

## **GNSO/GAC Facilitated Dialogue on Closed Generics 06 February 2023 Meeting Notes**

Continuing from where their hybrid meeting discussions left off, Closed Generic (CG) Dialogue Participants discussed what they would like to be included in Block 3 (Contracting and Post-Delegation, including Enforcement and Review) of an initial framework on closed generic gTLDs.

### **Participants discussed the following:**

- Participants discussed the [Base Registry Agreement](#) and whether it is applicable to registry operators of closed generic gTLDs as written. Participants noted that the unique conditions of closed generics could be included as an exhibit to [Specification 11](#), or in a new standalone Specification. Elements of [Specification 13](#) may also be useful.
- Participants discussed the delegation of closed generic gTLDs in terms, as well as the length of these terms and how they would be reviewed.
- Some participants expressed concern about ICANN Compliance's enforceability of commitments that may be subjective or otherwise dependent on external factors outside the registry operator's control. It may be worth separating an applicant's ideals (which may be subjective and idealistic) from their commitments (which would be objective, measurable, and enforceable).
- Participants discussed the ideas of annual self-certifications and randomized sample reviews/audits by ICANN Compliance both as potential means of enforceability and holding registry operators to their stated commitments.
- Participants acknowledged the importance of evaluating and enforcing how an applicant commits to serve a public interest goal with their closed generic gTLD. The evaluation of why an applicant's generic gTLD must be closed was also noted, but whether and how this question would be evaluated or enforced is not yet clear.

### **Participants generally came to agreement that:**

- The Base Registry Agreement for a closed generic gTLD should be the same as for other gTLDs.
- Closed generic gTLDs include unique legal terms and conditions that may make a stand-alone specification appropriate.
- Closed generic gTLDs should be subject to periodic self-certification.
- Review of a closed generic gTLD should mirror the commitments made by the applicant in the application. These commitments should be objective and measurable.

### **ACTION ITEMS:**

- Participants to review and add inputs to Asynchronous Work #7 and #8, once they are shared on the mailing list.