ICANN
78 | ANNUAL GENERAL MEETING

ICANN
25
1998–2023

IANA Stewardship Transition
7
2016–2023

Subsequent Procedures Implementation Review Team

Meeting #16b

Topic 17: Applicant Support

Thursday 26 October 2023 07:00 UTC / 09:00 CEST

ICANN

Agenda

1. Welcome + SOI Update
2. **Topic 17 | Applicant Support**
   a. Introduce Applicant Support Program Project Team
   b. Review:
      i. SubPro Final Report Outputs
      ii. Operational Design assumptions
   c. Present timeline from Implementation Plan
   d. Review ongoing related work
   e. Present proposed process and cadence for IRT and ASP IRT sub-track
3. Upcoming IRT Meetings
4. AOB

Topic 17 | Applicant Support

Agenda Item #2

Objectives

- Introduce the project team (Agenda item #2a)

- Provide a review of policy inputs and operational design assumptions that Applicant Support is working with (Agenda items 2b(i) and 2b(ii))

- Present project timeline, connections to ongoing work, and proposed IRT next steps (Agenda items 2c, 2d, 2e)

Agenda Item #3a - ASP Project Team

Kristy Buckley
Project Director

Samantha Mancia
Project Manager

Leon Grundmann
Policy Implementation
Workstream Liaison

Lamar Faulkner
Global Support

Jessica Villaseñor
Research Manager

Eduardo Alvarez
ASP System

Chris Bare
Processes
Workstream Liaison

Stephanie Moench
Global Support

Review of SubPro Final Report Outputs

Agenda Item #2b(i)

SubPro Final Report Outputs: Applicant Support

Applicant Support Topic in SubPro Final Report includes:

- ◉ 8 Recommendations
- ◉ 11 Implementation Guidelines

Implementation Guideline B from the 2007 policy is affirmed with modification under Topic 15: Application Fees. Implementation Guideline B is also relevant to this topic.

SubPro Final Report Outputs (pp.71-83)

- Recommendation 17.1: Fee reduction

- Recommendation 17.2: Expanding the scope of financial support

- Recommendation 17.3: Outreach, awareness-raising, application evaluation, and program evaluation elements, as well as usability of the Program

- Recommendation 17.11: Consider leveraging the same procedural practices used for other panels

- Recommendation 17.12: ICANN org plan for funding the ASP

- Recommendation 17.15: Bid credit, multiplier, or other similar mechanism

- Recommendation 17.18: Applicants must have the option to transfer to the standard application process & pay the fee

- Recommendation 17.19: The Financial Assistance Handbook to be incorporated into the AGB

***See Appendix** for full text of all Topic 17 outputs.

Review of Key Assumptions from the ODA

Agenda Item #2b(ii)

Applicant Support ODP Assumptions (starting p. 36)

O-187 Outreach and awareness efforts will be expansive and conducted well in advance of the opening of the next round, and no later than the start of the communications period/awareness campaign.

O-486 Applicant Support Program discounts will be funded by the general application fee.

O-55 The New gTLD Program will continue to recognize and accept Intergovernmental organization, governmental entity, and applicant support as applicant types.

W-154 The ICANN org Communications team will determine the communications period and it is expected to begin well before the noted six months. Both topics of Applicant Support and RSP pre-evaluation will need to address communications requirements and planning to take into consideration applicants needs.

Applicant Support ODP Assumptions (starting p. 36)

P-177 Should there be more applications that meet the scoring threshold than there are funds to allocate, ICANN will seek additional funding for qualifying applicants that need support. This could be by making an adjustment to the regular application fees to provide more funding for supported applicants, assuming the AGB is not yet finalized; additional budget allocation by the Board; and/or by reducing the amount of financial support for each applicant, so that all applicants receive support.

P-178 ICANN will conduct research and/or engage researchers to assess the amount of the bid credit for Applicant Support Applicants participating in Auctions of Last Resort.

P-179 ICANN will facilitate pro-bono assistance by identifying potential service providers and maintaining a list of such providers. ICANN will not provide any assistance directly.

Applicant Support ODP Assumptions (cont'd)

P-180 In lieu of a "dedicated IRT," a sub-team of the IRT will be established to foster cohesion and continuity with the implementation of the overall New gTLD Program.

P-181 Procedures for the Support Applicant Review Panel (SARP) will be similar to other evaluation panels, such as those evaluations foreseen under Topic 27: Applicant Reviews.

P-182 ICANN will research "globally recognized procedures" that could be adapted for the Applicant Support Program and will engage a vendor to develop framework/metrics/evaluation criteria for Applicant Support Program.

P-183 Applicants will qualify for support, or not, based upon community-established criteria and evaluation. Applicants seeking support through the Applicant Support Program that do not qualify will retain the option to pay the full application fee.

Applicant Support ODP Assumptions (cont'd)

P-185 ICANN org will publish the base funding amount available prior to launching the Applicant Support Program. However, ICANN org will also seek additional funds should there be more qualified applicants seeking support than the original funding available.

