

# The Facilitated Dialogue on Closed Generic gTLDs Draft Framework 08 June 2023

## Preamble

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The participants in the GAC-GNSO-ALAC Facilitated Dialogue on Closed Generic gTLDs are putting forward this Draft Framework as a possible means for handling applications for closed generic gTLDs in the next round of ICANN's New gTLD Program. This document is being shared with the community to identify whether there is broad support for this framework, prior to the initiation of community policy work to develop a consensus policy for closed generic gTLDs. This Draft Framework represents the work of the dialogue group to date, which has worked to achieve a broad understanding on each of the elements described in the framework below. Each participant in the dialogue contributed as individuals to this Draft Framework, which does not represent the views or consensus of the participants' appointing organizations.

The Facilitated Dialogue participants will consider community feedback in coming to agreement on a Final Framework that can serve as a basis for community policy work on closed generic gTLDs. If, however, the Facilitated Dialogue does not result in an agreed Final Framework, no additional policy work will be initiated and there will continue to be no community-developed consensus policy on the issue of closed generic gTLDs. In that case, the ICANN Board will then need to decide how to handle closed generic gTLD applications that may be submitted in the next round of new gTLDs.

## Executive Summary

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In March 2022, the ICANN Board sent a [letter and framing paper](#) to the GAC and GNSO Council proposing a Board-facilitated process for a GAC-GNSO dialogue on the topic of closed generic gTLDs. The GAC and GNSO accepted the Board's invitation and jointly invited the ALAC to participate in the dialogue. To facilitate open and frank discussions in pursuit of a workable solution for closed generic gTLDs, the 14 participants of the Facilitated Dialogue on Closed Generic gTLDs decided to operate under the Chatham House Rule as part of their good faith participant commitments. Links to the group's non-attributive meeting notes, discussion summaries, and background documents may be found in [Annex 2](#).

Throughout the Facilitated Dialogue, the participants engaged in brainstorming exercises to identify the unique characteristics, opportunities, challenges, and questions associated with closed generic gTLDs. This included numerous discussions about "the public interest", which the group agreed must be a critical feature of closed generic gTLDs, in line with previous [GAC advice](#). For example, the group deliberated whether a closed generic gTLD must serve the *global* public interest or simply a public interest of a single community. The group ultimately decided on a middle path whereby both broad and targeted public interest goals are allowed, so

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long as the closed generic gTLD also serves the *broader* public interest, which is further elaborated in this Draft Framework. The group’s approach was to build from establishing general principles to identifying specific use case examples of closed generic gTLDs (e.g., “.donation”).

With their use case examples to aid targeted discussions, participants began identifying specific elements of a draft framework on closed generic gTLDs. These elements were categorized into three blocks as they would impact different phases of the lifecycle of a closed generic gTLD, namely: the application, evaluation, and contracting/post-delegation. Within each block, participants refined the criteria they believed should be included in the framework. In some instances, the group needed to discuss mutually-acceptable compromises when there was disagreement with particular criteria. For example, to help address concerns that a closed generic gTLD may harm competition, some participants proposed that an applicant must demonstrate its “representativeness” of the relevant industry or group, while other participants expressed concern that such a requirement may be too restrictive of who could apply. In this Draft Framework, participants propose two tracks for a closed generic gTLD applicant to choose when submitting an application: one requiring a demonstration of “representativeness”, and an alternative track requiring a contractual commitment to “non anti-competitive behavior”.

With each meeting, the group expanded its draft framework with additional closed generic gTLD elements that achieved broad group agreement. For certain elements where the discussion saw initial strong disagreement, such as proposed changes to definitions or new gTLD evaluation processes, participants each identified their concerns and “red line” positions on whether each undecided element must be updated, included, or excluded from the framework to share for the wider community’s review. This exercise facilitated compromise on several framework elements, which were then updated and taken forward into the Draft Framework as found below. In addition, this document includes supplemental information about questions and issues related to closed generic gTLDs that the group discussed, but did not decide on (see [Annex 1](#)).

