

Subsequent Procedures Implementation Review Team

Meeting #61



6 August 2024, 13:00-14:00 UTC

Agenda

1. Welcome and SOI Update
2. IRT Information and Status
3. Community Discussion on the Resolution of Contention Sets
4. **Topic 19 | Application Queuing**
5. **Topic 31 | Objections**
6. Upcoming IRT Meetings
7. AOB

IRT Information and Status

Agenda Item #2

IRT Stats

Project Information

05/16/23
1st IRT meeting

05/31/25
Expected AGB completion

444
Days since 1st IRT meeting

302
Days to expected AGB completion


Project Health

IRT Information

104
Members

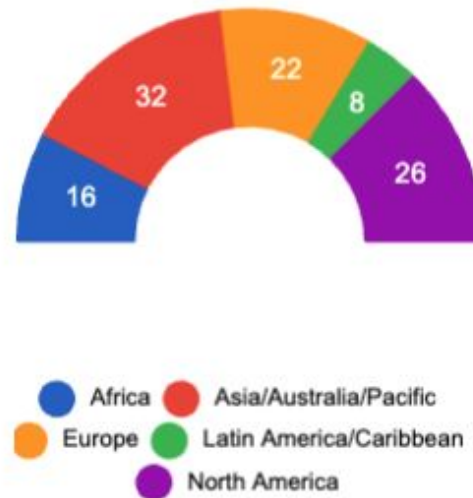
62
Full IRT meetings held

29%
Full IRT attendance

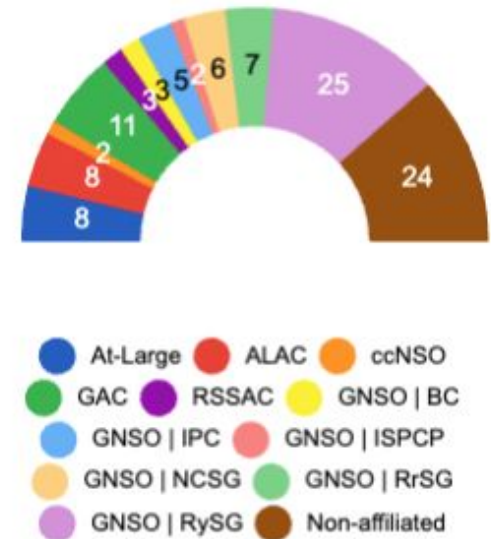
4
Sub-Tracks

23
Sub-Track meetings held

Region

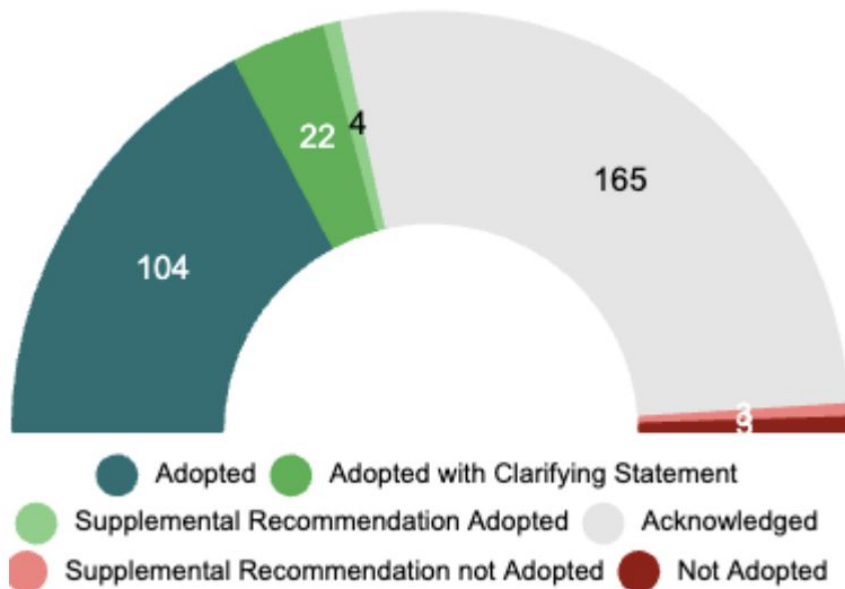


Affiliation

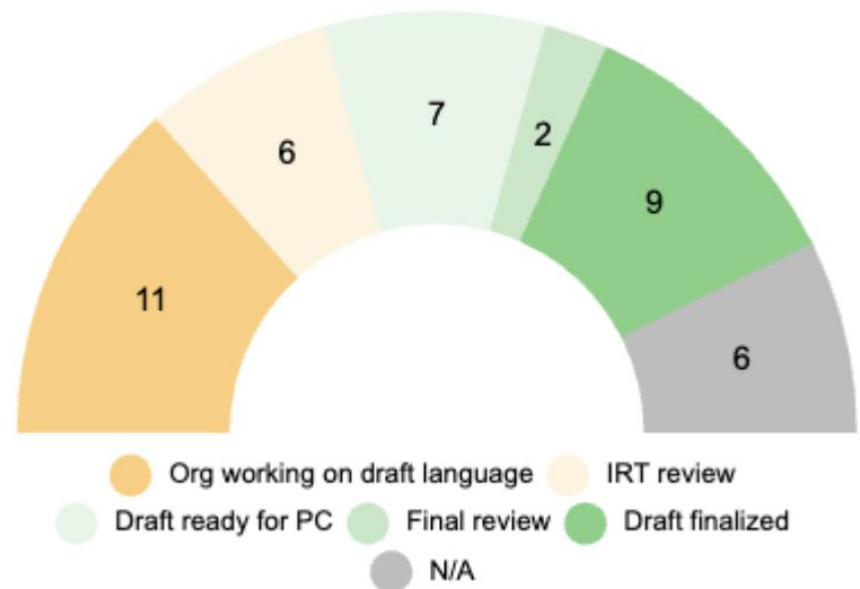


Outputs & Topics Status

Board Decision on Outputs



Topics Status



Community Discussion on the Resolution of Contention Sets

Agenda Item #3

Board acceptance of GAC Advice

The Board [accepted](#) item 2a(ii) of the GAC's [ICANN80 Kigali Communiqué](#):

“The GAC advises the Board: [...]

- ii. To urgently initiate a focused community-wide discussion (including with the GAC and ALAC) on the resolution of contention sets, with a view to finding alternatives to private auctions and ICANN auctions of last resort, before the ICANN Board takes any action in a manner that may be inconsistent with the ICANN77 Washington D.C. Communiqué GAC Consensus Advice.”

Community Discussion on the Resolution of Contention Sets

Schedule

- 13 August 2024, 13:00-15:00
- 14 August 2024, 13:00-15:00

Sign up

Fill out [this form](#) or email nextround_policyimplementation@icann.org.

Goal

Consider which mechanisms should be established for the resolution of contention sets in the next round of new gTLDs.

More information in the [announcement](#)

Topic 19 | Application Queuing

Agenda Item #4

Application Queuing: IRT Meeting #29

In [Meeting #29](#) the IRT expressed a strong interest in investigating other options and not repeat what was done in 2012.

Application Queuing: Affirmation 19.1