P-184 Fee reduction will be available to eligible applicants. The Applicant Guidebook will contain a list of enforceable eligibility criteria for the Applicant Support Program.

P-186 ICANN will restrict Applicant Support applicants that prevail in an Auction of Last Resort from assigning the TLD for a period of at least three years. ICANN will require that any Applicant Support applicant conducting an assignment of the TLD three to seven years past the signing of the Registry Agreement to repay the full amount of the support received (financial and non-financial). ICANN will define specific cases when assignments will be allowed. Restricting assignments will, however, not restrict "change of control," in which case, an applicant supporting a TLD may be acquired by another entity.

Applicant Support ODP Assumptions (cont'd)

P-459 The Applicant Support Program will evaluate and notify applicants seeking support the results of their evaluation at least six months prior to the opening of the new gTLD application window.

P-460 The most flexible option for providing fee reductions will be to use a percentage of reduction that will be applied across the entire fee structure. That is, an applicant that qualifies for Applicant Support will receive a specified percentage of fee reduction for all relevant processes and evaluations the applicant may participate in.

P-445 Financial assistance criteria will be updated to be inclusive of applicants with demonstrable financial need, regardless of geographic location or economic development status.

P-447 As ICANN is not a grant-seeking organization, ICANN will, through the Pro Bono Assistance Program, act as a facilitator in the introduction of industry players or potential funding partners to the prospective entrants.

Applicant Support ODP Assumptions (cont'd)

P-478 ICANN org will estimate the type and number of pro bono service work hours needed per applicant or a unit of applicants.

P-477 The Applicant Support Program will open to receive applications for support **18 months prior to the application window for New gTLDs**.
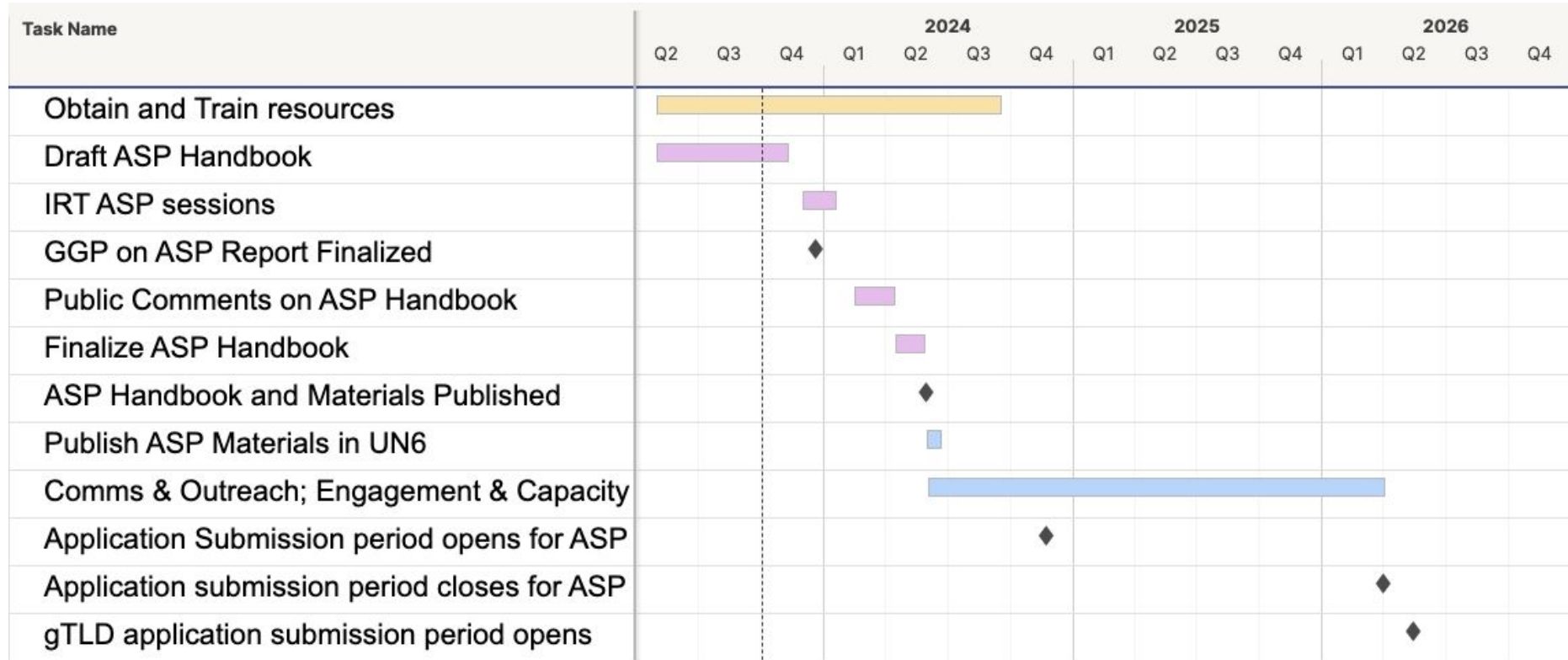
P-479 The Support Applicant Review Panel will be an independently contracted third party that conducts the review and evaluation of applications for support.