The Facilitated Dialogue participants from the GAC, GNSO, and ALAC wish to share this Draft Framework for broader community input to facilitate policy work on a workable approach for closed generic gTLDs in the next round of new gTLDs. Specifically, the Facilitated Dialogue group invites the community to provide input on any of the elements in the proposed framework elements that the community believes will need additional clarification.

The group will consider the community’s feedback as it continues to work on a proposed Final Framework that will underpin the policy work that the GNSO Council is expected to initiate, to develop a consensus policy on closed generic gTLDs. If, however, the group does not reach agreement on a Final Framework, the issue of closed generic gTLDs will revert to the ICANN Board for a decision on the matter for the next round, in the absence of a community-developed policy solution. The group expects to complete its deliberations in the third quarter of 2023.

# A Draft Framework for Closed Generic gTLDs

## Approach to a Baseline Understanding of Closed Generic gTLDs

For purposes of the Facilitated Dialogue on Closed Generic gTLDs, it was necessary for the group to have a shared understanding of concepts relevant to closed generic gTLDs. Bearing in mind relevant definitions found in the [Base gTLD Registry Agreement](#), Section 2.9(c) (“Affiliate”) and Specification 11, Section 3(d) (“Generic String”), the group agreed that there are several other relationships and entities beyond the narrow definition of “Affiliates” that must be included as potential registrants and beneficiaries in a closed generic gTLD, depending on the operational model of the gTLD.

Specifically, the group identified (a) members of a trade association, where the trade association is the registry operator, (b) independent chapters that are members of a larger federation or organization<sup>1</sup> where that federation/organization is the registry operator, and (c) members of a consortium of similar organizations, where the consortium is the registry operator. The policy group that takes up the Closed Generics issue may identify additional relationships and entities. Please note, these additional categories would be their own sub-group (separate from Affiliates) that applies only to Closed Generic gTLDs. These should not impact any other types of new gTLDs including Open, Community, Geographic or other types of new gTLDs set forth in the [New gTLD Subsequent Procedures Final Report](#).

## A Draft Framework for Closed Generic gTLDs

The Application Process	
1.	The application process for closed generic gTLDs will, to the greatest extent possible, be the same as for standard gTLD applications, but there will be additional criteria for closed generic gTLD applications.
2.	The criteria for closed generic gTLDs must be clear and published in the final Applicant Guidebook in advance of the application window for a new gTLD round. <sup>2</sup>
3.	The applicant for a closed generic gTLD bears the burden to provide evidence of eligibility throughout the application and evaluation processes.
3.a.	The applicant should provide detailed explanations to enable a thorough evaluation of its application. Abstract or generalized statements may not be sufficient for evaluation.
3.b.	The statements made by the applicant in their application must be truthful, in line with Section 1, <a href="#">Module 6 of the 2012 gTLD Applicant Guidebook</a> .

<sup>1</sup> The Facilitated Dialogue group discussed various organization types that might serve as examples for these additional categories; for instance, the International Red Cross & Red Crescent Movement, Big Brothers/Sisters and other similar not-for-profit international organizations.

<sup>2</sup> This should be consistent with Recommendations and Implementation Guidance 12.4-12.9 from the [New gTLD Subsequent Procedures Final Report](#). See [Annex 3](#) for details.

