

New Proposed Language after discussions

Output 14: Need for a discovery mechanism

(Existing language) [Final Recommendation 14](#):

“To account for the “same entity” principle and its implications for variant domain names, **ICANN org should work with relevant stakeholders** to develop and enable a service to discover the allocated variant domain names for a given domain name, including an indication of the source domain name(s) and initial source domain name of the variant domain set. The grandfathered variant domain names pursuant to [Final Preliminary Recommendation 3](#) are exempt from this requirement.”

(Proposed Language) [Final Recommendation 14](#):

“To account for the "same entity" principle and its implications for variant domain names, **gTLD registry operators should work with ICANN-accredited registrars to provide information on** the allocated variant domain names for a given domain name, including an indication of the source domain name(s) and initial source domain name of the variant domain set. The grandfathered variant domain names pursuant to [Final Recommendation 3](#) are exempt from this requirement.”

[Recommendation 14: Rationale for change](#)

After EPDP Team deliberations, it became apparent that two concepts were being combined in PR 14 and IG 15. Firstly, registries and registrars need a mechanism to **communicate between themselves**, to determine what the allocated and allocatable variant domain names are for a given domain name, for a variety of reasons, but principally, to ensure that the same entity requirement is adhered to. Secondly, **an end user needs to be able to determine what the allocated variant domain names are** (e.g., interest in registering a domain name or filing a URS complaint). Because of these two distinct purposes, it likely makes sense to delineate them into a separate recommendation and implementation guidance.

Output 15: Information about the variant set to be provided

(Existing Language) Implementation Guidance 15

“Final Recommendation 14 is intended as a minimum requirement. A registry or a registrar may choose to enhance the behavior of the service to provide additional information or enable other methods to provide the following information (e.g., bulk services):

15.1 **the required data elements for the given domain name** in accordance with the Registration Data Policy;

15.2 **all the other allocated variant domain name(s) under a given gTLD and its delegated gTLD variant label(s)**, if any; and

15.3 **the source domain name** used to calculate the variant domain set.”

(Proposed Language) Final Implementation Guidance 15:

“In order to allow an end user to discover the allocated variant domain names for a given domain name, registrars should **accept and consider** whether disclosure of this information should be granted. In considering whether to disclose the information, the registrar **should balance the interest of the requestor with those of the data subject, where such balancing is required** by applicable law.”

Implementation Guidance 15: Rationale for change

Support staff reached out to ICANN Legal, to determine whether there may be data privacy concerns from disclosing the allocated variant domain names of a given domain name. Though the disclosure of allocated variant domain names may not directly expose personal data, it could reveal details about the registrant that may unintentionally compromise their privacy. As such, **the recommendation from ICANN Legal is to restrict public access to this information or avoid disclosure altogether**. However, there are reasons that **an end user may need this information**.

Output 18: Process of formulating the IDN Implementation Guidelines

(Existing Language) Final Recommendation 18¹:

“The documented process must be approved by the **GNSO Council, the ccNSO Council, and the ICANN Board**.”

(Proposed Language) Final Recommendation 18:

“The existing process for developing and updating the IDN Implementation Guidelines, that includes **establishing a working group of community experts and ICANN org staff**, under the governance of ICANN Board, must be maintained.

The process for developing and updating the IDN Implementation Guidelines must be formalized and documented to enhance **its predictability, transparency, rigor, efficiency, and effectiveness**.

¹ Online the relevant question has been extracted, here and not the full text

The ICANN Board will be responsible for **documenting the process**, in consultation with the ICANN community.

The documented process must be approved by the **ICANN Board, in consultation with the GNSO Council and ccNSO Council.**”

Recommendation 18: Rationale for change

(Excerpt from Section 4 – Please note that the rationale portion was too long to share via email, thus only the relevant part has been extracted here for review. For further details, please see the working document via pp.34-37:

https://docs.google.com/document/d/1vVbsKNfzHoqmuBH6VF1jF73Xr4A_UK7ZXiGmRjVTiE/edit?usp=sharing)

“However, in accordance with the Public Comment input, the EPDP Team decided that the ICANN Board will have the ultimate oversight responsibility and be charged with developing and updating the IDN Implementation Guidelines, rather than through its subset or its relevant successor, in consultation with the ICANN community. Moreover, the documented process must be conducted in consultation with the GNSO Council and the ccNSO Council.”