Timeline from the Implementation Plan

Agenda Item #2c: Topic 17 | Applicant Support

Simplified ASP Timeline (from pg. 59 in Implementation Plan)

Task Name	2024							2025				2026			
	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Obtain and Train resources	██████████████████														
Draft ASP Handbook	████														
IRT ASP sessions			█												
GGP on ASP Report Finalized			◆												
Public Comments on ASP Handbook				█											
Finalize ASP Handbook					█										
ASP Handbook and Materials Published					◆										
Publish ASP Materials in UN6					█										
Comms & Outreach; Engagement & Capacity					█████████████████████████										
Application Submission period opens for ASP							◆								
Application submission period closes for ASP													◆		
gTLD application submission period opens													◆		

Review of Ongoing Work

Agenda Item #2d: Topic 17 | Applicant Support

Ongoing Work

- ◉ Prep Week session presented findings from research on "other globally recognized programs".
- ◉ GNSO Guidance Process reviewing public comments received on guidance recommendations.
- ◉ ICANN org following GGP efforts, anticipating final report in December.
- ◉ As noted in the Scorecard, Recommendation 17.2 was not adopted by the Board. "As a result, the Board is conducting ongoing work relating to expanding the scope of financial support."
- ◉ As well, the GNSO Small Team is discussing options for a supplemental recommendation.
- ◉ Initial results from the Expression of Interest Survey have been analyzed. A summary of the results are included in Annex B, showing the number of respondents, how many applicants they could provide services to, in what regions, and languages.

Proposed Process & Cadence for IRT and ASP IRT Sub-Track

Agenda Item #2e: Topic 17 | Applicant Support

Proposed Process and Cadence

Applicant Support Program (ASP) IRT sessions
- Full IRT: Introduce Applicant Support Topic; session planned for ICANN78
  - Thursday, October 26 2023 at 07:00-08:00 UTC (09:00-10:00 CEST / local time)
- ASP IRT Sub-track (estimated six 90-minute sessions)
  - 21, 30 November, 5, 7 December 2023 at 14:00-15:30 UTC
- Full IRT: Wrap-up session to review proposed changes to ASP Handbook based upon meetings with ASP IRT Sub-track
  - Tuesday, 19 December 2023 at 13:00-14:30 UTC
  - Thursday, 21 December 2023 at 20:00-21:00 UTC (if further discussion is needed)

ASP IRT Sessions

Meeting Type	Date	Time
Full IRT Meeting	26-Oct-2023	07:00-08:00 UTC
ASP Sub-track	21-Nov-2023	14:00-15:30 UTC
ASP Sub-track	30-Nov-2023	14:00-15:30 UTC
ASP Sub-track	5-Dec-2023	14:00-15:30 UTC
ASP Sub-track	6-Dec-2023	14:00-15:30 UTC
ASP Sub-track	7-Dec-2023	14:00-15:30 UTC
Full IRT Meeting	19-Dec-2023	13:00-14:30 UTC
Full IRT Meeting	21-Dec-2023	20:00-21:30 UTC

Upcoming IRT Meetings

Agenda Item #3

Provisional Meeting Schedule

#	Date	Time UTC	Wiki/Schedule page	Topic
17	7-Nov-23	13:00-14:00	https://community.icann.org/x/OZOZDg	28. Role of Application Comment 3. Applications Assessed in Rounds 30. GAC Consensus Advice and GAC Early Warning
17a	9-Nov-23	20:00-21:00	https://community.icann.org/x/NQB6E	30. GAC Consensus Advice and GAC Early Warning
18	14-Nov-23	20:00-21:00	https://community.icann.org/x/T5OZDg	8. Conflicts of Interest (COI Process for Vendors)
19	21-Nov-23	13:00-14:00	https://community.icann.org/x/VpOZDg	
1	*21-Nov-23*	*14:00-15:30*	*https://community.icann.org/x/FoBME*	*ASP Sub-Track Meeting*
20	28-Nov-23	20:00-21:00	https://community.icann.org/x/XpOZDg	
2	*30-Nov-23*	*14:00-15:30*	*https://community.icann.org/x/HoBME*	*ASP Sub-Track Meeting*
21	5-Dec-23	13:00-14:00	https://community.icann.org/x/ZpOZDg	
3	*5-Dec-23*	*14:00-15:30*	*https://community.icann.org/x/HoBME*	*ASP Sub-Track Meeting*
4	*6-Dec-23*	*14:00-15:30*		*ASP Sub-Track Meeting*
5	*7-Dec-23*	*14:00-15:30*		*ASP Sub-Track Meeting*
22	12-Dec-23	20:00-21:00	https://community.icann.org/x/bpOZDg	
23	19-Dec-23	13:00-14:30	https://community.icann.org/x/dZOZDg	17. Applicant Support
23b	21-Dec-23	20:00-21:30	https://community.icann.org/x/q5FME	17. Applicant Support
23a	9-Jan-24	20:00-21:00	https://community.icann.org/x/6YDwDw	
24	16-Jan-24	20:00-21:00	https://community.icann.org/x/UoPxDg	
25	23-Jan-24	13:00-14:00	https://community.icann.org/x/WYPxDg	6. RSP Pre-Eval
25a	25-Jan-24	13:00-14:00	https://community.icann.org/x/LgB6E	
26	30-Jan-24	20:00-21:00	https://community.icann.org/x/YIPxDg	6. RSP Pre-Eval
27	8-Feb-24	13:00-14:00	https://community.icann.org/x/Z4PxDg	39. RST
28	13-Feb-24	20:00-21:00	https://community.icann.org/x/boPxDg	39. RST