## The Application

The applicant for a closed generic gTLD must provide the following information in its application:

4.	Specify the public interest goal(s) that the closed generic gTLD is intended to serve. In discussing the public interest being served, the applicant and the application's evaluators should keep in mind that:
4.a.	The applicant must also demonstrate how its closed generic gTLD will serve the broader public interest; for example, by providing a positive societal benefit or contributing to the general welfare and wellbeing of the public. <sup>3</sup> For clarity, this requirement will apply to all closed generic gTLD applicants, including those whose proposed closed generic gTLD is intended to serve a public interest goal(s) targeted toward a small intended segment of the public. The public interest goes beyond the commercial or individual interest of the applicant.
4.b.	There is value in public interest goal(s) that serve a very broad intended public. There is also value in public interest goal(s) that serve a targeted intended public.
4.c.	The public interest is a broad concept and should not be limited by the <a href="#">ICANN Global Public Interest (GPI) Framework</a> or the <a href="#">ICANN Bylaws</a> , i.e. a closed generic gTLD can serve a public interest goal that goes beyond ICANN's own mission.
5.	Explain the purpose(s) of the closed generic gTLD.
5.a.	The applicant must provide information clearly describing the intended purpose, which must not be to solely exclude other parties from using the gTLD or solely serve the applicant's own commercial interests. The purpose must relate to the specific public interest goal(s) stated by the applicant in its application.
6.	Explain in detail how the applicant intends to use the closed generic gTLD in practice.
6.a.	As part of its explanation, the applicant must include a description of its intended second level domain (SLD) management/delegation rules.
7.	Provide clear and concrete rationale for why operating the gTLD in a closed manner, as opposed to an open manner, better serves the identified public interest goal(s).

<sup>3</sup> The Facilitated Dialogue group notes that "wellbeing of the public" generally signifies the state of the public being contented, happy, healthy, or prosperous, and "general welfare" refers to the state of doing well, especially in respect to good fortune, happiness, health, comfort or prosperity of a whole community. For online references, see the Collins Online Dictionary (<https://www.collinsdictionary.com/>), the Merriam-Webster Dictionary (<https://www.merriam-webster.com/>), and Black's Law Dictionary.

8.	Whether a for-profit or nonprofit/not-for-profit/public benefit entity, the applicant must provide specific information about its organization, mission (if applicable), and activities that demonstrate its commitment to the public interest.	
	8.a.	The credentials and credibility of the applicant will be assessed, in order to give reasonable confidence that they can and will fulfill their commitments.
9.	Provide evidence demonstrating the nexus (i.e. strong connection) between (1) the applicant, (2) the closed generic term being applied for, (3) the public interest goal(s) specified in the application, and (4) the applicant's intended use of the gTLD.	
	9.a.	This connection and the quality (i.e. reliability, statistical significance, or method) of supporting evidence will be taken into account when evaluating the application.
10.	Demonstrate the requirement of representativeness OR of non anti-competitive behavior.	
	10.a.	Track 1: For "representativeness", applicants must demonstrate that the applicant represents all or a significant part of the businesses (or has their agreement) in the industry or group related to the closed generic term.
		10.a.i. This criterion can be fulfilled, for example, by the applicant being an umbrella organization of the industry in question.
		10.a.ii. The application must show that significantly "interested parties," including competitors, have been consulted and engaged for input prior to submission of the application.
	10.b.	Track 2: For "non anti-competitive behavior", applicants must commit that its use of this closed generic gTLD will be consistent with principles of competitive neutrality <sup>4</sup> , non-discrimination <sup>5</sup> and transparency <sup>6</sup> . This commitment must be reflected in the registry operator's contract with ICANN, which may be in the form of a Code of Conduct or as part of a Specification to the extent that one is developed to govern a registry operator's use of a closed generic gTLD.
		10.b.i. This criterion builds on the requirements that applicants of closed generic gTLDs must state their public interest goal(s) and intended purpose for

<sup>4</sup> "Competitive neutrality" in this regard means that the applicant will not use its control of the closed generic gTLD to gain an advantage in the market or segment of the public toward which its use of the gTLD is directed, to the detriment of its competitors and other entities also operating in that market or sector.

<sup>5</sup> "Non-discrimination" in this regard means that the applicant will act fairly in respect of all third parties that also provide the same goods, information or services to the same target market or segment of the public, and will not exclude access to its goods, information or services on the basis of race, color, religion, sex, age, or other attribute generally recognized as protected categories or classes of people.

