

GNSO/GAC Facilitated Dialogue on Closed Generics

17 May 2023 Meeting Notes

During this meeting, Closed Generic (CG) Dialogue Participants discussed new gTLD Objections and Challenges in the context of closed generic gTLDs. The group also discussed how best to include a “use” requirement for closed generic gTLDs, and whether consumer expectations should be considered during the evaluation or post-delegation review processes.

Participants discussed the following:

- Participants discussed whether the established new gTLD Objections processes, as laid out by the [2012 new gTLD Applicant Guidebook](#) and the [new gTLD SubPro PDP Final Report](#), are sufficiently applicable to closed generic gTLDs. The group broadly agreed that there should be an additional objection type specific to CG gTLDs.
- Some participants noted that a new objection type would negate the need for a second Comment period. Other participants disagreed, citing concerns that filing an objection remains very expensive and less accessible than another Comment period.
- The group next discussed whether the limited challenge mechanism, as laid out in the [new gTLD SubPro PDP Final Report](#) (pg 329 Annex F), is sufficiently applicable to closed generic gTLDs. Participants discussed who could submit a challenge and how these challenges could be used or misused. As participants could not readily identify what else may need to be added to the Annex F table pertaining to CG gTLD challenges, this question will be taken to the mailing list for further deliberation.
- Participants discussed whether a delegated CG gTLD must be put into practice in a timely manner, as there is concern that it could otherwise be “warehoused” and not used toward the public interest as intended.
- Some participants noted that a specific timeline should be identified in the framework, whereas other participants believed that doing so would be arbitrary and best left for a subsequent policy development group. It was also suggested that the timeline for use could vary depending on the particular string and its public interest goal(s).
- The group discussed whether consumer expectations should be a factor for consideration during the evaluation or post-delegation review. Some participants expressed concerns that consumer expectations are not controlled by the registry, therefore it should not be a condition for potentially losing the TLD if they are not met. Other participants expressed the importance of defining and meeting consumer expectations, given the prevalence of fraud and differences in digital literacy around the world. It was also proposed that CG gTLDs could be recommended for inclusion in the consumer choice/trust surveys from [CCT recommendations 8 and 11](#) (page 26).

Participants generally came to agreement on the following:

- Participants agreed that there should be additional grounds for submitting an Objection, specific to closed generic gTLDs. This new Objection type should generally follow the

same formula and process as other Objections. There was also general agreement that an Independent Objector should have standing to submit this formal objection.

- Participants agreed that an applicant must begin operating its closed generic gTLD in the intended manner and be put into practice in a timely manner, contingent on the subsequent GNSO policy process clarifying what this “timely manner” should be.

ACTION ITEMS:

- Participants to review the Closed Generics Framework v3 document and add comments for how to address any notable concerns with the framework elements.
- Staff to update the Closed Generics Framework v3 document with additional broadly-agreed framework elements based on the group’s discussion.
- Staff to share the Remaining Red Lines document to the mailing list for participants to asynchronously provide input on remaining topics of discussion.