legal standpoint there will be a binding document(s) between ICANN and the registry operator (e.g., __Registry Agreement__), which should memorialize the relationship between each allocated TLD and its variant labels, as well as the obligations to maintain such condition during the life of the contract(s).

From an operational standpoint, an __application process, testing of registry services, fee structure, and other aspects__ need to be defined and developed.

The EPDP should discuss and develop the proper legal and operational framework in order to strike a balance between conservatism, innovation, adoption and other aspects of the IDN implementation. The WG and the SubPro IRT to coordinate and consider the following questions in order to develop a consistent solution.

Charter Questions D1a & Context

> **D1a:** A TLD is subject to a Registry Agreement with ICANN. In case of IDN variant TLDs, ICANN would execute the Registry Agreement with the same entity but potentially diverge in future Registry Agreement amendments, addendums, and renewals.
> **Should each TLD label be the subject of a separate Registry Agreement with ICANN?** If not, **should each TLD label along with its variant labels be subject to one Registry Agreement with the same entity**? Rationale for such definition must be clearly stated along with the answer, including goals and motivations.

SubPro

- SubPro includes in its recommendation that the "same entity" policy for the top-level must be captured in Registry Agreement

Staff Paper

- Premise: IDN variant TLD label is a TLD label with its status indistinguishable from any other TLD label in the root zone; each variant TLD is, in effect, one a TLD
- **Each variant TLD would be the subject of a separate Registry Agreement with ICANN**
- ICANN would execute each of these Registry Agreements with the same entity

Charter Questions D1b & Context

> **D1b:** What should be the **process by which an existing registry operator could apply for, or be allocated, a variant for its existing gTLD**? What should be the **process by which an applicant applying for a new IDN gTLD could seek and obtain any allocatable variant(s)**? What should be the **associated fee(s)**, including the application fees and annual registration fees for variant TLDs? Should any specific implementation guidance be provided?

SubPro

- SubPro PDP did not have substantive discussion about this question

- Allocatable variant TLDs be **made available to registry operators and applicants** with **limited procedures and costs in place**

Staff Paper

- Each variant label in a set be **separate TLD application**

- **Application process and application fee for a variant be the same** as for the gTLD label

- Update **string review process**: Applied-for TLD label be **verified against the last RZ-LGR** and **output must be allocatable**; additional measures to **prevent user confusion** resulting from delegation of similar labels

- Update **Reserved names and labels ineligible for delegation** to **include possible variant labels**

- Additional **manageability and usability considerations** to limit the number of delegated variant labels

Application Process Flow in 2012 Round
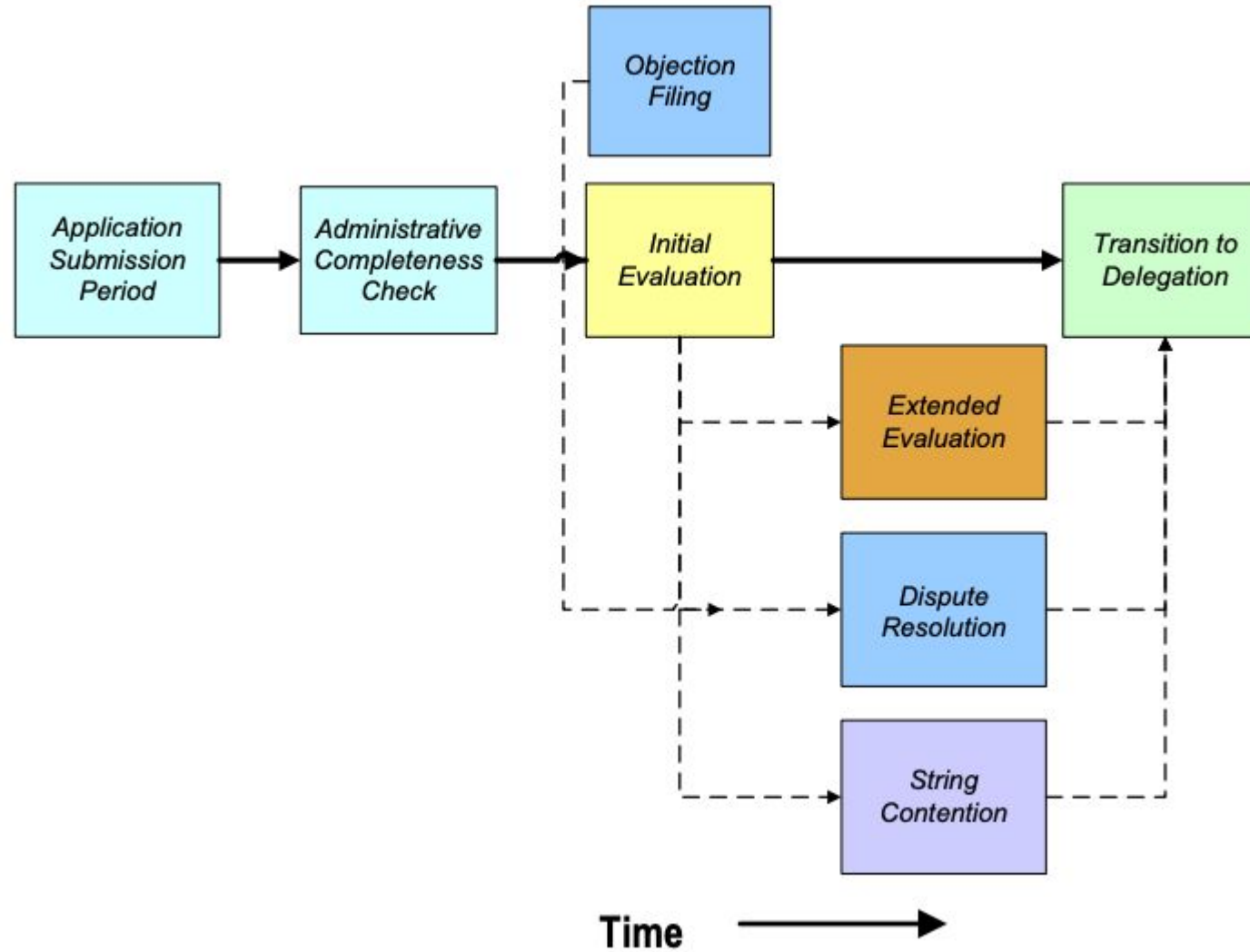
B4

Charter Question B4

B4: What should an application process look like in terms of **timing and sequence for an existing and future Registry Operator with respect to applying or activating their allocatable variant TLD labels**?