<sup>6</sup> "Transparency" in this regard means that the applicant will operate its closed generic gTLD in a manner consistent with these principles by establishing, publishing, and adhering to policies governing its provision of goods, services or information through the gTLD.

			the gTLD, and the intended purpose(s) must not be to solely exclude other parties from using the gTLD or to serve the applicant's own commercial interests.
		10.b.ii.	Recognizing that the nature of a closed generic gTLD involves exclusive registry access to second-level domains under that gTLD string, this criterion is intended to ensure that an applicant does not misuse its control of a closed generic gTLD to undermine the public interest.
		10.b.iii.	Exclusive registry access and single entity control of a closed generic gTLD does not, in and of itself, violate the principles of competitive neutrality, non-discrimination or transparency. Evaluators should bear in mind this exclusive nature of closed generic gTLDs when considering any anti-competition concerns.
11.	Identify the relevant sector(s) of the public that will benefit from, and any other intended beneficiaries of, the closed generic gTLD.		
12.	Explain what types of goods, services, groups, organizations, products, things, etc. are described by the generic term for which the applicant is applying.		
13.	Identify any threats or risks that could reasonably be posed if the closed generic gTLD is delegated, and detail the specific mitigating actions that the applicant plans to take to minimize these threats and risks.		
	13.a.	Evaluators should review the threats and risks to competition along with the proposed mitigating actions and public interest goal(s) of the closed generic gTLD.	
14.	Demonstrate how the applicant will engage in self-policing and self-regulation efforts to govern compliance throughout the term of the registry agreement.		
15.	Demonstrate how the applicant will comply with the following obligations through objective, measurable, and enforceable commitments, subject to monitoring and review.		
	15.a.	The applicant must commit to monitoring the way its SLDs are used, to ensure that the principles they commit to continue to be met over time.	
	15.b.	The applicant must commit that the closed generic gTLD will not be used for fraudulent or illegal activity.	
	15.c.	The applicant must explain and make explicit commitments to the steps it will take to ensure the closed generic gTLD will serve, and continue to serve, the relevant public interest goal(s). These clear commitments must demonstrate how the applicant intends to serve the public interest.	

## The Evaluation Process

16.	The information provided by the applicant in its application (including its rationale for applying for the closed generic gTLD) will be assessed as part of the evaluation process.	
17.	The evaluation process for closed generic gTLDs will, to the greatest extent possible, follow the process applicable to standard gTLD applications, although there will be additional process steps for closed generic gTLD applications.	
18.	The evaluation process and criteria must be clear, predictable, and objective to the greatest extent possible.	
	18.a.	In this regard, predictability means that a potential applicant can reasonably assess their likelihood of qualifying for a closed generic gTLD, with the understanding that evaluators will use their professional judgment when evaluating applications.
	18.b.	Evaluators must exercise their professional judgment within predictable parameters and decisions must be well-justified.
19.	The evaluation of closed generic gTLD applications must be performed by a panel consisting of suitably-qualified individuals.	
	19.a.	The evaluation panel must assess each individual closed generic gTLD application to determine if it sufficiently meets the criteria to pass evaluation as a closed generic gTLD.
20.	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.	
	20.a.	Applications for closed generic gTLDs will not receive any priority in evaluation or (if applicable) resolving a contention set. For example, an application for a closed generic gTLD that is for the same string as another applicant's (whether the other application is for a closed generic gTLD or not), will be placed in a contention set with the other application.
	20.b.	In the event that more than one application for the same string qualifies as an acceptable closed generic gTLD, the standard procedures of string contention resolution apply.
21.	A scoring system may be used to evaluate closed generic gTLD applications.	
	21.a.	Such a scoring system should allow for a range of possible scores based on the applicant's answers to application questions.