Output 20: Approval Process of the IDN Implementation Guidelines

(Existing Language) Final Recommendation 20:

“Any future versions of the IDN Implementation Guidelines must be approved by the **GNSO Council and the ccNSO Council** prior to consideration and **approval by the ICANN Board.**”

(Proposed language) Final Recommendation 20:

“Any future versions of the IDN Implementation Guidelines **must be approved by the GNSO Council prior to consideration by the ICANN Board.**”

Recommendation 20: Rationale for change

“Though the ICANN Board has ownership of the documented process for developing and updating the IDN Implementation Guidelines, as set out in Final Recommendation 18, the EPDP Team agreed that

moving forward, any future versions of the Guidelines must be approved by the GNSO Council prior to consideration by the ICANN Board. This is a significant procedural change from the existing practice. As the Guidelines is a compulsory document for ICANN contracted parties (gTLD registries and registrars offering IDN registration) and contains contractual obligations, seeking GNSO Council's approval of any new future version prior to the ICANN Board consideration is of critical importance. This will also help mitigate the challenging situation incurred when the final version of the proposed draft 4.0 was published for Board consideration, as explained in the rationale for Final Recommendation 18. Further, while ccTLD managers are not contractually required to adhere to the Guidelines, they are expected to be guided by it. Thus, seeking ccNSO Council's consideration during the approval process will also ensure that the other impacted party aligns with the proposed changes or updates in the future versions prior to Board consideration, ultimately ensuring consistency at the second-level."

C6: Format for the IDN Implementation Tables

No Final Output but Suggestion Considered for the Future: The EPDP Team took into account the suggestion raised by a commenter **that a standards-based approach that is machine-readable for IDN Table harmonization would be forward-looking.** Though the commenter understood the effort, time, and funding that registries would require for this transition and **did not insist on an immediate plan to conversion**, the proposal was for a **guidance to be in place to shepherd the registries into transitioning to a standard format** rather than being left with multiple approaches. The expectation was that such a transition would make the IDN variant system **more resilient and improve manageability** in establishing consistency for IDN Tables across TLDs and across registries, which is a key goal of harmonization, thus reducing confusion and improving user experience.

As a reminder, the registries shared the three current standards that are available to represent IDN Tables, namely RFC 3743, RFC 4290, and RFC 7940. RFC 7940 is the latest machine-readable XML format and refers to IDN tables as LGRs, which is machine-processable and less open to interpretation, thus preferred by ICANN org. However, the text-based formats, such as RFC 3743 and RFC 4290, are also considered as current standards and ICANN org expressed support of all three approaches. All things considered, the EPDP Team decided to factor in this suggestion for the future.

D5: Registration of entire variant set or by individual names

No Final Output: The EPDP Team recognized the great attention paid by the community to this charter question, having received various suggestions from multiple commenters. Some commenters asked for guidance related to the variant domain name activation model and the associated annual fee expectation, requesting a specific model (either EPP Create or EPP Update) to be prescribed and/or **explicitly suggesting "EPP Update" for operational ease and cost reduction purposes.** The commenters believed that the end-users should be up-to-date with this information and as the **cost is mainly to affect the under-represented regions, that it should be kept as low as possible.** Other commenters understood that this

issue is out of scope for the Team and may need to be considered during implementation. A commenter further opposed the idea of dictating a model and price, **stating that this realm is under the purview of the registries** and how they handle their business.

Accordingly, the EPDP Team concluded again to leave the response as is, agreeing not to provide any specific outputs at this time.

Interactions with the GNO Transfer Policy Review WG

The TPR WG had identified three Preliminary Recommendations from the EPDP Phase 2 Report that potentially could impact their own final report. All three relate to “Same-entity” principal at the second level. The ALAC EPDP Team has exchanged notes with the ALAC TPR WG team, and no major impact is anticipated except a few minor updates.

- **Preliminary Recommendation 10:** In the event an inter-registrar transfer process is initiated for a domain name, which is a member of a variant domain set, the process must encompass all of its allocated variant domain names, if any, together. The grandfathered variant domain names pursuant to Preliminary Recommendation 3 are exempt from this requirement. ***[TPR Leadership note: This will likely require an update to the Transfer Policy as part of implementation, but does not conflict with the TPR WG’s recommendations.]***
- **Preliminary Recommendation 11:** In the event a domain name is ordered to be transferred as a result of a Uniform Domain Name Dispute Resolution Policy (UDRP) administrative proceeding, the transfer process must include the domain name and all of its allocated variant domain names, if any, together. The grandfathered variant domain names pursuant to Preliminary Recommendation 3 are exempt from this requirement. ***[TPR Leadership note: This will likely require an update to the UDRP Rules as part of implementation, but does not conflict with the TPR WG’s recommendations.]***
- **Implementation Guidance 12:** A Uniform Rapid Suspension System (URS) complainant is responsible for deciding whether to include allocated variant domain names, if any, of a disputed domain name as part of their URS complaint. ***[TPR Leadership Note: This recommendation may require an update to the URS Rules as part of implementation, but does not conflict with the TPR WG recommendations.]***

Other Discussions:

- An alternate term for “Grandfathering”, on account of objection from ICANN Org based on the apparent racial origins of this term