The Working Group supports the approach ultimately taken to application queuing during the 2012 round, in which ICANN conducted drawings to randomize the order of processing applications within an application window, and therefore affirms the use of a “prioritization draw” for subsequent procedures. The Working Group acknowledges that there may be possible adjustments or alternatives to the logistics of the prioritization draw used in the 2012 round that either would improve on existing processes or be necessitated under applicable law.*

**One example may be exploring whether the prioritization draw must be in person as opposed to virtual.*

Application Queuing: Affirmation 19.1 (cont'd)

The Working Group supports such improvements and provides some examples in Implementation Guidance 19.2. The Working Group notes that in the 2012 round, the implementation of drawings included prioritization of IDN applications. This Affirmation does not address the prioritization of IDNs. Please see below for additional information on this issue. The Working Group acknowledges that continuing to use the randomized drawing approach is contingent upon local law and the ability of ICANN to obtain the necessary license to conduct such drawings, but **advises that ICANN must not under any circumstances attempt to create a “skills-based” system like “digital archery” to determine the processing order of applications in subsequent procedures.** This affirmation updates and replaces Implementation Guideline D from 2007 which recommended a first-come first served method of processing applications.*

** Implementation Guideline D from 2007 stated: “A first come first served processing schedule within the application round will be implemented and will continue for an ongoing process, if necessary. Applications will be time and date stamped on receipt.”*

Application Queuing: IG 19.2

Procedures related to application queuing should be simplified and streamlined to the extent possible. For example, applicants could be provided the opportunity to pay the optional fee for participating in the drawing along with payment for the application. Another suggestion is to explore ways to assign a prioritization number during the application process without the need for a distinctly separate drawing event.