AOB

Agenda Item #4

Annexes

Annex A: SubPro Final Report Outputs in Full

Recommendation 17.1: Implementation Guideline N from 2007 states: "ICANN may put in place a fee reduction scheme for gTLD applicants from economies classified by the UN as least developed." The Working Group recommends that as was the case in the 2012 round, **fee reduction must be available for select applicants who meet evaluation criteria through the Applicant Support Program**.

The Working Group further recommends new types of financial support for subsequent procedures that were not part of the Program in 2012, specifically, coverage of **additional application fees** (see Recommendation 17.2) and a **bid credit, multiplier,** or other similar mechanism that applies to a bid submitted by an applicant qualified for Applicant Support who participates in an ICANN Auction of Last Resort (see Recommendation 17.15 and Implementation Guidance 17.16 and 17.17). In addition, the Working Group recommends that ICANN facilitate non-financial assistance including the **provision of pro-bono assistance** to applicants in need. Further, ICANN must conduct outreach and awareness raising activities

SubPro Final Report Outputs (cont'd)

during the Communications Period to both potential applicants and prospective pro-bono service providers. The Working Group believes that the **high level goals and eligibility requirements for the Applicant Support Program remain appropriate**. The Working Group notes, however, that the **Applicant Support Program was not limited to least developed countries in the 2012 round and believes that the Program should continue to be open to applicants regardless of their location** as long as they meet other program criteria. Therefore, the Working Group recommends the following language in place of Implementation Guideline N: "ICANN must retain the Applicant Support Program, which includes fee reduction for eligible applicants and facilitate the provision of pro-bono non-financial assistance to applicants in need."

SubPro Final Report Outputs (cont'd)

The revised language updates the original Implementation Guideline to:

- ◉ acknowledge that the Applicant Support Program was in place in the 2012 round
- ◉ include reference to pro-bono non-financial assistance in addition to fee reduction
- ◉ eliminate the reference to economies classified by the UN as least developed, as the Program is not limited to these applicants.

Recommendation 17.2: The Working Group recommends expanding the scope of financial support provided to Applicant Support Program beneficiaries beyond the application fee to also cover costs such as application writing fees and attorney fees related to the application process. *[not adopted by Board; Board conducting ongoing work]*

SubPro Final Report Outputs (cont'd)

Recommendation 17.3: The Working Group recommends that ICANN improve outreach, awareness-raising, application evaluation, and program evaluation elements of the Applicant Support Program, as well as usability of the Program, as proposed in the implementation guidance below.

Implementation Guidance 17.4: Outreach and awareness-raising activities should be delivered well in advance of the application window opening, as longer lead times help to promote more widespread knowledge about the program. Such outreach and education should commence no later than the start of the Communications Period.

Implementation Guidance 17.5: A dedicated Implementation Review Team should be established and charged with developing implementation elements of the Applicant Support Program. In conducting its work, the Implementation Review Team should revisit the 2011 Final Report of the Joint Applicant Support Working Group as well as the 2012 implementation of the Applicant Support program.

SubPro Final Report Outputs (cont'd)

Implementation Guidance 17.6: Outreach efforts should not only target the Global South, but also those located in struggling regions that are further along in their development compared to underserved or underdeveloped regions. In addition, the evaluation criteria for Applicant Support must treat those applicants similar to those currently set forth in Criteria #1, Section 4 (Operation in a developing economy) of the Financial Assistance Handbook.

Implementation Guidance 17.7: The Working Group supports Recommendation 6.1.b in the Program Implementation Review Report, which states: "6.1.b: Consider researching globally recognized procedures that could be adapted for the implementation of the Applicant Support Program."

SubPro Final Report Outputs (cont'd)

Implementation Guidance 17.8: In implementing the Applicant Support Program for subsequent rounds, the dedicated Implementation Review Team should draw on experts with relevant knowledge, including from the targeted regions, to develop appropriate program elements related to outreach, education, business case development, and application evaluation. Regional experts may be particularly helpful in providing insight on the development of business plan from different parts of the world.

