

22 June 2023

To: Sebastien Ducos, GNSO Chair
Fr: Jonathan Zuck, ALAC Chair
Re: Latin script RZ-LGR

Dear Sebastien,

On behalf of the ALAC and the At-Large Community, I would like to draw your attention to the problem of .Québec.

We assume the recommendations of the EPDP on IDNs Phase 1 work will be approved by the GNSO Council and adopted by the ICANN Board.¹ The ALAC believes these recommendations are sound, however, we see the potential for unintended consequences with the Proposal for a Latin Script Root Zone Label Generation Rule v5 dated 27 January 2022 ("**the Latin Script RZ-LGR**"),

The Latin script RZ-LGR precludes some peculiar variants. According to RZ-LGR, the following label pairs are not variant labels:

- Latin small letter e with acute (é) and Latin small letter e (e) are considered not variant code points.
- Latin small letter e with grave (è) and Latin small letter e (e) are considered not variant code points.
- Latin small letter o with circumflex (ô) and Latin small letter o (o) are considered not variant code points.

Yet the French-speaking community and others around the globe, would recognise such strings or labels as "variants" of each other. For example, .quebec and .québec aren't considered variant labels, even though it is an internationally accepted practice to use "quebec" and "québec" interchangeably.

One could argue this isn't a problem because the existing registry operator for .quebec, PointQuébec Inc, could simply apply for ".québec" in the next round.

¹ Recommendation 1.1: wherein the RZ-LGR must be the sole source to calculate the variant labels and disposition values for existing delegated gTLDs from the 2012 round, i.e. the RZ-LGR will become the sole authoritative source for determining a primary label's variant label set.

Recommendation 2.1: "same-entity" principle, wherein 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.

Recommendation 3.14: If an existing 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 Recommendation 3.13.

The reality is that

1. PointQuébec Inc would be obliged to pay the base application fee in order to apply for "québec."²
2. Even if PointQuébec Inc were prepared to invest in an application for "québec", its application could be rejected for a number of reasons. The String Similarity Review Panel could determine that ".québec" is confusingly similar to the existing .quebec TLD and effectively block any application for "québec." This would foreclose the introduction of "québec" as a TLD.
3. Because "quebec" and "québec" aren't deemed to be variants of each other, nothing precludes other entities from vying for "québec" in the next or subsequent rounds, in which case PointQuébec would always be compelled to mount an objection, presumably a String Confusion Objection or a Community Objection, and there are no guarantees that it would succeed with either.
4. With "quebec" and "québec" delegated as separate strings, there is a high risk of end user confusion.
5. Authorities in Canada could mandate that .quebec and .québec be interchangeable.

All of these consequences would be avoided if "quebec" and "québec" are deemed to be allocatable variants of each other, given the "same-entity" principle under Recommendation 2.1.

It's easy to come up with other label pairs to use as examples:

- Binky Moon, LLC, as the existing registry operator of .cafe, may wish to apply for ".café".
- Hermes International, as the existing registry operator of .hermes, may wish to apply for ".hermès".
- Booking.com B.V., as the existing registry operator of .hotels, may wish to apply for ".hôtels".

There may well be many other word-pairs (i.e. strings or labels), that are used interchangeably, around the world, which could become problematic given the current rules.

The ALAC does not propose a solution, at this time, but merely wish to bring it to your attention. One avenue is to refer the matter back to the Latin GP through ICANN org. Insofar as the RZ-LGR becomes the sole authoritative source for determining the variant label set for any given primary label, we think there could be a role for the GNSO to establish an acceptable workaround to address these challenges.

² Recommendation 13.4 of the IDNs EPDP (again, assuming this recommendation were to be approved by the GNSO Council and adopted by the ICANN Board).

Finally, we do not know whether the problem is limited to French, or extends to other languages covered by the Latin script RZ-LGR. The ALAC requests that the GNSO ascertain the breadth of the problem for further consideration by the ICANN Community.

Please let us know how we can assist GNSO in developing an acceptable resolution.

Thank you.

Sincerely,

Jonathan Zuck
ALAC Chair