Internationalized Domain Names Expedited Policy Development Process

Global Change Analysis

IDN-EPDP Team Meeting #91 | 10 August 2023

ICANN

Agenda

1. Roll Call and SOI Updates (2 min)

2. Welcome and Chair Updates (5 min)

3. Continue with Public Comment Review, from Rec 8.8 (55 min)

4. Discuss Global Change Around "Existing", "2012 Round", "IDN" (55 min)

5. AOB (3 min)

Discuss Global Change Analysis

Background Refresher

Public Comment from RySG

For clarity and consistency, we suggest a **global change** to the usage of the phrase **"IDN gTLD registry operators of the 2012 round" to simply gTLDs** to ensure there is no confusion that this is applicable to all existing gTLDs and not only those established out of the 2012 application round. This global change would apply everywhere **except for recommendations 3.14 and 3.15 where it would change the intent of the recommendation.** This is especially important to ensure clarity where the recommendations establish rights of existing registry operators of existing gTLDs the rights to the associated IDN variants. Even if the existing operator does not apply, those rights remain.

Public Comment from ALAC

Instead of limiting the recommendation to just gTLDs delegated from the 2012 round, apply it to all existing delegated gTLDs per the charter question.

Public Comment from ICANN org

Recommendation 1.1 text says the scope is "existing delegated gTLDs from the 2012 round" whereas the statement directly below with * changes the scope to "existing IDN gTLDs from the 2012 round". RZ-LGR is applicable to all gTLDs, including existing delegated ASCII gTLDs, to identify their variant strings. Thus, ICANN org suggests that the IDN EPDP Team clarifies that this recommendation impacts all existing gTLD operators from the 2012 round rather than limiting them to IDN gTLDs in order to prevent any opportunities for misinterpretation.

ICANN org suggests that the IDN EPDP Team determines whether the language used should be applicable to "existing IDN gTLDs" or applicable to "all existing gTLDs" (including ASCII gTLDs) on a per recommendation basis. Though in the current context of allocatable variants, the two are potentially equivalent, the latter may be more resilient in case RZ-LGR (Latin script LGR) is later updated (e.g. due to addition of another code point by Latin GP) to create allocatable variants from ASCII code points.

Action Item for Leadership Team

➔ Consider whether, when, and where to use the phrase "**existing IDN gTLD from the 2012 round**"

➔ Consider approach with regard to the statement led by the asterisk "***Preliminary Recommendation xx only impacts existing IDN gTLDs from the 2012 round**"

Global Change Proposed by Leadership Team

➔ **Delete "IDN"**

➔ **Delete "2012 round"**

➔ **Use "existing" when referring to all of the gTLDs that have been delegated in the root zone**

➔ **Remove the statement led by asterisk and emphasize the intended messaging in rationale**

   ◆ *E.g., "At the time this recommendation was developed, it would only impact existing IDN gTLDs delegated as a result of the 2012 Round"*

Examples: How Global Change is Reflected

	Original	Revised
Rec 1.1	The RZ-LGR must be the sole source to calculate the variant labels and disposition values for existing delegated gTLDs from the 2012 round.	The RZ-LGR must be the sole source to calculate the variant labels and disposition values for all existing gTLDs.
Rec 2.1	Any allocatable variant label of an existing IDN gTLD from the 2012 round, as calculated by the RZ-LGR, can only be allocated to the registry operator of the existing IDN gTLD or withheld for possible allocation only to that registry operator.	Any allocatable variant label of an existing gTLD, as calculated by the RZ-LGR, can only be allocated to the same registry operator of the existing gTLD or withheld for possible allocation only to that registry operator.
Rec 3.10	The fee structure associated with future IDN gTLD applications that include variant label(s), as well as applications for variant label(s) of existing IDN gTLDs from existing registry operators from the 2012 round, must be consistent with the principle of cost recovery reflected in the 2012 Applicant Guidebook and affirmed by the New gTLD Subsequent Procedures PDP.	The fee structure associated with future gTLD applications that include variant label(s), as well as applications for variant label(s) of gTLDs from existing registry operators, must be consistent with the principle of cost recovery reflected in the 2012 Applicant Guidebook and affirmed by the New gTLD Subsequent Procedures PDP.
Rec 3.11	A future IDN gTLD applicant applying for a primary IDN gTLD string and up to four (4) of that string's allocatable variant labels during an application round must incur the same base application fee as any gTLD applicant who does not apply for variant labels in that round.	A future applicant applying for a primary gTLD string and up to four (4) of that string's allocatable variant labels during an application round must incur the same base application fee as any other gTLD applicant who does not apply for variant labels in that round.

Rationale for Global Change

- ➜ **Delete "IDN"**

  - ◆ EPDP charter: definition of <u>all gTLDs</u> and the management of variant labels to facilitate the delegation of <u>variant gTLDs</u> in the root zone…

  - ◆ To future-proof updates to the RZ-LGR, in case allocatable variants are created from ASCII code points

- ➜ **Use "existing" when referring to all of the gTLDs that have been delegated in the root zone**

  - ◆ Considered several options: "existing", "delegated", "existing delegated", "contracted and delegated"...

  - ◆ "Existing" seems appropriate, as it appears in the 2012 AGB and is suggested by several commenters

  - ◆ From the 2012 round: "in contracting" – .MERCK, .WEB, and .WEBS; and "on hold" – .HOTEL

- ➜ **Delete "2012 round"**

  - ◆ Too restrictive or limiting

  - ◆ May potentially cause misinterpretation

- ➜ **Remove the statement led by asterisk and emphasize similar messaging in rationale**

  - ◆ This language is not part of the recommendation

  - ◆ May potentially cause misinterpretation

Exceptions to Global Change

Recommendation 3.14

If a registry operator from the 2012 round applies for up to four (4) allocatable variant labels of its existing IDN gTLD:
- in the immediate next application round, the base application fee will be waived for that application as a one-time exception; or
- in any application round subsequent to the immediate next application round, that application must incur a discounted base application fee as set out in Preliminary Recommendation 3.13.

If a registry operator from the 2012 round applies for more than four (4) allocatable variant labels of its existing IDN gTLD:
- in the immediate next application round, that application may incur additional fees as set out in Preliminary Recommendation 3.12; or
- in any application round subsequent to the immediate next application round, that application must incur a discounted base application fee as set out in Preliminary Recommendation 3.13 AND may incur additional fees as set out in Preliminary Recommendation 3.12.

Recommendation 3.15

As a one-time exception for the immediate next application round, applications for allocatable variant labels of existing IDN gTLDs from the 2012 round must receive priority in processing order ahead of all other new gTLD applicants, including the IDN applicants that elect to participate in the prioritization draw.

Rationale for Exception

- One-time exception for a specific group of Arabic / Chinese gTLD Registry Operators, helping compensate for the lapsed time in which variant labels have been unavailable to them despite interests or needs

- Consistent with RySG input

Parked Items

Recommendation 7.3

Any ==existing IDN gTLD registry operator from the 2012 round== that applies for its variant labels in the future must be required to enter into a separate, new Registry Agreement for the newly approved variant label(s), while maintaining the existing Registry Agreement for its existing IDN gTLD.

Implementation Guidance 7.4

It is expected that the separate, new Registry Agreement for the newly approved variant labels will be linked in some way to the Registry Agreement for the ==existing IDN gTLD from the 2012 round==.

Why Parked

- 7.3 and 7.4 may require substantive amendment due to Public Comment received from ICANN org and CCWP-HR