Implementation Guidance 17.9: The dedicated Implementation Review Team should seek advice from experts in the field to develop an appropriate framework for analysis of metrics to evaluate the success of the Applicant Support Program. The Working Group identified a non-exhaustive list of potential data points to support further discussion in the implementation phase. The Working Group anticipates that the dedicated IRT will consider how these and other potential metrics may be prioritized:

SubPro Final Report Outputs (cont'd)

● Awareness and Education:

○ number of outreach events and follow up communications with potential applicants

○ level of awareness about the New gTLD Program/Applicant Support Program

○ number of enquiries about the program/level of interest expressed/number that considered applying

○ number of applicants

■ first-time applicants versus repeat applicants

■ applicants submitting a single application versus portfolio applicants

■ applications based on pre-existing trademarks

○ diversity and distribution of the applicant pool: geographic diversity, languages, scripts

● Other Elements of Program Implementation:

○ number of ICANN staff members and contractors supporting the Applicant Support Program

SubPro Final Report Outputs (cont'd)

○ number of service providers offering pro-bono assistance and value of assistance offered/provided

○ number of applicants accessing/using pro-bono assistance

○ number of approved applicants for financial assistance

○ number of applicants who received bid credits, multiplier, other and were successful in auction

○ the value of the bid credits, multiplier, other

○ number of applicants who withdrew from auction

○ number of applicants who entered in to a business combination or other forms of joint ventures

○ length of time before any change of ownership occurred

● Success of Launched gTLD:

○ The number of registrants of domain names registered in "regional" TLDs (e.g., TLDs focusing mainly on a local, limited market), keeping in mind that there are other barriers for registrants in developing countries to access domain names, such as inability to access online payment services and a lack of local registrars.

SubPro Final Report Outputs (cont'd)

○ The number of domain names registered in "regional" new gTLDs compared to the number of Internet users in such regions. These numbers could be compared with the same numbers for Internet users and "regional" new gTLDs in developed regions such as Europe and North America.

Implementation Guidance 17.10: The dedicated Implementation Review Team should consider how to allocate financial support in the case that available funding cannot provide fee reductions to all applicants that meet the scoring requirement threshold.

Recommendation 17.11: The Working Group supports Recommendation 6.1.a in the Program Implementation Review Report, which states: "Consider leveraging the same procedural practices used for other panels, including the publication of process documents and documentation of rationale."

SubPro Final Report Outputs (cont'd)

Recommendation 17.12: ICANN org must develop a plan for funding the Applicant Support Program, as detailed in the Implementation Guidelines below.

Implementation Guideline 17.13: ICANN org should evaluate whether it can provide funds (as they did in 2012) or whether additional funding is needed for the Applicant Support Program in subsequent rounds. The amount of funding available to applicants should be determined and communicated before the commencement of the application round.

Implementation Guideline 17.14: ICANN org should seek funding partners to
help financially support the Applicant Support Program, as appropriate.

Recommendation 17.15: If an applicant qualifies for Applicant Support and is part of a contention set that is resolved through an ICANN Auction of Last Resort, a bid credit, multiplier, or other similar mechanism must apply to the bid submitted by that applicant.

SubPro Final Report Outputs (cont'd)

Implementation Guidance 17.16: Research should be conducted in the implementation phase to determine the exact nature and amount of the bid credit, multiplier, or other mechanism described in Recommendation 17.15. Research should also be completed to determine a maximum value associated with the bid credit, multiplier, or other mechanism.

Implementation Guidance 17.17: If the applicant getting Applicant Support prevails in an auction, there should be restrictions placed on the applicant from assigning the Registry Agreement, and/or from any Change of Control for a period of no less than three (3) years. This restriction seeks to prevent gaming of the Applicant Support Program whereby an applicant transfers its ownership of a registry to a third party in exchange for any form of financial gain. However, assignments that become necessary for the following reasons shall be permitted:

SubPro Final Report Outputs (cont'd)

● Assignments due to the TLD being unable to meet its financial obligations and unable to secure financing or restructure operations to carry out operations in the short-term
● Assignments due to death or retirement of a majority shareholder
● Assignments due to EBERO
● Assignments to affiliates or subsidiaries
● Assignments required by competition authorities

All assignments after such time shall be governed under the then-current Registry Agreement standard provisions; provided that any Assignment or Change of Control after the third (3rd) year, but prior to the seventh (7th) year, shall require the applicant to repay the full amount of financial support received through the ASP Program, including application fees and any bid credit, multiplier, or related
benefits, plus an additional ten percent (10%).

