GNSO/GAC Facilitated Dialogue on Closed Generics
<u>03 May 2023 Meeting Notes</u>

During this meeting, Closed Generic (CG) Dialogue Participants continued their review of the Preliminary Framework for Closed Generic gTLDs v2 document to confirm group agreement with the elements of the CG framework under discussion. Participants continued to note their "red lines" and concerns for each preliminary framework element, which were recorded to the Participant Red Lines Table document with relevant rationale provided during discussion.

Participants discussed the following:
- Whether the proposed CG evaluation panel should consist of several experts, individuals with general and/or specialized expertise, or rather suitably-qualified individuals. The group will revisit this language in their next meeting.

- Whether the CG evaluation should be objective or subjective, given the proposed application criteria and evaluation method. Some participants noted that the evaluation process must be objective and predictable, while others noted the need for subjectivity in order for evaluators to make their assessments. Participants suggested that there may be a middle-path forward, which the group will revisit.

- Whether a scoring system should be used to evaluate gTLD applications. Most participants expressed support for the concept, noting concerns about determining the threshold score or specific scoring criteria.

- Whether the proposed objection and comment period for CG gTLDs aligns with procedures from the 2012 Applicant Guidebook and/or SubPro recommendations. Participants and staff supporting the facilitated dialogue intend to share relevant resources on the mailing list for the group to review before revisiting this topic for inclusion in the final framework.

- Whether consumer expectations should be considered in the final framework. Some participants believe that consumer expectations should be included, while others do not.

- Whether a closed generic gTLD application, if rejected, may be modified to an open gTLD application. Some participants suggested reviewing existing policies for community-based gTLD applications. No participants indicated that this provision must be included in order to carry a final framework forward.

Participants generally came to agreement on the following:

- The group broadly agreed that a CG applicant should commit to monitor the way their second-level domains are used, to ensure that the principles they commit to continue to be met over time. Some concerns were noted about the placement of this provision within the final framework and potential duplicativeness with SubPro recommendations.
- Information provided by the applicant on its application (including its rationale for applying for the closed generic gTLD) will be provided to the evaluation panel and, where applicable, assessed as part of the evaluation process. Some participants expressed concern that this may be duplicative of SubPro recommendations.

- A scoring system may be used to evaluate closed generic gTLD applications.
- The evaluation process must include an objection and comment period phase. Challenges to an initial evaluation should also be permitted. Some participants noted that these framework elements may be duplicative of SubPro recommendations.
- The evaluation of whether an application qualifies for a closed generic gTLD should be made prior to resolution of any contention set that the application may be placed in.
- Applications for closed generic gTLDs will not receive any priority in evaluation or (if applicable) resolving a contention set.

ACTION ITEMS:
- Participants to review the Participant Red Lines Table document and provide rationale for their noted red lines and concerns.
- Participants to note the following on the mailing list: whether minority statements should be included in the final framework; whether key definitions or policy/implementation related questions should be included as annexes to the framework; whether there are additional red line issues that must be discussed before a final framework is agreed upon; whether another meeting should be added to the group's May schedule.
- Staff to update the clean Closed Generics Framework v3 document with additional broadly-agreed framework elements based on the group's discussion.
- Staff to share relevant resources from the 2012 Applicant Guidebook to the mailing list, as well as revised language about evaluation objectivity/subjectivity for group feedback.