

GNSO/GAC Facilitated Dialogue on Closed Generics

11 March 2023 Meeting Notes

During a closed session held at ICANN76 in Cancun, Closed Generic (CG) Dialogue Participants discussed what additional elements should be included in the CG framework, in order to address any remaining concerns about the “public interest”.

Participants discussed the following:

- Whether to include a simple definition of the “public interest” in the framework, for example: “the welfare or well-being of the general public”, as well as a definition of what the public interest is not, for example: being only for corporate advantage. Evaluation would still focus on the evidence provided by the applicant, not the worthiness of the public interest they identified (e.g. the public interest of “.donation” vs. “.videogames”).
- Whether the applicant should need to demonstrate the nexus between themselves and the generic term being applied for, and whether they are inclusive or non-discriminatory of other interests also associated with the generic term.
- Whether the credentials and credibility of the applicant should be evaluated. The history and representativeness of an applicant may be factors for determining credibility.
- Whether serving the broader public interest should be a priority for this group, acknowledging that it has agreed there is value in a narrow public interest. One way to address this is to require that a narrow public interest complement, not harm, the broader public interest.
- Whether user/consumer expectations should be a factor or criteria during evaluation.
- Whether the example use case “.marathon” might meet the qualifying criteria discussed thus far, including any potential criteria requiring representativeness. Testing the framework against CG applications from the 2012 round of new gTLDs may be useful.

Participants generally came to agreement that:

- Applicants should demonstrate the nexus/connection between themselves and the generic term being applied for, as well as the public interest goals they intend to serve, and how the gTLD will be used.
- Evaluators should assess the credentials and credibility of the applicant, in order to give reasonable confidence that they can and will fulfill their commitments.
- A public interest goal targeted toward a small intended public should complement the broader public interest.

ACTION ITEMS:

- Staff to update version 2 of the Preliminary Framework Discussion Draft document based on inputs from this session.