	21.b.	While the scoring system should enable multiple paths for an applicant to succeed, some evaluation criteria may be weighted more heavily than others.
	21.c.	As guidance for subsequent policy development, the Facilitated Dialogue group has discussed the following as potential indicia for scoring closed generic gTLD application criteria:
	21.c.i.	The applicant's nexus requirement (#9. on page 5): This criterion may be scored lower if the evidence provided by the applicant only entails the applicant's opinions with no citations, whereas it may be scored higher if it entails a peer-reviewed study demonstrating how their operation of the gTLD will serve a public interest.
	21.c.ii.	The scope of the impact on the intended group: A generic term that has a broad reach (e.g. ".auto") may be weighted differently than a generic term reaching a more niche group (e.g. ".convertiblesportscar").
	21.c.iii.	The broadness of the intended beneficiaries (#11. on page 6): The broader the group being benefited, the higher the score may be.
	21.c.iv.	The representativeness of the applicant (#10.a. on page 5): For applications that follow the "representativeness" track (as opposed to the "non anti-competitive behavior" track) representativeness may be scored with a sole individual being on the lowest end of the scoring spectrum, and a transparent international organization with wide membership being on the highest end of the spectrum.
22.		The evaluation process must include an objection and Public Comment phase.
	22.a.	An objection specific to closed generic gTLDs is appropriate and should follow the same formula and process as other objections. An Independent Objector should have the standing necessary to submit a formal objection to a closed generic gTLD.
	22.b.	Applications for closed generic gTLDs should be subject to the same Public Comment period as all other gTLD applications. However, the group believes that the comment period for closed generic gTLD applications should be an extended one, considering the unique nature and challenges presented by these gTLDs. The exact format and duration of this extended proceeding is to be determined through the policy process.
	22.b.i.	By way of guidance and as an example, it may be appropriate to require a 60-day Public Comment period if there are more than a certain number (for example, 10) applications for closed generic gTLDs. Alternatively, again by way of guidance and as another example, it may be appropriate to extend the Public Comment period when there is a request for an



			extension submitted by a SOAC group or an industry association with an interest in the closed generic gTLD string. This does not replace ICANN's discretion to extend the Public Comment period for all applications, and this extension will apply to the full length of the Public Comment period (extended or otherwise).
		22.b.ii.	In line with Implementation Guidance 13.6 from the <a href="#">New gTLD Subsequent Procedures Final Report</a> <sup>7</sup> , ICANN org should publish all applications for closed generic gTLDs in a dedicated, identifiable, and publicly accessible space, where members of the public can easily identify and find information about each application, including viewing the rules governing these applications and their Public Comments.
		22.b.iii.	In arriving at this compromise approach to Public Comments, the group acknowledges the unique nature inherent to closed generic gTLDs, as well as the need for sufficient time for meaningful Public Comments, and the public's need to readily find all relevant information about closed generic gTLDs.
		22.b.iv.	In developing a final recommendation on this extended proceeding, the policy process should also consider the connection to the GAC Early Warning process, to the extent that this is feasible and appropriate.
23.	The evaluation process may allow for challenges to closed generic gTLD applications.		

<b>Contracting &amp; Post-Delegation</b>			
24.	The Base gTLD Registry Agreement should also apply to closed generic gTLDs.		
	24.a.	This agreement can be supplemented by an additional Specification documenting the unique terms, conditions, commitments and obligations specific to closed generic gTLDs. In this regard, it may be helpful to look to the development and purpose of <a href="#">Specification 13</a> as a guide for a Specification that applies to closed generic gTLDs. The <a href="#">New gTLD Registry Code of Conduct (Specification 9) FAQs</a> document may also be helpful.	
25.	The applicant must begin operating its closed generic gTLD (if approved) in the manner set out in its application and commitments. It is expected that a delegated closed generic gTLD will be put into practice in a timely manner.		
	25.a.	Note: The Facilitated Dialogue group agreed with this criterion, contingent on the subsequent GNSO policy process clarifying what constitutes a “timely manner”.	

<sup>7</sup> See [Annex 3](#) to read Implementation Guidance 13.6 and relevant Rationale from the New gTLD Subsequent Procedures Final Report.