SubPro Final Report Outputs (cont'd)

Recommendation 17.18: Unless the Support Applicant Review Panel (SARP) reasonably believes there was willful gaming, applicants who are not awarded Applicant Support (whether "Qualified" or "Disqualified") must have the option to pay the balance of the full standard application fee and transfer to the standard application process. Applicants must be given a limited period of time to provide any additional information that would be necessary to convert the application into one that would meet the standard criteria (e.g., showing how the applicant for financial and other support could acquire the requisite financial backing and other support services to pass the applicable evaluation criteria). That said, this limited period of time should not cause unreasonable delay to the other elements of the New gTLD Program or to any other applicants for a string in which its application may be in a contention set.

Recommendation 17.19: The Financial Assistance Handbook or its successor, subject to the changes included in the above recommendations, must be incorporated into the Applicant Guidebook for subsequent rounds.

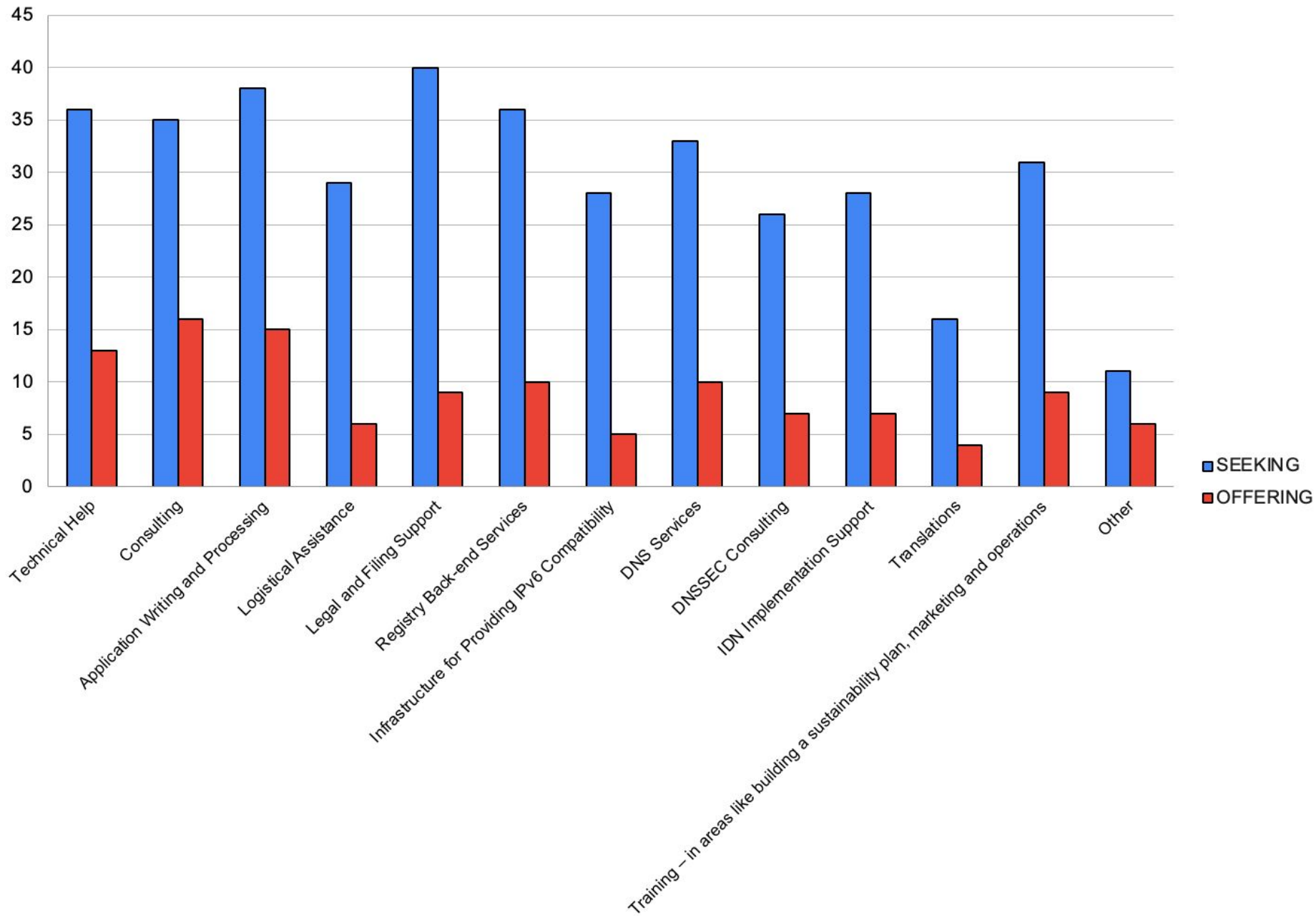# Annex B: Results of Expression of Interest Survey

Applicant Support Pro Bono Service Providers

Background

- On 1 June 2023, ICANN org [published a call for expressions of interest (EOI)](#) from any and all providers that may be interested to provide pro bono services for the Applicant Support Program (ASP) for the Next Round of New gTLDs.
- The results of this survey, are summarised in the subsequent slides (results taken from 31 August 2023, survey is now reopened).
- ICANN org is seeking support from the community to help recruit diverse pro bono services to respond to the needs of supported applicants.

