I. Confusing similarity of IDN ccTLD Strings. A selected IDN ccTLD string should not be confusingly similar with:

1. Any combination of two ISO 646 Basic Version (ISO 646-BV) characters[1] (letter [a-z] codes), nor
2. Existing TLDs or Reserved Names as referenced in the new gTLD Applicant Guidebook[2]

The following supplemental rules provide the thresholds to solve any contention issues between the IDN ccTLD selection process and new gTLD process:

- A gTLD application that is approved by the ICANN Board will be considered an existing TLD unless it is withdrawn.

- A validated request for an IDN ccTLD will be considered an existing TLD unless it is withdrawn.

A selected IDN ccTLD string is considered confusingly similar with one or more other string(s) (which must be either Valid-U-labels or any a combination of two or more ISO 646 BV characters) if the appearance of the selected string in common fonts in small sizes at typical screen resolutions is sufficiently close to one or more other strings so that it is probable that a reasonable Internet user who is unfamiliar with the script would perceive the strings to be the same or confuse one for the other[3].

The review of whether or not a selected IDN ccTLD string is confusingly similar is a process step and should be conducted externally and independently. The recommended procedure is described in Section 2.1.3, Processes and Documentation.

The method and criteria to assess confusing similarity should be developed as part of the implementation planning. For reasons of transparency and accountability they should be made public prior to implementation of the overall policy and endorsed by the ccNSO.

The assessment of confusing similarity of strings depends on amongst other things linguistic, technical, and visual perception factors, therefore these elements should be taken into consideration in developing the method and criteria.

Taking into account the overarching principle to preserve and ensure the security, stability and interoperability of the DNS, the method and criteria for the confusing similarity assessment of an IDN ccTLD string should take into account and be guided by the Principles for Unicode Point Inclusion in labels in the DNS Root[4].

Notes and Comments

The rule on confusing similarity originates from the IDNC WG and Fast Track Implementation Plan and was introduced to minimize the risk of confusion with existing or

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[1] International Organization for Standardization, "Information Technology – ISO 7-bit coded character set for information interchange," ISO Standard 646, 1991

[2] Version 2012-06-04, section 2.2.1.2.1 Reserved Names.

[3] Based on Unicode Technical Report #36, Section 2: Visual Security Issues

[4] https://datatracker.ietf.org/doc/draft-iab-dns-zone-codepoint-pples/

future two letter country codes in ISO 3166-1 and other TLDs. This is particularly relevant as the ISO 3166 country codes are used for a broad range of applications, for example but not limited to, marking of freight containers, postal use and as a basis for standard currency codes.

The risk of string confusion is not a technical DNS issue, but can have an adverse impact on the security and stability of the domain name system, and as such should be minimized and mitigated.

The method and criteria used for the assessment cannot be determined only on the basis of a linguistic and/or technical method of the string and its component parts, but also needs to take into account and reflect the results of scientific research relating to confusing similarity, for example from cognitive neuropsychology[5].

Stage 2: Validation of IDN ccTLD string

1. General description
The String Validation stage is a set of procedures to ensure all criteria and requirements regarding the selected IDN ccTLD string (as listed in Section 3 of the Report) have been met. Typically this would involve:
- The IDN ccTLD string requester. This actor initiates the next step of this stage of the process by submitting a request for adoption and associated documentation.
- ICANN staff. ICANN staff will process the submission and coordinate between the different actors involved.
- Independent Panels to review the string (Technical and Similarity Panels).

The activities during this stage would typically involve:
1. Submission of IDN table.
2. Submission of selected string and related documentation.
3. Validation of selected IDN ccTLD string:
   a. ICANN staff validation of request. This includes
      i. Completeness of request
      ii. Completeness and adequacy of Meaningfulness and Designated Language documentation
      iii. Completeness and adequacy of support from relevant public authority
      iv. Completeness and adequacy of support from other Significantly Interested Parties

   b. Independent Reviews.
      i. Technical review
      ii. String Confusion review

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[5] See for example, M. Finkbeiner and M. Coltheart (eds), Letter Recognition: from Perception to Representation. Special Issue of the Journal *Cognitive Neuropsychology*, 2009

4. Publication of selected IDN ccTLD string on ICANN website

b. Independent Reviews

General description of Technical and string confusion review

It is recommended that ICANN appoint the following external and independent Panels:

- To validate the technical requirements ICANN should appoint a "Technical Panel[6]" to conduct a technical review of the selected IDN ccTLD string.

- To validate a selected string is not confusingly similar, ICANN should appoint an external and independent " Similarity Review Panel" to review the selected IDN ccTLD string for confusing similarity.

- To allow for a final validation review relating the confusing similarity, and only if so requested by the requester, ICANN should appoint, an external and independent " Extended Process Similarity Review Panel."

