Next Round of NgTLDs / Subsequent Procedures
The Last SubPro Supplemental Recommendation

Update #13 to At-Large CPWG
on Singular/Plural Strings

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Recap (1/2)

- Delegation of singular and plural of same word in same language – consumer confusion
  - SubPro PDP identified problem
  - SubPro Recs 24.3 and 24.5 on String Similarity Review, but had "intended use" element – ICANN Board declined to adopt

- GNSO SubPro Small Team Plus
  - Developed Supp Recs removing "intended use"
    - Supp Rec 24.3A - prohibiting plurals and singulars of the same word within the same language/script.
    - Supp Rec 24.3B – exception for dotBrands
    - Supp Rec 24.3C – reliance on recognised linguistic resources
  - ICANN Board indicated inclination to not adopt Supp Recs either, had ICANN org propose alternative – ICANN Org Strawman

Recap (2/2)

ICANN Org Strawman

- Discussed at CPWG 15 May, 22 May, 10 July
- Anyone can **"notify" ICANN org** of singular-plural of same word in same language, identifying pairs of string(s)/TLD with supporting 'dictionary'
- ICANN-engaged panel to determine
- If determination is positive – reject / **place in contention set to resolve**
- No 'notification' means no concern

Vs

GNSO ST+ Strawman

- Discussed partially at CPWG 10 July
- Anyone can **submit** a concern of singular-plural of same word in same language **via Application Comment**, identifying pairs of string(s)/ TLD with supporting 'dictionary'
- ICANN-engaged panel to determine
- If determination is positive – reject / **opt for Extended Evaluation to resolve, cannot challenge result**
- No –ve Application Comment means no concern

But alas, GNSO SubPro ST+ Members disagree on...

- Nature of Extended Evaluation
  - ex-parte vs inter partes
  - non-adversarial vs right to respond
- Role of String Confusion Objection
  - usurping vs duplication
  - cost

Going back to the basics …

- **Paul McGrady Strawman**

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- Absent extraordinary circumstances where a new gTLD applicant can evidence that consumers will not be confused (the “Extraordinary Conditions”), **singulars and plurals of the same word in the same language** that **anyone reports to staff**, will **not co-exist as top-level domain** names in future application periods.
  - In the event that such **singulars and plurals are the subject of co-pending applications**, and an applicant is **unable to meet the Extraordinary Conditions**, the applications will be **placed in contention sets**.
  - In the event such **singulars and plurals consist of one or more applications and a pre-existing gTLD**, and an applicant is **unable to meet the Extraordinary Conditions**, the application(s) will be **rejected**.
- The details of implementation will be developed by the IRT.

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Any immediate thoughts?