26.	The registry operator of a closed generic gTLD should publish its policies concerning the delegation of SLDs, the rights and responsibilities of its end users, and the handling of complaints. Complaints about intentionally misleading domain names should have a means of redress with the registry operator.
27.	There must be a periodic post-delegation review of a closed generic gTLD.
27.a.	The post-delegation review must reflect the commitments that the applicant made in its application or as expressly amended by ICANN in response to the registry operator's request.
28.	ICANN will hold the registry operator accountable for carrying out its commitments, including those related to how the public interest will be served.

# Annex 1

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Participants of the Facilitated Dialogue on Closed Generic gTLDs were asked to document any questions that they had an interest in discussing within the group. Some of these questions may have been briefly discussed, but others may not have been. These questions are listed below in no particular order, in an effort to document the complete record of the group's work.

The listing of these questions should not be interpreted: (a) as an indication that they were in scope for consideration in this group, (b) as reflective of whether they had already been addressed by the new gTLD Subsequent Procedures Working Group in its Final Report, or (c) to imply that these questions should be addressed by any future policy working group, or that it is necessary to address them at all prior to the launch of the next round.

## Annexed Questions

- Should the genericness of an applied-for string be considered in the context of multiple languages and scripts? (NOTE: This may also be relevant as part of the evaluation process)
- How, if at all, should the application process account for the fact that what is considered in the public interest in one country, culture or religion may not be so in another? (NOTE: This may also be relevant as part of the evaluation process)
- Will an applicant for a closed generic gTLD who is unsuccessful in its application be permitted to “convert” its application to a standard application?
- How fulsome or detailed must the applicant's materials and responses be?
- What types of evidence are acceptable or preferable for an applicant to submit?
- Will an applicant be able to update or correct errors in its application materials?
- How much in advance of a launch of a new gTLD round must the final application criteria be published?
- How should a scoring system be best applied to ensure consistent & predictable evaluation of closed generic gTLD applications, especially in view of the need to account for various types of public interest goals as well as the differing scope and size of the public that might benefit from these goals? (NOTE: The group has discussed a 1-10 sliding scale, a point allocation system, a balancing test, or a combination)
- Are there additional factors that should be considered during evaluation? For example, should there be a nexus between the stated intent of the gTLD and the benefit(s) identified?
- What kind of skill sets or qualifications should panelists possess [in the aggregate]?
- Should there be a minimum and maximum number of panelists for each evaluation?
- Should there be a maximum time period during which the evaluation must conclude?
- Should evaluation and appeal outcomes be published, including rationale for the decisions?
- How will panelists be selected?
- What procedural rules must Evaluation Panels follow?
- What additional features and factors need to be part of a proposed scoring system?
- Should a closed generic gTLD be granted for a specific initial term, with renewals conditional on periodic review?
- Are the current restrictions on Change of Control that are in the Base gTLD Registry Agreement sufficient to ensure that the gTLD continues to be operated as a closed generic, in accordance with the registry operator's commitments as originally approved?
- Should there be a “kill switch” for those registry operators who do not comply?
- How frequently should a delegated closed generic gTLD be reviewed and who will perform the review?
- What specific governance metrics are required for a review?