Comparison: Seeking vs. Offering Pro Bono Services (2012)

Category	SEEKING	OFFERING
Technical Help	36	13
Consulting	35	16
Application Writing and Processing	38	15
Logistical Assistance	29	6
Legal and Filing Support	40	9
Registry Back-end Services	36	10
Infrastructure for Providing IPv6 Compatibility	28	5
DNS Services	33	10
DNSSEC Consulting	26	7
IDN Implementation Support	28	7
Translations	16	4
Training – in areas like building a sustainability plan, marketing and operations	31	9
Other	11	6

Breakdown of Results by Question

Overview

- We received responses from a total of **25** responders to this survey, of which:

  - 23 completed the survey in **English**

  - 1 completed the survey in **Chinese**, and

  - 1 completed the survey in **Spanish**

What types of services would you/your organization be interested to offer?

General Business Services (Multiple Choice Question)

	Responses
Business consulting	18
Business plan development	16
Business Consulting - Marketing and Communications	16
Business Consulting - Operations	18
Translation Services	9
Financial services	10
Legal services	11
(No response)	1

What types of services would you/your organization be interested to offer?

Application Services (Multiple Choice Question)

	Responses
Application development	20
Application writing/submission	18
(No response)	2

What types of services would you/your organization be interested to offer?
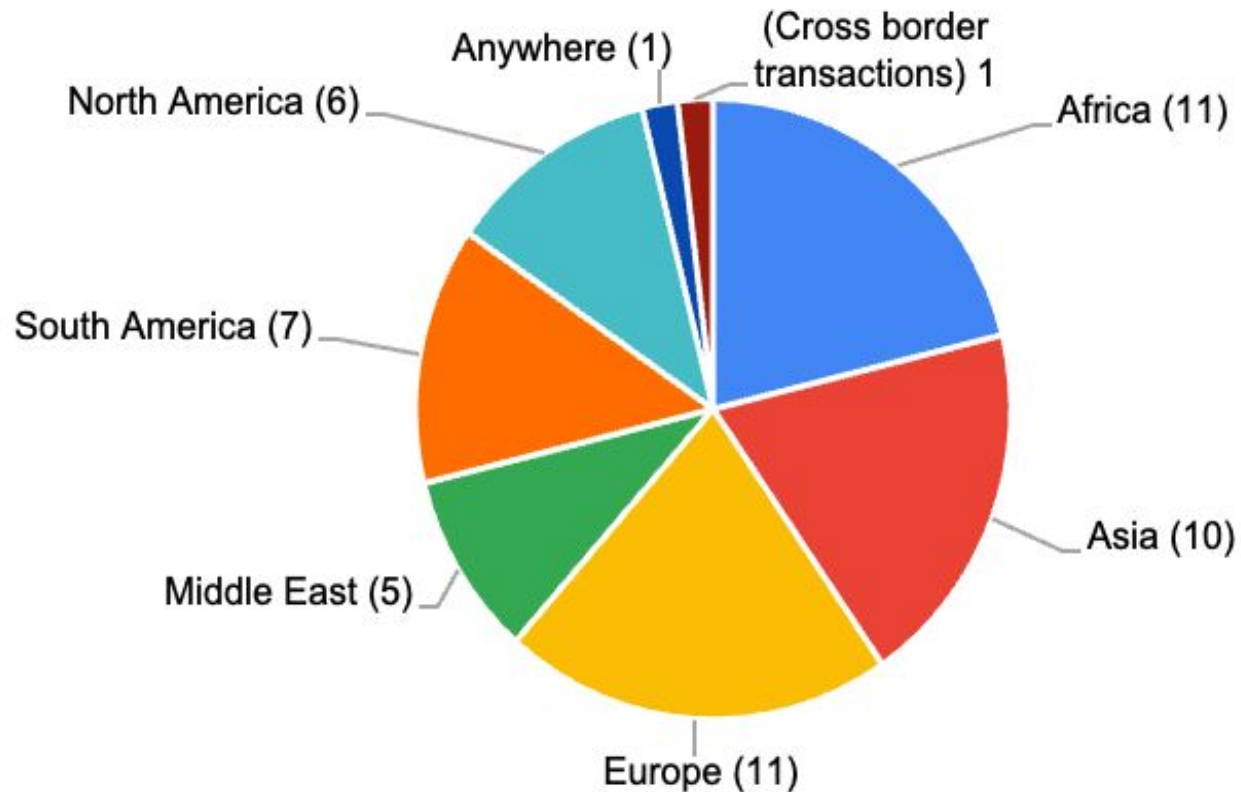
Technical Services (Multiple Choice Question)

