

Internationalized Domain Names Expedited Policy Development Process

Finalize P1 Final Recommendations



IDN-EPDP Team Meeting #95 | 7 September 2023

Agenda

1. Roll Call and SOI Updates (2 min)
2. Welcome and Chair Updates (5 min)
3. Continued Review of Proposed Updates of Phase 1 Final Recommendations, Starting from Rec 3.16 (110 min)
4. Leadership suggested approach for revising Rec 3.5 and IG 3.6 (Time Permitting)
5. AOB (3 min)

Leadership Proposal for Revising Rec 3.5 & IG 3.6 (31 Aug)

Draft Text Reviewed in Meeting #94 on 31 August

Final Recommendation 3.5: In addition to explaining the mission and purpose of its applied-for primary gTLD string, a future applicant will be required to explain why it has applied for one or more allocatable variant label(s) of that applied-for primary gTLD string. The same requirement applies to existing registry operators who wish to apply for allocatable variant label(s) of their existing gTLDs. The explanation provided must address the following factors:

- 3.5.1 The meaning of the applied-for variant label(s) and how it is the same as the applied-for primary gTLD string or existing gTLD;
- 3.5.2 The language communities who will benefit from the introduction of the applied-for variant label(s);
- 3.5.3 The benefits that introducing the primary gTLD string and the variant label(s) (in the case of a future applicant) or the variant label(s) to an existing gTLD (in the case of an existing registry operator) will provide to registrants, Internet users and the online community at-large; and
- 3.5.4 How the applicant plans to mitigate the potential risk of confusability to end-users.

Implementation Guidance 3.6: A panel of evaluators with relevant language expertise should review the explanation submitted by an applicant for its applied-for variant label(s) using criteria based on a general standard of reasonableness. In other words, the submitted explanation should be reasonably legitimate and should address or remedy concerns arising from the factors set out in Final Recommendation 3.5. Additional criteria may be applicable provided they are pre-identified during implementation. Evaluators may also ask clarifying questions of the applicant on the submitted explanation where evaluators think it is necessary but are not obliged to take the clarification into account. **Consistent with Recommendation 27.2 from the SubPro PDP Final Report, this set of criteria shall be scored on a pass/fail scale (0-1 points only). Applicants will have been presumed to have carefully considered whether applied-for variant labels are necessary and as such, applicants achieving a failing score (0 points) should be rare.**

Leadership Proposal for Revising Rec 3.5 & IG 3.6

- **Possible Outcome for IG 3.6:**
 - (1) Criteria be scored against each applied-for variant individually – some variant labels may pass the evaluation while others that fail this question may not be ineligible to proceed in that round (i.e., “rejected”); OR
 - (2) Criteria be scored against the primary string and all applied-for variants as a group – Failing this question would make the entire group ineligible to proceed in that round
- **Option (1) appears to be the logical outcome**
- **Rec 3.5, as currently written, seems to imply that the criteria would be applied against the set**
- **Leadership proposal**
 - **Revise Rec 3.5 by requesting an applicant to explain each of the criteria (i.e., 3.5.1, 3.5.2, 3.5.3) for each and every applied-for variant label**
 - **Develop appropriate adjustment to IG 3.6**
- **Leadership & staff to further consider revision to 3.5.4, pending input from RySG & ALAC**

Starting Point (8 Sep): Rec 3.5

Final Recommendation 3.5: In addition to explaining the mission and purpose of its applied-for primary gTLD string, a future applicant will be required to explain why it has applied for one or more allocatable variant label(s) of that applied-for primary gTLD string. The same requirement applies to existing registry operators who wish to apply for allocatable variant label(s) of their existing gTLDs. The explanation provided must address the following factors for each and every applied-for variant label:

- 3.5.1 The meaning of the applied-for variant label and how it is the same as the applied-for primary gTLD string or existing gTLD;
- 3.5.2 The language communities who will benefit from the introduction of the applied-for variant label;
- 3.5.3 The benefits that introducing the variant label in conjunction with the applied-for primary gTLD string or existing gTLD will provide to registrants, Internet users and the online community at-large; and
- 3.5.4 How the applicant plans to mitigate the potential risk of confusability to end-users.

Leadership proposed replacement text for 3.5.4

How the applicant intends to mitigate potential user-confusion that could be caused by not only the introduction of the applied-for gTLD variant label at the top level but also in combination with the activation of domain names at the second level.

Starting Point (8 Sep): IG 3.6

Implementation Guidance 3.6: A panel of evaluators with relevant language expertise should review the explanation submitted by an applicant for each and every applied-for variant label using criteria based on a general standard of reasonableness. In other words, the submitted explanation should be reasonably legitimate and should address or remedy concerns arising from the factors set out in Final Recommendation 3.5. Additional criteria may be applicable provided they are pre-identified during implementation. Evaluators may also ask clarifying questions of the applicant on the submitted explanation where evaluators think it is necessary but are not obliged to take the clarification into account. **Consistent with Recommendation 27.2 from the SubPro PDP Final Report, this set of criteria shall be scored on a pass/fail scale (0-1 points only) for each and every applied-for variant label. Applicants will have been presumed to have carefully considered whether applied-for variant labels are necessary and as such, achieving a failing score (0 points) should be rare. In the event that ~~the~~ an applied-for variant label receives a failing score (0 point), it is ineligible to proceed but the applied-for primary gTLD string and the other variant labels that each receive the passing score (1 points) may proceed to the next stage of the application process. The same applies to existing registry operators such that only their applied-for variant labels that each receive the passing score (1 point) may proceed to the next stage of the application process.**

Revised language for IG 3.6

Implementation Guidance 3.6: A panel of evaluators with relevant expertise should review the explanation submitted by an applicant for each of the applied-for variant label(s) using criteria based on a general standard of reasonableness. In other words, the submitted responses should be reasonably legitimate and address or remedy concerns arising from the factors set out in Final Recommendation 3.5. Additional criteria may be included provided any additional criteria is pre-identified during implementation. Evaluators may ask clarifying questions of the applicant on the submitted explanation, but the evaluators are not obliged to take the clarifying information into account.

Consistent with Recommendation 27.2 from the SubPro PDP Final Report, each of the applied-for variant labels evaluated against the identified criteria will be scored on a pass/fail scale (0-1 points only). Applicants will be presumed to have carefully considered whether the applied-for variant labels are necessary to achieve the stated mission and purpose of the primary gTLD and as such, receiving a score of zero (0) should be rare. However, in the event that an applied-for variant label receives a score of zero (0 point), that variant label will be ineligible to proceed further in the application process. A variant label that receives a score of 1 point can proceed to the next stage of the application process.

The same applies to existing registry operators such that only their applied-for variant labels that each receive a score of 1 point can proceed to the next stage of the application process.