- Are periodic (e.g. annual) self-certification and an assessment of the specific mechanisms which the registry operator had identified in its application as serving the intended public interest goal(s) the most appropriate review methods?
- What other ways are there of conducting a post-delegation review that assesses whether the registry operator is complying with the commitments it made in its application?
- Should organizations, groupings and networks that involve a number of entities serving a common purpose (e.g. non-profit associations or national chapters of an international charity) be considered part of the single registrant entity contemplated by a closed generic gTLD, even if they do not qualify as “Affiliates” as defined under the Base gTLD Registry Agreement?
- What are the legal, operational and other implications of expanding the definition of “Affiliate” for this limited purpose?
- Alternatively, what other ways are there to handle this situation without needing to change the definition of “Affiliate” (e.g. permit the applicant to explain why these associated or affiliated entities should be considered part of the single registrant entity in its application)?
  - NOTE: Under the Base gTLD Registry Agreement, Section 2.9(c), “Affiliate” means a person or entity that, directly or indirectly, through one or more intermediaries, or in combination with one or more other persons or entities, controls, is controlled by, or is under common control with, the person or entity specified, and (ii) “control” (including the terms “controlled by” and “under common control with”) means the possession, directly or indirectly, of the power to direct or cause the direction of the management or policies of a person or entity, whether through the ownership of securities, as trustee or executor, by serving as an employee or a member of a board of directors or equivalent governing body, by contract, by credit arrangement or otherwise.
- Should the definition of “generic string” in Specification 11 of the Base gTLD Registry Agreement be expanded?
- If so, in what way (e.g. to cover situations where the generic term does not correspond to a category of goods, services, persons or things)?
- From whose perspective?
  - NOTE: The group has discussed different perspectives from which the genericness of a string may be interpreted, including that of the applicant, the general public, end users, the relevant segment of the public that the string is intended to benefit, or the relevant segment of the public towards whom the string is targeted (e.g. the purchasing public for the applicant’s goods or services). The applicant’s intended use of the string and/or whether it can be found in a dictionary may also be relevant.
- If the definition is expanded, what are the legal, operational and other implications?
  - NOTE: Under the Base Registry Agreement for the 2012 New gTLD Program, Specification 11, section 3(d) states that: “a ‘Generic String’ means a string consisting of a word or term that denominates or describes a general class of goods, services, groups, organizations or things, as opposed to distinguishing a specific brand of goods, services, groups, organizations or things from those of others.”

## Annex 2

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To learn about the background of the Facilitated Dialogue on Closed Generic gTLDs, as well as the composition of the dialogue group, the discussions held during their weekly/biweekly meetings, and other information relating to the work, please refer to the resources below.

Resource	Link
Wiki page: GNSO/GAC Facilitated Dialogue on Closed Generics	<a href="https://community.icann.org/display/GFDOCG">https://community.icann.org/display/GFDOCG</a>
Facilitated Dialogue Participants and their Appointing Organizations	<a href="https://community.icann.org/display/GFDOCG/Members">https://community.icann.org/display/GFDOCG/Members</a>
Board letter inviting the GNSO Council & GAC Leadership to engage in a Facilitated Dialogue and accompanying Framing Paper	<a href="https://www.icann.org/en/system/files/correspondence/botterman-to-ismail-fouquart-06mar22-en.pdf">https://www.icann.org/en/system/files/correspondence/botterman-to-ismail-fouquart-06mar22-en.pdf</a>
Repository of Board and Community Correspondence regarding Closed Generic gTLDs and the Facilitated Dialogue	<a href="https://community.icann.org/pages/viewpage.action?pagelId=222269371">https://community.icann.org/pages/viewpage.action?pagelId=222269371</a>
Problem Statement and Briefing Paper prepared by staff to frame the Dialogue	<a href="https://community.icann.org/pages/viewpage.action?pagelId=218464722">https://community.icann.org/pages/viewpage.action?pagelId=218464722</a>
Summary Notes circulated to the Community (Jan/Feb/Mar 2023)	<a href="https://community.icann.org/display/GFDOCG/Summary+Notes">https://community.icann.org/display/GFDOCG/Summary+Notes</a>
List of Meetings, Agendas, and high-level Meeting Notes	<a href="https://community.icann.org/display/GFDOCG/Meetings">https://community.icann.org/display/GFDOCG/Meetings</a>

# Annex 3

Relevant outputs from the [New gTLD Subsequent Procedures \(SubPro\) Final Report](#) referenced within this Draft Framework are provided below.