	Responses
Registry Service Provider (critical or other services)	10
Internationalized Domain Names	8
General Technical Help	10
DNS Services	9
DNSSEC Services	6
IPv6 Implementation and Services	5
(No response)	3

Approximately how many applicants do you estimate you/your organization will be able to provide services to? (this is not a commitment, just a best estimate)
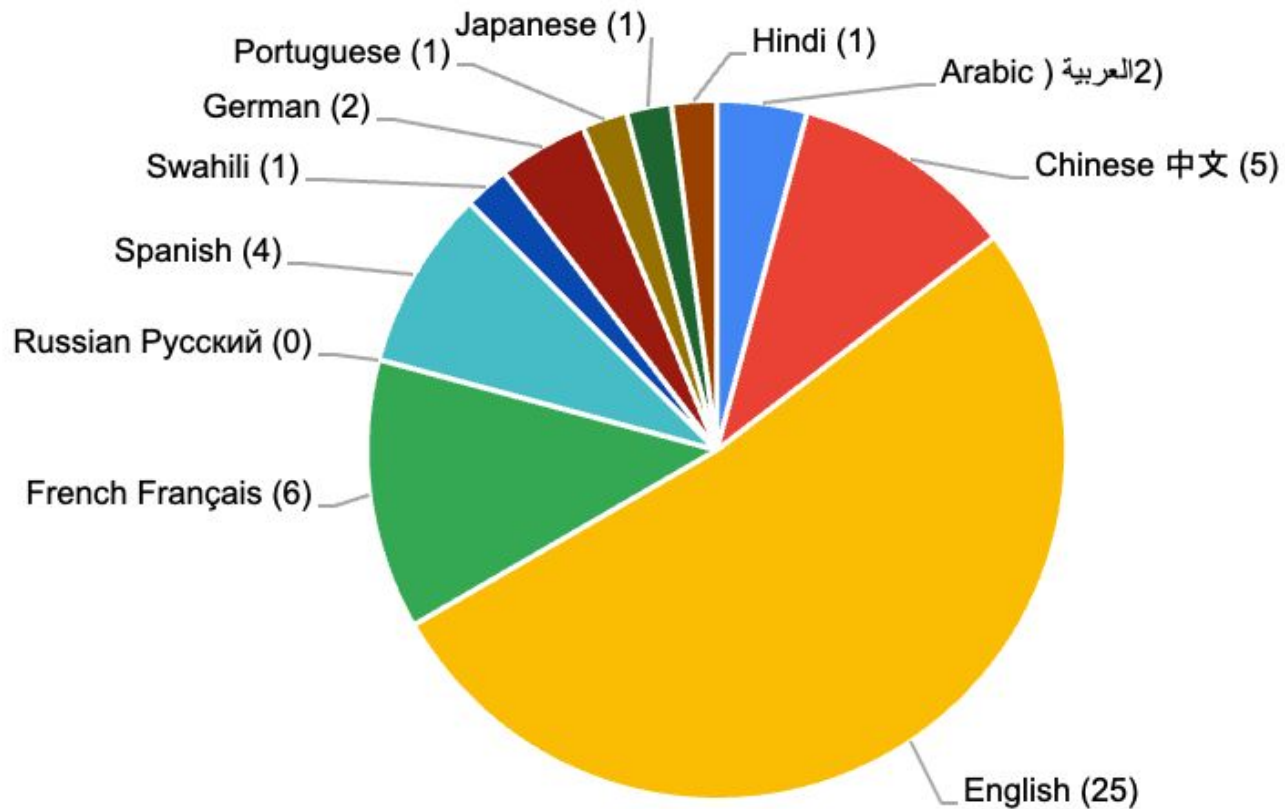
	Responses
1-5 applicants	10
5-10 applicants	7
10-15 applicants	1
15-25 applicants	3
25+ applicants	3
(No expectation, and no work on this has been started.)	1

◉ Results from these responses indicate that between **175-315** applicants could be supported, assuming all survey respondents that expressed an interest will sign up to provide pro bono services.

In what regions do you anticipate you/your organization could provide support? (check all that apply)

Anywhere (1)

(Cross border transactions) 1

North America (6)

Africa (11)

South America (7)

Asia (10)

Middle East (5)

Europe (11)

What languages do you anticipate you/your organization could provide support? (check all that apply; if "Other" please specify in the comment box)

- Japanese (1)
- Portuguese (1)
- German (2)
- Swahili (1)
- Spanish (4)
- Russian Русский (0)
- French Français (6)
- Hindi (1)
- Arabic (العربية 2)
- Chinese 中文 (5)
- English (25)

Survey Link

- The Expression of Interest survey link is in the Announcement posted on 1 June 2023: https://www.icann.org/en/announcements/details/icann-seeks-pro-bono-service-providers-for-applicant-support-program-01-06-2023-en

- Noting the demand for pro bono services in 2012 exceeded the available resources, we are requesting the ICANN community to help socialize this expression of interest to entities or individuals that may be interested to volunteer.