Application Queuing: Rationale

The Working Group agreed that predictability is a key factor in developing recommendations related to application queuing in subsequent procedures. Reflecting on the challenges associated with digital archery* and the resulting need to establish an alternate method application queuing, the Working Group agreed on the importance of establishing an effective and reliable system that is ready to use when it is needed to establish priority order for applications. The Working Group felt that the drawing method ultimately adopted was fit for purpose, but also noted that the system should be simplified where possible to make the process simpler for applicants. The Working Group did not want to be prescriptive in putting forward changes to streamline the process, because the Working Group understands that ICANN org will need to conduct additional legal analysis on requirements and restrictions under local law before implementing any improvements. Therefore the Working Group has provided implementation guidance rather than recommendations in this regard.

**See Board Resolutions initiating digital archery (<https://www.icann.org/resources/boardmaterial/resolutions-2012-03-28-en>) and terminating digital archery (<https://features.icann.org/2012-06-27-digital-archery>).*

Topic 31 | Objections

Agenda Item #5

Independent Objectors: Proposed Approach

IOs are not permitted to file an objection to an application where an objection has already **passed the quick look review on the same ground**, absent extraordinary circumstances.*

The IOs will monitor the application comments and objections as they are submitted and will start working on their objections as they identify potentially highly objectionable applications. After the results of the Quick Look review are published, the IOs will have a 7 calendar day window to file their objections.

**Should the IOs file an objection to an application where an objection has already passed the quick look review on the same ground based on extraordinary circumstances, they will describe such extraordinary circumstances in their objection.*

Objections: Outline

1.1 Objections and Dispute Resolution Overview

1.1.1 Grounds for Objection

1.1.1.1 Ground for Objection: String Confusion

1.1.1.2 Ground for Objection: Legal rights

1.1.1.3 Ground for Objection: Limited Public Interest

1.1.1.4 Ground for Objection: Community

1.1.2 Standing to Object

1.1.2.1 Standing to Object: String Confusion

1.1.2.2 Standing to Object: Legal Rights

1.1.2.3 Standing to Object: Limited Public Interest

1.1.2.3 Standing to Object: Community

1.1.3 Primary and Variant Strings in the Objection Process

1.1.4 Dispute Resolution Service Providers

1.1.5 Independent Objectors

1.1.6 Options in the Event of an Objection

1.2 Objection Filing and Processing

1.2.1 Filing an Objection

1.2.2 Administrative Review

1.2.3 Notification

1.2.4 Consolidation of Objections

1.2.5 Appointment of the Panel

1.2.6 Quick Look Review

1.2.7 Payment of the Fees

1.2.8 Responding to an Objection

1.2.9 Adjudication

1.2.10 Mediation and Settlement

1.2.10.1 Mediation and Settlement Overview

1.2.10.2 Cooling Off Period

1.2.10.3 Settlement

1.2.10.4 Application Change Requests in the Objections Process

1.2.10.4.1 Application Change Requests Before the Expert Determination

1.2.10.4.2 Registry Voluntary Commitments as a Remedy

1.2.11 Expert Determination

1.2.12 Appeals

1.3 Dispute Resolution Principles

1.3.1 Principles: String Confusion

1.3.2 Principles: Legal Rights

1.3.3 Principles: Limited Public Interest

1.3.4 Principles: Community

Upcoming IRT Meetings

Agenda Item #6

Provisional Meeting Schedule

#	Date	Time UTC	Topic	Wiki
1	08-Aug-24	18:00-19:00	<i>IDN Sub-Track</i>	https://community.icann.org/x/u4EEF
62	08-Aug-24	19:00-20:00		https://community.icann.org/x/SwDyF
63	20-Aug-24	13:00-14:00		https://community.icann.org/x/UgDyF
64	22-Aug-24	19:00-20:00		https://community.icann.org/x/WQDyF
65	27-Aug-24	13:00-14:00		https://community.icann.org/x/YADyF
66	29-Aug-24	19:00-20:00		https://community.icann.org/x/ZwDyF
67	03-Sep-24	13:00-14:00		https://community.icann.org/x/OYBVFQ
68	05-Sep-24	19:00-20:00		https://community.icann.org/x/QYBVFQ
69	10-Sep-24	13:00-14:00		https://community.icann.org/x/SoBVFQ
70	12-Sep-24	19:00-20:00		https://community.icann.org/x/UoBVFQ
71	17-Sep-24	13:00-14:00		https://community.icann.org/x/X4BVFQ
72	19-Sep-24	19:00-20:00		https://community.icann.org/x/aoBVFQ
73	24-Sep-24	13:00-14:00		https://community.icann.org/x/c4BVFQ
74	26-Sep-24	19:00-20:00		https://community.icann.org/x/e4BVFQ

Dates, times, and agendas will be confirmed closer to the meetings.

AOB

Agenda Item #7