<b>SubPro Final Report: Recommendations, Implementation Guidance, and Rationale</b>
<b>Topic 12: Applicant Guidebook</b>
<p><u>Recommendation 12.4:</u> The Working Group recommends focusing on the user when drafting future versions of the Applicant Guidebook (AGB) and prioritizing usability, clarity, and practicality in developing the AGB for future new gTLD processes. The AGB should effectively address the needs of new applicants as well as those already familiar with the application process. It should also effectively serve those who do not speak English as a first language in addition to native English speakers.</p>
<p><u>Implementation Guidance 12.5:</u> To promote usability and clarity, write the Applicant Guidebook using Plain Language standards to the extent possible and avoid complex legal terminology when it is not necessary.<sup>8</sup></p>
<p><u>Implementation Guidance 12.6:</u> To ensure that the AGB is a practical resource for users, the core text of the AGB should be focused on the application process. Historical context and policy should be included in appendices or a companion guide, while remaining linked to relevant AGB provisions. The Working Group suggests including step-by-step instructions for applicants with clear guidance about how the process may vary in the case of applications for different categories of TLDs or other variable situations.</p>
<p><u>Implementation Guidance 12.7:</u> In service of usability, ICANN org should ensure that the AGB has a robust Table of Contents and Index. The online version should be tagged and searchable, so that users may easily find sections of text that are applicable to them.</p>
<p><u>Recommendation 12.8:</u> The English version of the Applicant Guidebook must be issued at least four (4) months prior to the commencement of the applicant submission period.</p>
<p><u>Recommendation 12.9:</u> All other translated versions of the Applicant Guidebook, including in the 6 UN languages, must be available no later than two (2) months prior to the commencement of the application submission period.</p>
<p><u>Rationale for Recommendations 12.4, 12.8, 12.9, and Implementation Guidance 12.5-12.7:</u> The Working Group generally agreed that an AGB of some form should continue to be utilized in future waves of applications. The Working Group recommendations and implementation guidance therefore focus on ways to improve the AGB to better serve key programmatic goals. The Working Group considered the importance of ensuring that the New gTLD Program is widely accessible and easy to understand for a broad, global audience. Noting that the AGB is the central resource for applicants to find information and instructions regarding the application process, the Working Group developed recommendations and implementation guidance that support usability, clarity, and practicality of the AGB for its primary audience.</p>

<sup>8</sup> <https://www.plainlanguage.gov/about/definitions/>

## Topic 13: Communications

### Implementation Guidance 13.6:

For accessibility, the Working Group stresses the need for a single, well-designed website dedicated to the New gTLD Program to support the sharing and accessibility of program information, which is consistent with Recommendation 8.4.a<sup>9</sup> from the Program Implementation Review Report. Once on the site, broadly speaking, users should be able to obtain information they are seeking in an effective manner. To that end, the Working Group has suggested specific elements for consideration:

- Continue to maintain an online knowledge database, but ensure that it is robust, is easy to search and navigate, is updated on a timely basis, and emphasizes issues with wide-ranging impact. In addition, to the extent possible, all items in the online knowledge database should reference applicable sections of the Applicant Guidebook to which the items relate.
- Create an opt-in based notification system for applicants to receive program updates, updates to the online knowledge database, and application-specific updates.

### Rationale for Implementation Guidance 13.3-13.7:

The Working Group was in wide agreement that the New gTLD Program's communications plan should serve the goals of raising awareness about the New gTLD Program to as many potential applicants as possible around the world and making sure that potential applicants know about the program in time to apply. To serve this objective, the Working Group determined that the focus should be on timeliness, broad outreach, and accessibility. As a result, the Working Group focused on specific suggestions that would further those high-level goals. Public comment received was largely supportive of the Working Group's preliminary outcomes and accordingly, they have been carried forth as implementation guidance in this report.

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<sup>9</sup> Recommendation 8.4.a states: "Consolidate all next round program information into a single site and make information as accessible as possible." See <http://newgtlds.icann.org/en/reviews/implementation/program-review-29jan16-en.pdf>