

Expedited Policy Development Process on Internationalized Domain Names (EPDP on IDNs)

Phase 1 Initial Report Public Comments Part 3

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Agenda

- ⦿ Among comments received from Public Comment proceedings for EPDP on IDNs' Phase 1 Initial Report on TL Variant Management
 - **Conservatism Principle** – reconsidered and actioned
 - **Specifically Rec 3.5, IG 3.6 – subjected to compromise between RySG and ALAC Team**
 - Also Rec 3.7, IG 3.8 and IG 3.9 – these were not substantially changed

Conservatism Principle – reconsidered & actioned (1/4)

- ⊙ **Conservatism:** Adopt a more cautious approach in gTLD policy development as way to limit any potential security & stability risks associated with the variant label delegation.

- ⊙ Yet, Rec 8.1 says No ceiling value to allocatable variant gTLDs

- ⊙ How to balance between promoting variant gTLDs vs Conservatism?
 - In general, application for variant gTLD labels are evaluated 2 ways:
 - **1. Business/language need or usage of variants: Rec 3.5 & IG 3.6**
 - 2. Technical and operational capability for managing variants: Rec 3.7, IG 3.8 & IG 3.9

 - **Deliberation focused on Rec-sub 3.5.4 “How the applicant plans to mitigate the potential risk of confusability to end-users”.**

Conservatism Principle – reconsidered & actioned (2/4)

1. Business/language need or usage of variants

Revision 1 of Rec 3.5

In addition to explaining the mission and purpose of its applied-for gTLD string, a future applicant must explain why it has applied for one or more allocatable variant label(s) ... and ...an RO who wants allocatable variant label(s) for their existing gTLD... **must explain why they seek those variant label(s), including addressing:**

3.5.1 The meaning of the variant label(s) and how it is the same as the primary gTLD;

3.5.2 The language communities who will benefit from the introduction of the variant label(s);

3.5.3 The benefits of introducing the primary gTLD and/or the variant label(s) to registrants, Internet users and the online community at-large; and

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.

VS

Final Report Rec 3.5

In addition to explaining the mission and purpose of the applied-for primary gTLD string or existing gTLD, the applicant seeking one or more gTLD variant labels **will describe the justification of such need**. The justification given by the applicant shall **at minimum provide the following information:**

3.5.1 The meaning or intended meaning (for non-dictionary words) of each of the applied-for variant label(s), including sources;

3.5.2 Explanation of how the primary and variant labels are considered the same;

3.5.3 Explain the benefits and the user communities who will benefit from the introduction of the applied-for variant label(s); and

3.5.4 A description of the steps that the applicant will take to minimize the operational and management complexities of variant gTLDs and variant domain names that impact registrars, resellers and/or registrants.

Conservatism Principle – reconsidered & actioned (2/4)

1. Business/language need or usage of variants

Revision of IG 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.

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 point 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 point) 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

VS

Draft Final Report IG 3.6

With respect to the evaluation of the information submitted per Final Recommendation 3.5:

3.6.1 The evaluation panel must include evaluators with relevant language expertise;

3.6.2 The evaluation panel should apply criteria based on a general standard of reasonableness and the criteria must be established during implementation;

3.6.3 Consistent with Recommendation 27.2 of the SubPro PDP Final Report, evaluation scores on the questions should be limited to a pass/fail scale (0-1 points only);

3.6.4 The applicant must pass each element to enable the applied-for variant label to proceed to the next stage of the application process; and

3.6.5 The evaluation outcome of any one applied-for variant label should not impact the evaluation outcome of any other applied-for variant label in the application (including the primary gTLD string)

Conservatism Principle – reconsidered & actioned (3/4)

2. Technical and operational capability for managing variants

Initial Report Rec 3.7

A future applicant must be required to demonstrate its ability to manage the applied-for primary gTLD string and applied-for allocatable variant label(s) from both a technical and operational perspective. The same requirement applies to registry operators who wish to apply for allocatable variant label(s) of their existing gTLDs.

VS

Final Report Rec 3.7

No change from before

VS

Initial Report IG 3.8

The evaluation of capability to manage the variant label set should be closely tied to the overall technical capability evaluation. The evaluation should be based on measurable criteria including, but not limited to, the performance of Critical Functions with respect to second-level registrations under the primary gTLD string and the applied-for allocatable variant label(s).

Final Report IG 3.8

No change from before

Conservatism Principle – reconsidered & actioned (4/4)

2. Technical and operational capability for managing variants

Initial Report IG 3.9

ICANN org may do research to help identify additional standards or test for technical and operational capability evaluation (per PR 3.7)

VS

Final Report IG 3.9

Within 15 mths of delegation for the first gTLD variant label and every 24 mths thereafter, ICANN org should conduct research in order to identify whether any additional criteria or tests should be used, as part of the application process, to evaluate the technical and operational capability of an applicant to manage a variant label set at the registry level.

ICANN org must offer the community an opportunity to provide input on the scope of the research to be undertaken, as well as any proposed outputs on additional criteria or tests, and **such outputs to not be applied retrospectively**.

Timeline for Delivery of Phase 1 Final Report

Date	Action
Thu, 21 Sep (today)	<ul style="list-style-type: none"> Review comments on final recommendations; Agree on language for Rec 3.5, IG 3.6, and Rec 4.4
Thu, 28 Sep	<ul style="list-style-type: none"> Agree on language for Rec 3.5, IG 3.6, and Rec 4.4 (if necessary) Review selected sections of the Final Report;
Between Thu, 28 Sep and Thu, 5 Oct	Initiate Consensus Call process on Final Recommendations
Mon, 16 Oct	Conclude Consensus Call process no later than this date
Mon, 23 Oct (ICANN78 EPDP working session)	Resolve challenges to consensus designations, <i>if any</i> , no later than this date
Wed, 25 Oct (ICANN78 GNSO Council session)	Goal: Inform GNSO Council that the Phase 1 Final Report is complete
Mon, 30 Oct	Minority Statement due, if applicable (e.g., designation of “ <i>Consensus</i> ” or lower for any recommendation), no later than this date
Thu, 9 Nov	Submit Phase 1 Final Report to GNSO Council no later than this date