As part of the implementation planning the details of the roles and responsibilities of the panels and its membership requirements should be developed in conjunction with the development of the methods and criteria for assessing the technical[7] and confusing similarity[8] validity of the selected IDN ccTLD strings and details of the reporting as foreseen for the validation processes.

Process for Technical Validation
1. After completion of the ICANN staff validation of the request, ICANN staff will submit the selected IDN ccTLD string to the "Technical Panel" for the technical review.

2. The Technical Panel conducts a technical string evaluation of the string submitted for evaluation. If needed, the Panel may ask questions for clarifications through ICANN staff.
3. The findings of the evaluation will be reported to ICANN staff. In its report the Panel shall include the names of the Panelists and document its findings, and the rationale for the decision.

Usually the Panel will conduct its review and send its report to ICANN staff within 30 days after receiving the IDN ccTLD string to be evaluated. In the event the Panel expects it will need more time, ICANN staff will be informed. ICANN staff shall inform the requester accordingly.

4. If according to the technical review the string meets all the technical criteria the string is technically validated. If the selected string does not meet all the technical criteria the string is not-valid. ICANN staff shall inform and notify the requester accordingly.

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[6]   Or any other name ICANN would prefer.
[7]   See section 2.1.2 H above
[8]   See 2.1.2 I above

Process for confusing similarity validation

1. After completion of the Technical Validation ICANN staff will submit the selected IDN ccTLD string to the String Similarity Panel for the confusing similarity string evaluation.
2. The Panel shall conduct a confusability string evaluation of the string submitted for evaluation. The Panel may ask questions for clarification through ICANN staff.
3. The findings of the evaluation will be reported to ICANN staff. In the report the Panel will include the names of the Panelists, document the decision and provide the rationale for the decision. Where the string is considered to be confusingly similar the report shall at a minimum include a reference to the string(s) to which the confusing similarity relates and examples (in fonts) where the panel observed the similarity.

ICANN staff shall inform and notify the requester accordingly.

Usually the Panel will conduct its review and send its report to ICANN staff within 30 days after receiving the IDN ccTLD string to be evaluated. In the event the Panel expects it will need more time, ICANN staff will be informed. ICANN staff shall inform the requester accordingly.

4. a. If according to the review, the Panel does not consider the string to be confusingly similar, the selected IDN ccTLD is validated.

4.b. If according to the review the selected IDN ccTLD string presents a risk of string confusion with one particular combination of two ISO 646 Basic Version (ISO 646-BV) characters and this combination is according the ISO 3166 standard the two-letter alpha-2 code associated with same Territory as represented by the selected string, this should be noted in the report. ICANN staff shall inform the requester accordingly.

If, within 3 months of receiving the report the requestor shall confirm that:

i. The intended manager and intended registry operator for the IDN ccTLD and the ccTLD manager for the confusingly similar country code are one and the same entity; and
ii. The intended manager of the IDN ccTLD shall be the entity that requests the delegation of the IDN ccTLD string; and
iii. The requester, intended manager and registry operator and, if necessary, the relevant public authority, accept and document that the IDN ccTLD and the ccTLD with which it is confusingly similar will be and will remain operated by one and the same manager, and
iv. The requester, intended manager and registry operator and, if necessary, the relevant public authority agree to specific and pre-arranged other conditions with the goal to mitigate the risk of user confusion as of the moment the IDN ccTLD becomes operational;

then the IDN ccTLD string is deemed to be valid.

If either the requester, intended manager or the relevant public authority do not accept the pre-arranged conditions within 3 months after notification or at a later stage refutes the acceptance, the IDN ccTLD shall not be validated.

Alternatively, the requester may defer from this mechanism and use the procedure as described under 4 c.

4c. EPSRP Procedure

    i.   If according to the review the selected IDN ccTLD string is found to present a risk of string confusion, ICANN staff shall inform the requester in accordance with paragraph 3 above. The requester may call for an Extended Process Similarity Review and provide additional documentation and clarification referring to aspects in the report of the Panel. The requester should notify ICANN within three (3) calendar months after the date of notification by ICANN, and include the additional documentation. After receiving the notification from the requester, ICANN staff shall call on the Extended Process Similarity Review Panel (EPSRP).

    ii.   The EPSRP conducts its evaluation of the string, based on the standard and methodology and criteria developed for it, and, taking into account, but not limited to, all the related documentation from the requester, including submitted additional documentation, IDN tables available, and the finding of the Similarity Review Panel. The EPSRP may ask questions for clarification through ICANN staff.

    iii.   The findings of the EPSRP shall be reported to ICANN staff and will be publicly announced on the ICANN website. This report shall include and document the findings of the EPSRP, including the rationale for the final decision, and in case of the risk of confusion a reference to the strings that are considered confusingly similar and examples where the panel observed this similarity.

If according to the Extended Process Similarity Review, the EPSRP does not consider the string to be confusingly similar the selected IDN ccTLD is valid.