

GNSO/GAC Facilitated Dialogue on Closed Generics

03 April 2023 Meeting Notes

During this meeting, Closed Generic (CG) Dialogue Participants began reviewing Section III: “Applying for a Closed Generic gTLD” of the Preliminary Framework for Closed Generic gTLDs v2 document to confirm group agreement with the application elements of the CG framework.

Participants discussed the following:

- Participants reviewed their list of preliminary framework elements pertaining to the closed generic gTLD application phase. For each element, participants noted their agreement, objection, or abstention for its inclusion in the CG framework. Where there were elements with objections or abstentions, participants discussed whether and how these elements may be rephrased, repositioned, or consolidated to achieve agreement.
- Most participants agreed that a CG applicant’s stated purpose must not solely be the exclusion of other parties from use of the gTLD. Some participants expressed the desire to reposition this point elsewhere in the preliminary framework or rephrase it.
- Participants discussed whether a CG applicant’s stated purpose could be for commercial purposes so long as it is not the only stated purpose. Some participants expressed concern if the stated purpose is not related to the public interest.
- Most participants agreed that a CG applicant must provide a sufficient level of detail in its explanation of how the closed generic gTLD will work in practice. One participant raised the concern that the applicant’s provision of detailed explanations is general guidance which extends across the application.
- The group discussed the addition of a minimal positive definition of what the public interest is, namely that beyond the commercial or individual interest of the applicant, it must serve a societal benefit or the welfare/wellbeing of the public. Participants discussed different interpretations of “welfare” and “wellbeing”, and whether a footnote including their definitions would be helpful.
- Participants discussed requiring an applicant to demonstrate the nexus between itself, the closed generic term, its public interest goals, and its intended use of the CG gTLD. This element may be rephrased to clarify the connection between the applicant’s public interest goal and the closed nature of the generic gTLD.
- Participants discussed the revised meeting schedule and the desire to circulate a draft framework to their community groups at the end of April 2023.

Participants generally came to agreement that:

- The criteria for closed generic gTLDs must be clear and published in advance of the launch of a new gTLD round.
- An applicant for a closed generic gTLD must explain the purpose(s) of the applied-for closed generic gTLD.
- An applicant must explain how the applied-for closed generic gTLD will work in practice.
- An applicant must describe its second-level domain management/delegation rules under the closed generic gTLD.
- An applicant must describe the intended use of the closed generic gTLD.

- An applicant must specify the public interest goal or goals that the CG TLD is intended to serve.

ACTION ITEMS:

- ICANN staff to update the Preliminary Framework for Closed Generic gTLDs v2 document to note areas of group agreement and potential revision based on the group's discussion.
- Participants to review the revised Preliminary Framework document and note on the mailing list their agreement or disagreement with the revised text.
- Participants to note on the mailing list whether their two working sessions planned ICANN77 meetings should be open to observers.